HOUSE OF REPRESENTATIVES—*Thursday, September 13, 1990*

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. LEVINE of California].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 13, 1990.

I hereby designate the Honorable MEL LEVINE to act as Speaker pro tempore today.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

Rabbi Jay Marcus, rabbi for the Young Israel of Staten Island and director of Genesis Foundation and the Western Wall Heritage Foundation, Staten Island, NY, offered the following prayer:

As we approach the Jewish New Year, Rosh Hashanah, we are challenged to look back at the year gone by. We are astounded at the cataclysmic changes and events that have transpired. What a remarkably momentous year.

We have witnessed the demise of communism and the budding of democracy in Eastern Europe, the shattering of the Berlin Wall and the reunification of Germany, the mass emigration of Jews from the Soviet Union to America and Israel and the ugly rise of anti-Semitism in Russia and Eastern Europe, the continued emigration of Ethiopian Jews to Israel and Iraq's tragic invasion of Kuwait, the unprecedented economic blockade and military collaboration among the great powers and the Arab States.

How does one make sense of these events? What do they mean for the individual, for America and the world? We would posit that they are manifestations of God's hand in history. We cannot discern its direction, but we must believe that it is leading the nations of the world, and its people, toward an accommodation of differences, universal morality and an abiding peace. This belief is reinforced in the high holiday prayers.

On Rosh Hashanah we read:

Now, Lord our God, put Your awe upon all whom You have made, Your dread upon all whom You have created; let Your works revere You, let all Your creatures worship You; may they all blend into one brotherhood to do Your will with a perfect heart. For we know, Lord our God, that Yours is dominion, power and might, You are revered above all that You have created.

This prayer expresses the ideal of universal brotherhood and universal morality under the eyes of the universal God. Mankind is unable to solve all its problems alone.

Yesterday in New York major philanthropists overnight became paupers as the Japanese banks foreclosed on 43 major real estate buildings. Overnight magnates of real estate have been broken.

During these days of awe we realize that man's quest for power, and dominion and acts of aggression are puny, misguided and doomed to failure. We ask God that wickedness vanish like the smoke and to abolish the rule of tyranny on Earth. This is our dream, this is our hope, this is our prayer.

A moving story is told of an elderly Jewish woman who at the conclusion of the Rosh Hashanah service finds herself all alone with no one to exchange the customary Shana Tova, or good year, blessing. She reflects for a moment, and then steps to the front of the sanctuary and opens the ark. "I know who to wish a Shana Tova, a good year," she says. "I'll wish God a good year, but what can I wish Him? He has everything," and she smiles sweetly, looking at the ark and the Torah. "God, I wish You nachas, joy, satisfaction and pleasure from all Your children, from all of mankind."

Amen.

THE JOURNAL

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

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

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

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

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

Mr. SCHULZE. 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 281, nays 103, answered "present" 1, not voting 47, as follows:

[Roll No. 328]

YEAS—281

Ackerman	Fish	Martinez
Anderson	Flake	Matsui
Andrews	Flippo	Mavroules
Annunzio	Foglietta	Mazzoli
Anthony	Ford (TN)	McCloskey
Applegate	Frank	McCollum
Aspin	Gaydos	McCrery
Atkins	Gejdenson	McCurdy
Barnard	Geren	McDermott
Bartlett	Gibbons	McEwen
Bateman	Gillmor	McHugh
Bates	Gilman	McMillan (NC)
Beilenson	Glickman	McMillen (MD)
Bennett	Gonzalez	McNulty
Berman	Gordon	Mfume
Bevill	Gradison	Miller (CA)
Bilbray	Grant	Mineta
Borski	Gray	Moakley
Bosco	Green	Molinari
Boucher	Guarini	Mollohan
Boxer	Gunderson	Montgomery
Brennan	Hall (OH)	Moody
Brooks	Hall (TX)	Moorhead
Broomfield	Hamilton	Morrison (WA)
Browder	Hammerschmidt	Mrazek
Brown (CA)	Harris	Murtha
Bruce	Hatcher	Myers
Bryant	Hayes (IL)	Nagle
Bustamante	Hayes (LA)	Natcher
Byron	Hefner	Neal (MA)
Callahan	Hertel	Neal (NC)
Campbell (CO)	Hoagland	Nelson
Cardin	Hochbrueckner	Nowak
Carper	Horton	Oakar
Carr	Houghton	Obey
Clarke	Hoyer	Olin
Clement	Hubbard	Ortiz
Clinger	Huckaby	Owens (NY)
Coleman (MO)	Hughes	Owens (UT)
Coleman (TX)	Hutto	Oxley
Collins	Hyde	Packard
Combest	Jenkins	Pallone
Conte	Johnson (CT)	Parker
Conyers	Johnson (SD)	Payne (NJ)
Cooper	Johnston	Payne (VA)
Costello	Jones (GA)	Pease
Coyne	Jones (NC)	Pelosi
Darden	Jontz	Penny
Davis	Kanjorski	Perkins
de la Garza	Kaptur	Petri
DeFazio	Kasich	Pickett
Dellums	Kastenmeier	Pickle
Derrick	Kennedy	Porter
Dicks	Kennelly	Poshard
Dingell	Kildee	Price
Donnelly	Kleczka	Pursell
Dorgan (ND)	Kolter	Rahall
Downey	Kostmayer	Ravenel
Duncan	LaFalce	Ray
Durbin	Lancaster	Richardson
Dwyer	Lantos	Rinaldo
Dymally	Laughlin	Ritter
Dyson	Lehman (CA)	Robinson
Early	Lehman (FL)	Roe
Eckart	Lent	Roth
Edwards (CA)	Levin (MI)	Rowland (CT)
Emerson	Levine (CA)	Rowland (GA)
Engel	Lewis (GA)	Roybal
Erdreich	Lipinski	Russo
Espy	Livingston	Sabo
Evans	Lloyd	Saiki
Fascell	Long	Sangmeister
Fazio	Lowey (NY)	Sawyer
Feighan	Luken, Thomas	Scheuer

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Schiff	Solarz	Traxler
Schneider	Spence	Unsoeld
Schulze	Spratt	Valentine
Schumer	Staggers	Vento
Serrano	Stallings	Visclosky
Sharp	Stark	Volkmer
Shumway	Stenholm	Walgren
Shuster	Stokes	Walsh
Sisisky	Studds	Washington
Skaggs	Swift	Waxman
Skeen	Synar	Weiss
Skelton	Tallon	Weldon
Slattery	Tanner	Wheat
Slaughter (NY)	Tauzin	Wise
Smith (FL)	Taylor	Wolpe
Smith (IA)	Thomas (GA)	Wyden
Smith (NE)	Torres	Wylie
Smith (NJ)	Torricelli	Yates
Smith (VT)	Towns	Yatron
Snowe	Traficant	

NAYS—103

Armey	Hansen	Rhodes
Baker	Hastert	Ridge
Ballenger	Hawkins	Roberts
Barton	Hefley	Rogers
Bentley	Henry	Rohrabacher
Bereuter	Herger	Ros-Lehtinen
Bilirakis	Hiler	Roukema
Bliley	Holloway	Saxton
Boehlert	Hopkins	Schaefer
Brown (CO)	Inhofe	Schroeder
Buechner	Ireland	Schuette
Bunning	Jacobs	Sensenbrenner
Burton	James	Shays
Campbell (CA)	Kolbe	Sikorski
Chandler	Kyl	Slaughter (VA)
Clay	Lagomarsino	Smith (TX)
Coble	Leach (IA)	Smith, Robert (NH)
Courter	Lewis (CA)	Smith, Robert (OR)
Cox	Lightfoot	Solomon
Craig	Lowery (CA)	Stangeland
Dannemeyer	Machtley	Stearns
DeLay	Madigan	Stump
DeWine	Marlenee	Sundquist
Dickinson	Martin (IL)	Tauke
Douglas	Martin (NY)	Thomas (CA)
Dreier	McCandless	Thomas (WY)
Fawell	McGrath	Upton
Fields	Meyers	Vucanovich
Gallegly	Miller (WA)	Walker
Gallo	Nielson	Weber
Gekas	Parris	Whittaker
Goodling	Pashayan	Wolf
Goss	Paxon	Young (AK)
Grandy	Quillen	
Hancock	Regula	

ANSWERED "PRESENT"—1

Lukens, Donald

NOT VOTING—47

Alexander	Frost	Patterson
Archer	Gephardt	Rangel
AuCoin	Gingrich	Rose
Boggs	Hunter	Rostenkowski
Bonior	Leath (TX)	Sarpalius
Chapman	Lewis (FL)	Savage
Condit	Manton	Shaw
Coughlin	Markey	Smith, Denny (OR)
Crane	McDade	Udall
Crockett	Michel	Vander Jagt
Dixon	Miller (OH)	Watkins
Dornan (CA)	Morella	Whitten
Edwards (OK)	Morrison (CT)	Williams
English	Murphy	Wilson
Ford (MI)	Oberstar	Young (FL)
Frenzel	Panetta	

□ 1031

Mr. PAYNE of New Jersey changed his vote from "present" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. WISE). The gentleman from Ohio [Mr. TRAFICANT] will lead the House in the Pledge of Allegiance.

Mr. TRAFICANT 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.

PERSONAL EXPLANATION

Mr. MORRISON of Connecticut. Mr. Speaker, I was unavoidably absent for rollcall No. 328, a vote for the Journal, rollcall No. 330, the Goodling amendment to the National Service Act, and rollcall No. 331, the conference report on the Energy Policy Conservation Act. Had I been here, I would have cast the following votes: "aye," "nay," and "aye."

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 2174. An act to provide for the establishment of the Mississippi River Corridor Study Commission, and for other purposes; and

H.R. 4501. An act to provide for the acquisition of the William Johnson House and its addition to the Natchez National Historical Park, 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. 2809. An act to provide for the transfer of certain lands to the State of California, and for other purposes.

The message also announced, That the Senate disagrees to the amendments of the House to the bill (S. 566) "An Act to authorize a new Housing Opportunities Partnerships program to support State and local strategies for achieving more affordable housing; to increase homeownership; and for other purposes", request a conference with the House on the disagreeing votes of two Houses thereon, and appoints from the Committee on Banking, Housing, and Urban Affairs: Mr. RIEGLE, Mr. CRANSTON, Mr. SARBANES, Mr. DODD, Mr. DIXON, Mr. D'AMATO, Mr. HEINZ, Mr. BOND, and Mr. MACK; from the Committee on Labor and Human Resources, for title XIII only: Mr. KENNEDY, Mr. DODD, Ms. MIKULSKI, Mr. HATCH, and Mr. DURENBERGER; to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1805. An act to authorize the Secretary of the Interior to reinstate oil and gas lease LA 033164;

S. 2680. An act to provide for the conveyance of lands to certain individuals in Stone County, AR;

S. 3024. An act to require the Secretary of Agriculture to announce an acreage limitation program for the 1991 crop of winter wheat; and

S. 3023. An act to direct the Secretary of Agriculture to target Export Enhancement Program funds on the basis of whether or not the countries the United States is competing with have reduced plantings of the commodity in question an amount equal to the planting reductions in the United States.

RABBI JAY MARCUS

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

Mr. ACKERMAN. Mr. Speaker, I wish to thank Dr. Ford for permitting Rabbi Jay Marcus to lead the House of Representatives in prayer this morning.

Mr. Speaker, for the past 20 years, Rabbi Marcus has distinguished himself as an exemplary community leader, and as the dynamic spiritual leader of the Young Israel of Staten Island.

In addition, for the past 7 years, Rabbi Marcus has been the teacher and confidant of a number of our colleagues and their families. Under the sponsorship of the Genesis Foundation, Rabbi Marcus has conducted a semimonthly congressional Bible class. Over the years, about 30 of our current and former colleagues, as well as members of their families have participated in these classes. Rabbi Marcus' class has been a shining light in our busy schedules. His ability to integrate the value of our tradition along with the subline nature of today's current events has been a beacon of inspiration to all those present to hear his words.

So, it is bittersweet that Rabbi Jay has been awarded a deserved 1 year sabbatical by his congregation. On the one hand, this sabbatical will enable Rabbi Marcus to recharge his batteries and expand his already broad horizons. Yet, on the other hand, his congressional students will miss hearing his inspirational words. Mr. Speaker, Rabbi Marcus is not only my teacher, but also my dear friend. On behalf of his loyal congressional students, I wish him only the best during his sabbatical in Israel.

TRIBUTE TO RABBI JAY MARCUS

Mr. GILMAN. Mr. Speaker, I am pleased to associate myself with the articulate remarks of our colleague from New York [Mr. ACKERMAN], focusing our attention on the distinguished accomplishments of Rabbi Jay Marcus of New York.

Rabbi Marcus is well known to many of us in the House through the outstanding, informative semimonthly congressional Bible class which he has conducted. Rabbi Marcus was blessed with an ability to relate the lessons of the Bible to the problems of contemporary life.

His teachings have been of great value over the past 7 years to about 30 of our current and former colleagues, as well as to their families.

Rabbi Marcus has been the spiritual leader of the Young Israel of Staten Island for 20 years, and has thus earned a reputation as a premier religious leader and instructor throughout the eastern seaboard.

Mr. Speaker, I have been informed that Rabbi Marcus is about to go to Israel to enjoy a 1-year sabbatical from his rabbinical duties. His outstanding counsel will be missed by many, although we appreciate the fact that this devout man has fully earned a period of rest and relaxation.

Mr. Speaker, I invite all of our colleagues to join with us in saluting Rabbi Jay Marcus for the exemplary manner in which he has fulfilled his rabbinical responsibilities in the House.

PRO-LIFE CANDIDATES DO WELL IN PRIMARIES

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

Mr. SMITH of New Jersey. Mr. Speaker, pro-life candidates have done exceptionally well this primary season, a trend which was continued this last Tuesday in Minnesota, Wisconsin, and New Hampshire, while pro-lifers had a day of mixed results in Maryland.

In the Republican gubernatorial primary in Minnesota, the upset victory of Jon Grunseth over an abortion advocate who was up by more than 10 points in the polls was directly attributed to pro-life mobilization. In the Minneapolis Star-Tribune the headline was "Abortion foes may have swung key races." The headline of an article in the Milwaukee Sentinel read "Anti-abortionists run strong in races for assembly seats."

Mr. Speaker, the Minneapolis Star-Tribune wrote:

> This was supposed to be an election when abortion rights advocates proved they had undergone a political reawakening, but it was the abortion opponents who demonstrated a newfound zeal Tuesday in supporting candidates who share their views.

Mr. Speaker, pro-life sentiment also prevailed in the Minnesota Democratic primary where Democratic Governor Rudy Perpich beat back the challenger, an abortion rights candidate.

Ladies and gentlemen, slowly but inevitably, despite the pro-abortion euphemisms, Americans are discovering that abortion stops a beating heart.

Mr. Speaker, with your permission, I would like to insert in the Extension of Remarks section today, a summary analysis of Tuesday's election results that was prepared by the National Right to Life Committee.

KEEPING FEDERAL EMPLOYEES AND RETIREES FROM TAKING MAJOR BUDGET HIT

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

Ms. OAKAR. Mr. Speaker, I know the budget summit is still going on, and I know how difficult it must be to reach a negotiation and a reconciliation.

But Mr. Speaker, the rumors and newspaper reports are dismaying to me. We cannot once again have Federal employees and retirees take the major hit on the cuts. The cost-of-living adjustment is as important to a Federal retiree as it is to a Social Security recipient. The average spousal benefit is less than $6,000 a year. Most of these women have no other income. They need that cost-of-living adjustment.

Similarly, Medicare was never meant to be means tested.

We have an amendment to cut SDI funding in the Defense bill. It is the same cost as the COLA for Federal retirees. I would rather cut arming the heavens than clobber senior citizens.

SUPPORT THE TEXTILE BILL, H.R. 4328

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

Mr. BALLENGER. Mr. Speaker, I rise today to encourage support for the Textile, Apparel, and Footwear Trade Act of 1990.

The U.S. textile industry is one of the most productive manufacturing sectors of the economy and employs nearly 2 million Americans nationwide. Aside from this fact, textile mills across the Nation contribute to their communities' economic well-being and quality of life in many significant ways.

Fiber, textile, apparel, and footwear companies are active members of every community. Where there is a mill or a factory, there is support for hospitals, schools, drug abuse programs, literacy programs, Scouts, and Little League. Foreign textile manufacturers don't contribute to American communities at all.

The American textile industry conforms with safety and environmental regulations and has been ranked No. 1 in safety by the National Safety Council 3 out of the last 4 years. However, some foreign companies' plants are so unsafe and emit pollutants such that they would be closed by EPA or OSHA.

I ask my colleagues once again to look closely at the current textile situation and decide if the United States can afford to lose this industry to foreign manufacturers. I do not think we can.

RECONCILING THE FEDERAL BUDGET

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

Mr. TORRICELLI. Mr. Speaker, the President stood in this Chamber and he challenged our soldiers and our citizens to stand firm in the Middle East. He displayed character and vision, and then he issued another challenge, to reverse the spiraling national debt. But instead of straight talk and honest answers, he proposed oil drilling incentives, savings plans, capital gains tax reductions, good ideas all, things we would like to support, but ideas which contribute another $32 billion to the national debt.

□ 1040

He comes before us to talk about reducing the national debt, but he has idea after idea which only add to the national debt.

Mr. Speaker, our way of life may or may not be challenged in the Middle East, but most assuredly it is at issue in this Congress and in this city.

The courage of our soldiers in the Middle East is not the only measure of our national character. It is the courage of the administration, indeed, of our national leaders to come before the American people with straight talk and honest answers to end this fiscal abuse and save this country that is at issue.

CRIME BILL DEATH PENALTY A SHAM

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

Mr. DOUGLAS. Mr. Speaker, tomorrow we begin general debate on the crime bill. It is H.R. 5269, and it is an entirely inadequate bill when it comes to the death penalty. Unless it is amended, I intend to vote against the so-called anticrime bill.

One of the reasons the death penalty portion of the bill is so inadequate is that a number of crimes that are currently already capital crimes are not covered under the part of the bill that makes the death penalty constitutional under Federal law. We are currently not in accord with Supreme Court opinions.

The bill would bring us into that accord, but it exempts the following, and if you vote for this bill, this is what you will have voted to do: If you blow up an airplane and kill 300 people, you will not get the death penalty. That is the PLO Protection Act of 1990. If you murder a civil rights lawyer or send a letter bomb through

the mail to kill someone involved in a civil rights activity: not covered by the death penalty. For murdering of witnesses in Federal proceedings, it is not covered by the death penalty. And it goes on and on.

We must support the Gekas amendments to the anticrime bill if we are going to have a meaningful death penalty in this country.

WHERE ARE OUR ALLIES?

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

Mr. SMITH of Florida. Mr. Speaker, there have been some inappropriate characterizations of our policy of trying to promote burden sharing and shared responsibility with our allies vis-a-vis the Middle East problem as characterizations of tin cup diplomacy.

Mr. Speaker, well, let us put that to rest. To the people who belong to NATO other than the United States, to the Japanese, to the Germans, and others, you can take your money and stick it. We do not want your money. For 40 years we protected you. For 40 years we spent $40 trillion keeping our folks in Europe keeping you out of harm's way. Now somebody else in this world needs help because a dictator, a despot, has decided to annex a country by force. We are there protecting like the United States always did.

Where are you? Where are you, Germany? Where are you, Japan? Where are you, France, Belgium, Holland, Italy? Where are the rest of you? England? Put your people in harm's way. There are 100,000 American troops there. Where are you?

We do not want your money. We want your damn moral responsibility.

This is your chance to step up to the plate for a change, and if in the process you help the United States share the burden, all the better. But live up to your moral responsibility.

CONGRESS AND THE CRISIS

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

Mr. STEARNS. Mr. Speaker, the President's address to Congress was commendable. The President has made a strong stand against aggression in the Mideast. It is time for Congress to make a strong stand with him. The leadership in Congress should pass a resolution indicating our support of the President so that he can strengthen his already strong hand against Saddam Hussein of Iraq. It is time for us in Congress to share in the responsibility of this Nation's action. Let us show our support for the President—for the record.

I call on the Senate and the House leadership to tell the American people that we also back the President. The President and leaders of other countries around the world have shown their resolve to stand up against aggression. Is it not time we in this body stood up to be counted with the rest of the world?

I commend the President for his leadership and I ask the Congress to reassert its leadership. With today's notice that Iran is prepared to help Iraq punch through the blockade, we in Congress must show our resolve and support for the President now more than ever.

LET US NOT HURT OUR OWN PEOPLE

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

Mrs. BOXER. Mr. Speaker, I want to address my colleagues and let the people of this country understand that the burdens that our President says are being shared by all the countries of the world, and he says 20 countries are being shared in the Middle East, that those burdens are simply not being shared.

I have a chart that shows the ground troops that have been committed so far in this Persian Gulf incident, just ground troops, not people in the Navy, not people in the Air Force, ground troops, the ones who are going to get it first, the ones who are in most trouble: The United States, 75,000; Egypt, 5,000; Bangladesh, 5,000; Pakistan, 5,000; Morocco, 1,500; Syria, 1,200; France, 200.

Where is NATO? Where are the Japanese?

We have spent in the last 4 years defending NATO from the Warsaw Pact $4 trillion. We have put our kids' lives on the line.

Where are they?

And I would say to this President that when he comes back with a harsh package of budgetary measures, how about some burden sharing? Let them pay the bills. Let us not hurt our own people.

DO NOT SHACKLE ENERGY INDUSTRY

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

Mr. THOMAS of Wyoming. Mr. Speaker, I rise to speak about energy for this country and, indeed, an energy policy that will make that energy available.

Nearly everyone wants an energy policy. The question, of course, is what kind of a policy will we create.

If each of us in this body were to draft our own policy, it would likely be very different. The tough part is to craft a balanced policy which brings forth conservation, alternate sources, security, and domestic production. What we do not need is a series of production disincentives. Excess regulation and windfall profits taxes are among those disincentives.

Mr. Speaker, we have a market system, and one of the lessons that we surely must have learned in the 1970's was that incentives are necessary to produce oil and gas.

In a time when we look for energy security, we should not shackle our energy industry.

UNCLE SAM HAS HAD ENOUGH

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

Mr. DORGAN of North Dakota. Mr. Speaker, when are we going to wake up in this country and decide to tell the rest of the world to pay their own bills?

Today we agonize and we wrestle with budget cuts. Some people say, "Well, let us cut farm programs for family farmers who have already seen their prices collapse." That does not make any sense.

I will tell the Members where we ought to cut spending. Let us cut defense spending. No, not ours. Theirs. We pay for their defense. We have 300,000 troops stationed in Western Europe, and we have 200,000 more civilian employees in Western Europe. That is 500,000 people on the American payroll protecting and defending France and Italy against an attack by Poland and Hungary.

No wonder people think there is a drug problem in America. Nobody is thinking very straight.

We need to tell our allies to pay your bills; we cannot afford to defend you anymore. Uncle Sam has had enough.

It is not old fashioned to begin to invest again in America. They pay their bills, and we invest here at home. That is what our priorities ought to be.

ENVIRONMENTALISTS ARE RESPONSIBLE FOR THE MIDDLE EAST CRISIS

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

Mr. DELAY. Mr. Speaker, a lot of Americans are asking why we have sent our troops to the Persian Gulf to protect Arab oil.

Frankly, Americans should realize that rabid environmentalists have decimated our national energy policy

to the point that we have become overly dependent upon foreign oil.

Since the last oil crisis when we imported 6 million barrels of oil per day, their policies have increased our dependence to almost 8 million barrels of oil per day, 33 percent more than was considered to be a dangerous threat to our national stability in 1973.

We could have developed our energy resources in a responsible manner and reduced our dependence on imported oil, and clean our environment, but the environmental extremists have prevented the United States from developing a responsible energy policy.

And why? Because the rabid environmentalists felt it was more important to jeopardize the lives of our brave American servicemen than risk the death of a single snail darter.

What have the environmentalists done to our energy security? Oil and gas drilling on the Outer Continental Shelf, closed. Exploration of oil on the Alaskan National Wildlife Refuge, closed. Construction of nuclear plants, closed. Construction of hydroelectric plants closed.

The greenies have led us into the crisis in the Middle East. Not only are they responsible for the huge amount of American dependence upon foreign oil, but if an open war develops in the sweltering heat of the Saudi Arabian desert, the tragic result will be on their heads.

□ 1050

JAPANESE BANKS ARE FORECLOSING ON AMERICAN BUSINESSES

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

Mr. TRAFICANT. Mr. Speaker, surprise, surprise, surprise. Japanese banks are foreclosing on American businesses. That is right. We keep shipping over money to protect Japan and Europe, and guess what? I have said before, when we own something, we control it. When we have economic power, we have political power. Japanese banks are foreclosing on American businesses, and we are saving their keisters and their oil in the gulf. Shame on Congress.

Meanwhile, we are talking about raising taxes on beer drinkers. Let me remind Members that it was not beer drinkers who were the sinners that got the United States into this damn mess. Let Members start taking care of our business. Let Members put our foot down with Japan. Let Members cut back on foreign aid, and cut back on NATO. We do not need to raise taxes.

I think that Members of Congress and the Cabinet should take a drug test. Everybody must be high for screwing this country up like they have.

HOW ABOUT DEBT REDUCTION FOR THE UNITED STATES?

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

Mrs. SCHROEDER. Mr. Chairman, the United States of America does not just preach burdensharing, we practice it. During this whole Persian Gulf incident, look what we have done. We looked at Egypt, who is contributing, realized they were much poorer than the United States, and then exempted them from $7 billion worth of debt they had borrowed from the United States to build up the armies they have deployed on the front lines.

Now, I only want to say to the Japanese and Germans, we borrow money from those countries, and then we spend that money defending those countries. There is nothing in their constitution that does not allow those two countries the same kind of debt reduction, vis-a-vis the United States, that we have done vis-a-vis Egypt. So why do we not see a little debt reduction in this whole area?

Can Members imagine how much easier it would make our life at the summit? Can Members imagine how much easier everyone would feel? I think it is only time that we finally, finally, see some kind of recognition for the disparity in economic wealth, because we have been spending so much defending them.

GIVE SENIORS A BREAK

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

Mr. JAMES. Mr. Speaker, I hope that while the summiteers are considering ways to budget, that they, in fact, realize that many Members abhor the concept of taxes. I have taken the "no tax" pledge, but more than that, I think it is significant and important that we realize that means we do not cut Social Security benefits by eliminating COLA freezes. We do not tax retirees, Federal retirees and military retirees, by eliminating the COLA's, because that is the same net effect on them as if we raised income taxes on the rest of the citizens. That would be inexcusable, if we used the same gimmickry that occurred with the catastrophic health insurance.

There is absolutely no difference fundamentally to the people, except we would be taxing only the elderly. The same thing with Medicare and Medicaid. That technique was inexcusable when employed a year ago, and would be just as bad if we attempt that technique now.

BUDGET SUMMITEERS WOULD BURDEN ELDERLY

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

Mr. WAXMAN. Mr. Speaker, I take this time to express my absolute outrage at the budget summiteers, who are talking about wholesale cuts in the Medicare Program. The elderly in this country did not cause this deficit we are now facing. They should not bear this burden. It will hurt them, and is going to hurt our whole health-care system.

Medicare has been the cornerstone of our health policy. It is built on the policy of a social insurance available to the entire population. It has worked well and is broadly supported. The idea that we will have a seniors only tax for a Medicare Program that will do less for them is tremendously offensive. To increase the out-of-pocket costs in premiums and expenses, will be devastating for low income elderly; 40 percent of them already have incomes 200 percent above the poverty line. They will be pushed below the poverty line with these increased expenses placed on all of them.

Why are we doing this? So we do not raise the taxes on the rich. That is unfair. That is why we have a deficit. We gave them tax cuts. Now, they have to pay their fair share.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO HAVE UNTIL 6 P.M. FRIDAY, SEPTEMBER 14, 1990, TO FILE SUNDRY COMMITTEE REPORTS

Mr. TRAFICANT. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation may have until 6 p.m. Friday, September 14, 1990, to file the committee reports on H.R. 5314, the Water Resources Development Act of 1990, and H.R. 4323, the Great Lakes Water Quality Improvement Act of 1990.

This request has been cleared by both the minority leadership of the House and the Committee on Public Works and Transportation.

The SPEAKER pro tempore (Mr. HAYES of Illinois). Is there objection to the request of the gentleman from Ohio?

There was no objection.

IN RECOGNITION OF NATIONAL DARE DAY

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

Mrs. LOWEY of New York. Mr. Speaker, today is National DARE

Day—a day on which we pay tribute to one of our Nation's most successful antidrug education programs.

In the 20th Congressional District in New York, I have seen first hand the success of the DARE approach to drug abuse prevention and education. By bringing law enforcement officials into the classroom to explain the dangers of drugs and to teach resistance techniques, and by involving parents in the process, DARE gives students the skills to recognize and resist pressures which contribute to drug abuse. That is absolutely essential if we hope to protect our Nation's children from the very serious dangers associated with drugs and drug-related crime.

DARE has expanded into more than 2,000 communities in 49 States and several foreign countries. However, it is still not available in too many locations around the Nation. This Congress must help ensure that all students in our Nation have access to DARE and other programs that will help make our schools drug-free. DARE is one of the best investments we can make in America.

Let's dare to make a real change on our priorities and invest in DARE. We cannot afford not to get drugs out of our communities.

INTRODUCTION OF RESOLUTION REGARDING MIDDLE EAST TROOP DEPLOYMENT

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

Mr. RITTER. Mr. Speaker, we have heard a great deal about sharing the burden of the Middle East troop deployment of the United States, and Members of Congress who are concerned about this can support a House concurrent resolution which I have introduced, with very strong bipartisan support, and that resolution is numbered House Concurrent Resolution 366.

Members, our defense policy with respect to our allies has been overtaken by events, and is in need of substantial change. It is absolutely essential that the administration pursue, with far greater vigor, the commitment to funds, troops, or other contributions to the Middle East deployment. Is it not strange that with nearly 100,000 U.S. troops in the gulf, our allies have virtually zero soldiers on the ground? Is it not a scandal, when these rich, technologically advanced nations shirk their responsibilities? Where is their moral fiber? Where is their backbone? Are they not ashamed of their lack of action?

□ 1100

THE NAPAP STUDY

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

Mr. APPLEGATE. Mr. Speaker, the NAPAP study is out. This was a study that was initiated in 1980 to study the cause and effect of acid and toxic air. Little attention was given to it by any of the national media because it downplays the seriousness of what the environmentalists try to make it out to be. This is a demonstration of the power of the environmental establishment. They are killing regional economies.

We spent 10 years, $600 million of taxpayers' money, and yet they would see it wasted to achieve their political agenda, and Congress is being used foolishly.

The environmentalists supported this study in 1980, but because it does not say what they wanted it to say or expected it to say, they are going against it. It does not make sense. If we refuse to heed the conclusions of this NAPAP study, then Americans should be outraged at this blatant misuse of their tax dollars and Congress should be ashamed of itself.

MILITARY AND FEDERAL RETIREES SHOULD NOT HAVE TO BEAR BURDEN OF DEFICIT REDUCTION

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

Mr. BILIRAKIS. Mr. Speaker, I wanted to take this opportunity to express my deep regret that congressional budget negotiators appear to have made a decision to reduce Federal and military retiree benefits, particularly the Lump Sum Payment Program, cost-of-living adjustments, and the Federal Employee Health Insurance Program.

I am outraged to learn the budget agreement would eliminate military and Federal COLA's. I say enough is enough. Why must military and Federal retirees be singled out in the name of deficit reduction?

I strongly believe that deficit reduction should not be achieved solely through the sacrifices of military and Federal retirees. All Federal retirees should be treated equally with regard to COLA's. How can we hope to attract good people to military and Federal service if we continue to disportionately reduce the benefits of military and Federal retirees?

I hope my colleagues will join me in continuing to work to prevent the perpetuation of inequitable treatment of our citizens who performed the jobs so essential to making our Government work.

IN SUPPORT OF BENNETT-RIDGE AMENDMENT TO CUT SDI

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

Mr. BENNETT. Mr. Speaker, for 4 years in a row this House has voted for the Bennett-Ridge amendment on SDI. Four years in a row we have transferred funds from SDI to conventional forces.

We can do it again. Let me tell you why this is important.

The commander of Desert Shield is quoted on the front page of the Washington Post today. He says that the buildup of American forces in the Persian Gulf is being delayed because we do not have enough sealift. SEALIFT. Simple cargo ships.

The commander did not say he did not have enough SDI. He did not say he needed Brilliant Pebbles. He said he needed ships.

The Bennett-Ridge amendment will make sure that an American commander never has to say that again.

The Bennett-Ridge amendment will cut the SDI budget by $600 million. We will use that money to buy fast sealift ships in the Aspin conventional forces Persian Gulf amendment. Chairman ASPIN enthusiastically supports the Bennett-Ridge amendment.

You must vote for Bennett-Ridge to free up the money for these ships.

A vote for Bennett-Ridge is a vote for conventional forces.

A vote for Bennett-Ridge is a vote for realistic national defense.

THE 101ST CONGRESS SHOULD TAKE UP ASSAULT WEAPONS BAN AND BRADY BILL BEFORE ADJOURNING

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

Mr. MAZZOLI. Mr. Speaker, tomorrow, September 14, is an important day. According to our schedule, the House will begin debating the anticrime bill which came out of our Judiciary Committee, a bill which we think will help the law enforcement community fight crime across the United States.

Also, tomorrow, sadly, is the 1-year anniversary of the Standard Gravure killings in Louisville, my hometown, where a person using an AK-47 assault weapon killed 8 people and wounded 13.

These are not exactly unrelated events, Mr. Speaker.

The House has an opportunity, once we pass the crime bill, with the permission of leadership, to take up two pieces of firearms legislation, both of which came out of our Judiciary Committee and both of which should be

passed and attached for conference purpose to the crime bill. One is the ban on the domestic manufacture of assault weapons and the other is the Brady bill, which calls for a 7-day delay before a handgun can be purchased or transferred.

I ask with great respect that our leadership, on both sides of the aisle, put those two pieces of public safety firearms legislation on our Calendar before the House adjourns.

IN SUPPORT OF THE SDI

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

Mr. KYL. Mr. Speaker, our colleague, the gentleman from Florida [Mr. BENNETT] has just spoken on the issue of SDI, and I would like to speak to that for just 1 minute.

This morning's Washington Times carried a news report that the Iraqis have now developed a mobile capability for their missiles. They can launch their missiles from literally anywhere in occupied territory. Since their longest range missile has a range of 600 miles, that means they can strike literally anywhere that we have our forces deployed.

The only way that we could defend against those missiles in the future is through the development of the strategic defense initiative. We do not have that today. As a result, the young men and women defending our interests in the Persian Gulf area are exposed to either conventional or chemical warheads launched by missiles from Iraqi or Kuwaiti soil.

It seems to me, Mr. Speaker, that is a situation this Congress should not let continue for any longer than we can possibly avoid it. Perhaps within 5 years we can have a system deployed which could stop those Iraqi missiles or the missiles of any future adversary, and I urge my colleagues to support SDI to achieve that goal.

THE PYRO MINING CO. TRAGEDY—1 YEAR AGO TODAY

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

Mr. HUBBARD. Mr. Speaker, my colleague and friend Congressman RON MAZZOLI has reminded us that 1 year ago tomorrow—September 14, 1989—a crazed gunman killed eight employees of Standard Gravure Corp. in Louisville, KY, and injured 13 others before killing himself.

Well, just 1 year ago today—September 13, 1989—an explosion shook Pyro Mining Co.'s William Station Mine near Wheatcroft, KY, in my congressional district, and claimed the lives of 10 miners. Today, 1 year later, we are still feeling the after-shock of that tragedy.

This past Sunday, the Courier-Journal, Kentucky's largest newspaper, published excellent articles that focused on the pain and loss felt by the families of the victims of this terrible accident. These news and feature articles were written by Fran Ellers and Robert Garrett of the newspaper's staff. All of us in western Kentucky have been affected by this loss.

I congratulate the news media in Kentucky and in nearby Evansville, IN, for their attempts to educate the public with regard to what took place at the William Station Mine on September 13, 1989. Coal mining is critical to Kentucky's economy, and every citizen should know about safety and health conditions in our mines.

Moreover, those of us in Congress share a unique responsibility to learn exactly what took place at this mine and what actions we can take to avoid such accidents in the future. Miners, whether they are involved in coal mining or the mining of some other mineral or commodity, can be found all across these United States.

It is to that end that I draw your attention to special oversight hearings that will be conducted by the House Education and Labor Committee's Subcommittee on Health and Safety with respect to the Pyro Mine disaster. These hearings will take place in the Rayburn House Office Building on Thursday, September 27, and I am grateful to have the opportunity to take part in the hearings at the invitation of the subcommittee's chairman, my friend JOE GAYDOS of Pennsylvania.

Hopefully, through these oversight hearings we will be able to best ascertain what actions we need to take to make certain that an accident of this nature does not repeat itself—in western Kentucky or your home State.

TURNING OVER MORE OF OUR AUTO INDUSTRY TO JAPAN

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

Mr. WALKER. Mr. Speaker, we have had a number of people come to the floor this morning and do a little bit of Japan bashing in the course of their remarks. It was interesting that one of the people who engaged in that exercise is a sponsor of legislation that will have the effect of turning over even more of our automobile industry to the Japanese. That particular piece of legislation claims to have the effect of raising automobile fuel efficiency standards up to 40 miles to the gallon.

The problem is that the last time we did that, although some folks say with no harm, the last time we did it we turned over a major share of our automobile production capacity to the Japanese. They were the ones prepared with the small cars to meet those standards. American plants closed. American workers went on the unemployment lines because we did something stupid here in the Congress that let the Japanese get a share of the market that they did not think they could get.

The Japanese Ministry of Trade and Industry told the Japanese automobile industry that they did not have a chance of penetrating the American market. That was not until Congress acted.

Now one of the people who got up this morning and bashed again said, or is the sponsor of the legislation to do the same thing all over again.

BURDEN SHARING BY AMERICAN TAXPAYERS

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

Mr. WISE. Mr. Speaker, there is a lot of talk about burden sharing around here lately. The President spoke of it during his speech here just the other night. We all applauded when he spoke of having other nations share that burden in the Persian Gulf. Then he brought it home by saying everyone at home would have to share in reducing the deficit. I did not clap.

The reason is that there are a lot of Americans who have already been shouldering that burden. What about middle-income Americans who have seen their tax burdens go up while the richest Americans have seen theirs go down?

What about the office employee, the plant worker, the teacher, the mid-level executive who cannot get financial aid for their children's college education? They are already carrying that burden or senior citizens who are seeing Medicare cut each year. They know where the burden has been.

□ 1110

Mr. Speaker, in the Persian Gulf this President is working at persuading others who have not been involved to ante up. Now is the time to be asking the same of those at home who have not been carrying the burden that a lot of Americans have long been shouldering.

CONFERENCE REPORT ON H.R. 7, CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT AMENDMENTS OF 1990

Mr. HAWKINS. Mr. Speaker, I call up the conference report on the bill (H.R. 7) to amend the Carl D. Perkins Vocational Education Act to improve the provision of services under such

act and to extend the authorities contained in such act through the fiscal year 1995, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WISE). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of August 2, 1990.)

The SPEAKER pro tempore. The gentleman from California [Mr. HAWKINS] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 30 minutes.

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

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

Mr. Speaker, I rise to bring before the House today the conference report on H.R. 7, the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1990.

This conference report is a reauthorization of current Federal vocational education programs; however, H.R. 7 is not a routine, business as usual reauthorization. Instead, it is a comprehensive measure intended to adapt current vocational education practices to the modern era of rapidly changing technological advancement and challenges. H.R. 7 will make vocational education more relevant and consequential to change in today's labor force and in the increasingly complex marketplace of the future.

This conference report is the result of several years of study of the effectiveness of our current vocational education system. It is the product of many months of hard work, staff oversight activities, and testimony from many expert witnesses who work day in and day out toward the implementation of these programs. These practitioners set forth their views and recommendations for the contents of this legislation. H.R. 7 also has taken into consideration the findings of the national assessment on vocational education, GAO reports, other research reports, reports from individuals who follow the program on a regular basis.

The principal theme of the bill is that we cannot continue our current Federal policy in vocational education. There are model vocational education programs, but, there are also programs that are no longer acceptable because they are not adequately preparing the workers who will be called upon to increase our country's international competitive position. We simply cannot afford to maintain the status quo.

H.R. 7 contains several changes from current law.

First, there is a change in the process of allocation of funds. Under current law, the States have great discretion over the use of funds for vocational education. H.R. 7 restricts State authority over these funds. It does this by changing the funding formula from a State controlled program to one in which local educational agencies, area schools and community colleges drive 75 percent of the funds.

Second, H.R. 7 includes a much clearer and more specific use of Federal funds in vocational education. Students will now learn academic skills at the same time they are strengthening their occupational skills. We have heard many comments from the business community regarding the shortcomings of our education system. The workers have inadequate skills and are ill-prepared in reading, writing, and computing. This provision responds to those criticisms.

Third, H.R. 7 provides for better targeting on special populations. The program has changed from a multiple set-aside program to one which provides funding for more improved comprehensive programs. The funding is formula driven to local school districts based mostly on the number of economically disadvantaged students in schools, but also considering the number of handicapped students and the general enrollments. This legislation has been changed to help the most needy in our society. One of the findings of the National Assessment on Vocational Education is:

> The quality of vocational education available to students in poor schools is significantly lower than that available to students in more affluent communities. Students in schools in the lowest quartile, as measured by average family income student academic ability and socio-economic status, are half as likely to have access to an area vocational center as other students. They are also in schools with less than half the total number of vocational courses and less than half the number of advanced vocational courses.

Our conference report addresses this finding.

Fourth, H.R. 7 provides for better cooperation and coordination between high schools and community colleges. Building on several efforts currently underway, the "tech prep" provision encourages secondary schools and community colleges to work in concert with each other in planning and to pursue a more coordinated approach in curriculum that will better prepare students for the world of work.

Finally, the legislation provides for a name change for vocational education to Vocational and Applied Technology.

Changing the name of the Perkins Act is not just a gimmick; it is more than symbolic, for not only does it imply that we need more up to date and relevant education activities and job training, but it also signifies the emergence of a genuine transformation in the way we prepare students for the world of work.

As we know so well, it is never easy to embark on the road of change, but I believe this bipartisan conference report represents a monumental step toward enhancing the education and occupational training that the workers of tomorrow will receive. It will increase our productivity, increase our international economic standing, and more importantly will increase the education and skills of all of our people.

I urge my colleagues to vote in favor of the conference report.

The SPEAKER pro tempore (Ms. SLAUGHTER of New York). The gentleman from Pennsylvania [Mr. GOODLING] is recognized for 30 minutes.

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

Madam Speaker, I rise in support of the conference report to H.R. 7, the Carl D. Perkins Vocational and Applied Technology Education Act. I think it is important that my colleagues hear the title because the title would indicate that we are trying to make changes, and I think we did just that.

Madam Speaker, I was very pleased to be an original cosponsor with the gentleman from California [Mr. HAWKINS] on this bill in the House. I have very much enjoyed working with him on the bold and thoughtful legislation, and I will certainly miss that relationship when he retires. The House bill passed over a year ago, on May 9, 1989, by a vote of 402 to 3.

□ 1120

Madam Speaker, this conference report retains the basic structure of the House bill and incorporates a number of improvements contained in the Senate bill. I did not think they could improve it, but they did.

H.R. 7 extends the Federal support for vocational education to the year 1995. The bill makes major advances in helping to target Federal program money to areas of greatest need for program improvement. I want to emphasize those words: "program improvement."

The bill recognizes the problems with the current law in its failure to adequately meet the needs of special population students.

First of all, the set-aside structure is eliminated. The largest problem with the current law centers on the funding structure of the Federal program. The current law requires that most of the money be split among categorical set-aside programs. At the local program level these seven different pots of money translate into seven sets of regulations, seven applications, and seven sets of rules. We have learned that the restrictions imposed by the Federal law are causing such a dispersion of money that it has worked an injustice in burdening educators and students with tremendous paperwork and with very little funds. In fact, the GAO

report, I believe, indicated that one of the grants was for $1.12 or something close to that number. It probably cost thousands of dollars to send out that tiny grant.

In targeting, H.R. 7 corrects the current program's failure by creating one program at the local level. It eliminates the set-aside structure and sends money to local school districts and eligible institutions of higher learning through a formula based on their relative share of students in poverty, students with handicaps, and student enrollment. By driving funds to school districts based on these students, we have targeted the money to the areas most in need.

On program improvement, once these funds reach the local level, those funds must be used for programs which improve vocational education, are of sufficient size and scope to integrate academics with vocational education, and offer coherent sequences of courses. The formula drives the funds to areas of need; however, contrary to current law, the funds do not have to be spent on the individual students driving the formula. The school districts have considerable flexibility in the use of these funds. Funds can be used to hire teachers, to provide professional development, to improve curriculum, to provide the supportive services needed by special population students, and to purchase equipment.

As far as the area schools are concerned, one set of amendments, which incorporates several Senate provisions regarding the area vocational schools, corrects the deficiencies of the House bill. The conferees have agreed to allow for the State to make direct allocations to the area school instead of funneling the local money through the local school district before reaching the area school. There were several Members of the House who had that concern. This should ensure that quality vocational programs will be continued through the area school.

I do have one problem with the bill, however, and I believe that one of the gentlemen on the other side will be glad to hear this. I do have a problem with concentration grants in vocational education programs. I think they are fine in chapter 1. I have fought for them in chapter 1. I do not, however, believe this is the place for concentration grants.

Finally, I would like to reiterate my strong support regarding the conference report on H.R. 7 and encourage all Members to vote favorably for its passage.

Madam Speaker, I again want to thank the chairman of the committee for his leadership, not only on this bill, but for the leadership he has provided for young people and older people who are seeking training and retraining in education. During his many years of service here, he has provided real leadership.

I would certainly be remiss if I did not thank the young lady sitting to my left. Jo-Marie St Martin probably spent hundreds of hours on this legislation, first trying to get something together that she thought I wanted and then working with the chairman's staff trying to get something together that he wanted, and then trying to go out and convince all those people who had the set-asides that somehow they are going to do better with this bill than they have done presently. Of course, she is backed up by Beth Buehlmann.

Certainly I want to thank Jack Jennings and June Harris on the other side of the aisle. Those two worked very closely and very well together with the staff on our side of the aisle to provide us with the kind of legislation that I think will make a difference in the future and provide outstanding vocational technical education with this program.

Then I would also like to thank Liz Powell, the legislative counsel, because she was called upon quite often and came forth very readily.

Madam Speaker, again I commend this bill to all the Members of the House. I think it is even better than when I left the House, and at that time we only lost three votes.

Madam Speaker, I reserve the balance of my time.

Mr. HAWKINS. Madam Speaker, I yield myself such time as I may consume just so that I may also at this point, since it seems to be an opportune time, join in expressing our appreciation to the staffs, both the majority and minority, who worked on this bill. Also, as chairman of the committee, I wish to pay tribute to the generous cooperation of the ranking minority member, the gentleman from Pennsylvania [Mr. GOODLING].

Madam Speaker, I yield 3 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Madam Speaker, I would say to my distinguished colleagues that it is a pleasure indeed to be able to stand here and talk to them about a piece of legislation that perhaps does not have a lot of controversy associated with it but which at the same time is distinguished for its importance and what it is going to be putting forth for the people of this country. I think this is one of the most integral and important pieces of legislation we will have considered during this session of Congress.

Across the country the needs for the future are increasingly being propounded in a fashion that requires vocational education and more modern types of training for the students of this great country. This piece of legislation that we are considering today goes a long way toward trying to improve what America can do to improve its place in the world in the future. That is something that I wish we could say about more legislation that goes through this House of Representatives.

What we are doing today is going to be something that will make a difference in how we are able to effectively improve the future in training and retraining and addressing the needs this country has in education.

My good friend, the gentleman from Pennsylvania [Mr. GOODLING] has gone through in detail, as has the chairman of the committee, the variety of things this legislation offers. The specifics sometimes sound a little dull to some people, but they are the heart and soul of what we could do. What we are doing is offering a totally new approach toward vocational education and toward retraining in technical areas throughout this country. That is an exicting and important thing.

So I feel very good today in coming forward and talking to all my colleagues and friends about this legislation. Again, as others have, I would like to thank the staffs for their help and thank my colleagues for the bipartisan support they have offered and the work they have done in bringing forth a piece of legislation that is going to make America greater than it is today.

Madam Speaker, I hope we come today to voice our unanimous support for the reauthorization of this exciting legislation. This action, which will update and reauthorize the Carl D. Perkins Vocational Education Act, is badly needed and comes in time to address many economic and training needs of our Nation.

This was the last major piece of legislation that my late father participated in and so it holds a very special place in my heart. The Vocational and Applied Technology Education Act Amendments contain many critical changes that will help to enable the vocational programs of our country provide the training opportunities that are demanded by today's business community.

I want to applaud Chairman HAWKINS and thank him for his exceptional leadership in shepherding this comprehensive bill through the legislative process. His service to our committee and to the Congress has remained a stellar example of true leadership and unrelenting commitment to getting the job done.

The committee's decision to break away from the practice of the past, to break new ground in this arena, bodes well for the future of vocational education. We have seen the critics of this program chip away at it because of the lack of contemporary answers to training problems. This legislation sets guidelines that will help to formulate working relationships and patterns of teachings that will ensure access to the training sequences that silence these critics.

By removing the program's set asides we are driving more of the money down to the local programs to enable them to make the needed program improvements that will ad-

dress the changing demographics of our global economy. The addition of the tech-prep legislation, by Congressman FORD, will also add to the integration of business to school as well as school to school programs. These bridges will allow more doors to be open and more opportunities to be created. Tech-prep will enhance the image of the traditional vocational programs by tying it to a continuing postsecondary program. This comprehensive training program will build on the programs in place today and create new and innovative training structures as a result of the cooperative between these partners.

The additional inclusion of the supplementary grant provisions will provide to those schools in economically depressed areas more funds in order to pay for the renovation of facilities and the acquisition of new and updated equipment. I originally offered this proposal in the committee consideration of the reauthorization because of the desperate conditions I personally witnessed in some of the schools in my own region. How can we expect the system to produce well trained graduates for the coming turn of the century challenges when we force them to utilize facilities and equipment based in 1950's techology? If we are to point the finger of blame anywhere it must rest on our own House because of the lack of Federal support in this arena. This provision will help to turn this corner and provide the tools that are so desperately needed.

I am pleased to find such bipartisan support for the reauthorization legislation and wish to express my appreciation to Congressman GOODLING for his continued commitment to improving the education and training systems of our Nation.

I look forward to the President's signature going onto this legislation very soon and will applaud one of his first brave steps in earning the title he claims to deserve, "the Education President." Personally, I feel it will take many more of these steps of courage for the President to earn this moniker and I look forward to his efforts to pursue this.

Mr. GOODLING. Madam Speaker, I yield such time as he may consume to the distinguished gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Madam Speaker, this is a good day for the House of Representatives, or at least it is a good hour. This is a good conference report. This is an important piece of legislation to continue America's efforts to prepare our work force for the 21st century.

In the past this committee has brought us reauthorizations of vocational education. Today we bring to the Members the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990.

□ 1130

That title in and of itself says a lot about what this legislation is all about and why it is so important. One of those rare but very important elements of the Congress working together, especially in the House of Representatives, was when this conference committee, under the distinguished leadership of our chairman, the gentleman from California [Mr. HAWKINS], and our ranking member, the gentleman from Pennsylvania [Mr. GOODLING], led us against the Senate in conference in a bipartisan fashion to make sure that we did not take steps backward, but rather we took important steps forward to use the leadership role, which is really all the Federal Government's role in vocational education is, because we provide only about 8 percent of all the money spent on vocational education in this country, but use that leadership role which we have to assist States in making the important steps to respond to the diversity of America's work force and the diversity and challenges of America's workplace in the 1990's and the 21st century.

How does that happen? As the gentleman from California [Mr. HAWKINS] and the gentleman from Pennsylvania [Mr. GOODLING] have indicated, we do not continue the effort of focusing money on set-asides, paperwork, bureaucracies, and categories. We stood up to the challenge to respond to the need to train each and every individual who needs that training. Some of them are high school students who are going to go directly into the work force. Some of those are graduates of high school who need additional training.

Madam Speaker, the majority of jobs in the 1990's are going to require some kind of training beyond high school. Some of them are adults coming back for additional training or even retraining as they recognize the realities of today's modern work force.

It was no one less than Lane Kirkland who said the average person in today's society will have four different careers and six different jobs in their lifetime. We are trying in this legislation to provide the leadership and the flexibility to respond to those particular needs.

I have to say we had some near misses. Because the Senate, unlike the House, passed legislation that said vocational education is struggling at the high school level. Therefore, let us put almost all the money into the high schools. If you have a postsecondary program in your State, well, that is your problem.

We at the Federal level ought not be making that choice. We ought to allow Pennsylvania to respond to the uniqueness of their educational program, California to do the same, and Wisconsin to do the same. And each and every one of us are different. We maintain the abilities of States to make that choice.

We ran into some controversy with some of our State Departments of Public Instruction because we said vocational education, like every other education program, ought not be allowed to skim off more than 5 percent of the money to the States for State administration.

I am not going to name States, but there have been States up to this point in time that are funding over half the bureaucracy at the State level for their departments of public instruction with Federal vocational education dollars, and that was literally not the intent. We stood up to that, and the bill we bring you is not going to allow that any more.

Third, I have to tell Members, from a rural area it was absolutely essential that we allow rural schools that are small in enrollment, that have developed unique programs to respond to their unique needs, to continue those programs, even if they do not get a $15,000 grant.

We include in this legislation the ability of a Governor to waive that if he believes his State's response to the unique vocational education training demands of their State ought to provide for that flexibility.

We can go on to the prep tech and the equipment and the other innovations that are included in this bill, but I think there is something very significant. Today we make clear, vocational education is not a program for the poor. Vocational education is not a program for the slow learner. Vocational education is not a program for special categories of population. Vocational education with this bill is a part of America's preparation to be a part of a competitive workplace, and have a competitive work force, in an emerging global and competitive society. That is good. That is why this conference report is so good, and that is why the gentleman from California [Mr. HAWKINS] and the gentleman from Pennsylvania [Mr. GOODLING] and their leadership need to be so commended and supported by every Member of this body.

Mr. HAWKINS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Speaker, as one of the conferees on the vocational education bill, I urge my colleagues to support the conference report.

This vocational education bill completely revamps the mission of vocational education to meet the challenges and demands of the more technologically advanced 21st century. It is a forward-thinking bill with a clear purpose better to prepare our students to compete in an everchanging world.

This conference report includes my vocational counseling provision which authorizes $20 million for guidance and counseling. Career guidance and counseling is more critical to vocational students than any other student. Counseling has been proven successful in assisting individuals with career development, job preparation, and employment. It can improve educational

performance and work skills. Counseling has long been recognized as an effective partner in vocational education but funding has been lacking. This authorization will provide crucial guidance and counseling programs.

Further, this bill preserves flexibility. It allows the States to decide where their greatest vocational needs exist—whether at the high school or postsecondary levels. In my home State, the real Washington, our northwest timber-based economies are threatened. This bill gives us flexibility to meet some of our unique needs and to respond effectively to the economic and job shifts that are now taking place.

I urge my colleagues to support this conference report that helps our students prepare for their future in an everchanging, complex society.

Mr. HAWKINS. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. MARTINEZ], chairman of the Subcommittee on Employment Opportunities, which contributed a great deal to the final proposal.

Mr. MARTINEZ. Mr. Speaker, I rise to urge my colleagues to support the conference report for H.R. 7 which reauthorizes the Perkins Act. This legislation modernizes and strengthens vocational and technical education to help provide American businesses with the trained human resources needed to turn the challenges facing our nation into opportunities. I want to draw special attention to two particularly important elements in this legislation.

First, I want to draw the attention of my colleagues to the tech-prep provisions. Postsecondary education has long been a vital part of vocational and technical education. For example, President Lincoln created the land-grant colleges to help provide such applied technical knowledge. These land-grant colleges helped transform America and provided the foundation for America's role as a world leader. H.R. 7 builds on that strong tradition by establishing the tech-prep program which builds bridges between technology and vocational education in high schools, community colleges, and other postsecondary institutions. It recognizes that all too often vocational education has served as a dumping ground for students who were not building skills in mainstream courses. Too often the students in those courses failed to build basic skills and found themselves at a dead-end with skills that were not in demand and without the educational credentials they needed to advance in school.

This legislation acts to end that problem by strengthening the integration of technology education with the standard academic courses and by building bridges from high school technology and vocational programs to those in community colleges and beyond. I am proud to note that this provision—which I actively supported and helped refine—builds to a substantial degree on California's 2+2+2 program which has built a strong track record in developing a skilled work force with topnotch basic and higher order skills.

Second, data and research provide the foundations for accountability and for program improvement in public policy. This has been a particularly serious problem in the Federal vocational education program where the Department of Education and other agencies have failed to collect quality data needed to adequately assess how our tax dollars are being used to improve technology and vocational education. In many cases we simply don't know whether these students are building the star-skills needed for jobs today and to forge new industries tomorrow, or whether we're still training students to make buggy whips. The Department of Education has been able to provide little too little information about the quality of facilities, of staff, participation by special populations, and so on.

We have worked closely with other members of the Committee on Education and Labor and with the broad education and business community to author the data provisions of this legislation. The development of a vocational and technology education data system is mandated as an integral part of the education data system of the National Center for Education Statistics. For the first time this will allow systematic comparisons of programs, facilities, patterns of course enrollment, participation by students with disabilities, and on other key factors to let us know how vocational and technology education programs are performing. To strengthen our knowledge of how academic achievement of vocational students compares to that of nonvocational students, this measure mandates that the National Assessment of Education Progress include a subsample of vocational education students to determine whether they are building academic skills that are at least as strong as those of other students.

Several other important data provisions strengthen this. Given the rapidly growing importance of world markets and world competition, this legislation requires that the Department of Education determine what information is available on how the work-related skills of our Nation's students compare with those in other nations and work to upgrade that data stream. For the first time this will allow us to address the issue of whether the technology skills of our Nation's students are competitive with those in our major trade partners. Strengthening this is a mandated GAO study, which we worked with other Members to improve in conference, which examines the work-based apprenticeship programs in Germany to determine what elements, if any, would provide a useful basis for American education policy and to assess the availability and quality of work-based education information needed by American private and public policy makers as we move to develop "work force 2000".

Too often the myriad Federal and State agencies collect costly and important information about vocational and technology education—but often the data in one place needlessly replicates the data available from other sources. And often vital policy questions cannot be answered because it is often extraordinarily difficult or impossible to cross-walk data from one division or one department to another to answer those questions. In other cases vital program information has not been available because it falls between the cracks, with no agency taking responsibility for dealing with the issue. That is why this legislation strengthens the role of the National Occupational Information Coordinating Committee—a Federal interagency group created to address these issues—to enable it to better bring together its member agencies—and State level affiliates—to determine what data is needed, what is available, and what needs to be done to eliminate needless duplication and to get the information needed for better policy.

While many of the most important consequences of education programs are long term, we have little quality data on the long-term career implications of vocational education. That is why this legislation includes what seems to be the first federally legislated use of unemployment insurance wage records in a demonstration project to provide timely, accurate, and cost effective data on long-term career outcomes for vocational education students, while providing strong protections for protection of privacy. I also authored the provisions which mandate regional vocational education curriculum centers to help local schools identify and implement effective technology and vocational education curricula. Finally, identifying and spotlighting innovative and effective programs that build excellence in vocational education is an important part of the process of modernizing and upgrading the quality of vocational education. That is why this legislation establishes blue ribbon vocational awards to provide for Presidential recognition of outstanding programs of vocational education and to disseminate information about these programs of excellance to other schools.

In sum, this legislation takes these and many other important steps to modernize our Nation's system for technology and vocational education,

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and to again move it from the backwaters of the educational enterprise to the main currents of educational reform and excellence. It works to integrate vocational and academic education, to build accountability, and to work for ongoing program improvement. I strongly urge my colleagues to join me in supporting enactment of this essential legislation.

□ 1140

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Speaker, I rise in strong support of the conference report on H.R. 7, the Carl D. Perkins Vocational and Applied Technology Education Act. I also want to rise in support of my good friends on our side of the aisle, the gentleman from Pennsylvania [Mr. GOODLING] and the gentleman from Wisconsin [Mr. GUNDERSON], who did yeoman work in completing action on this bill with our Senate conferees.

I was pleased to vote in favor of this bill when it passed the House in June 1989, and I urge my House colleagues to join me today in voting for passage of the conference report.

This legislation, which would reauthorize Federal vocational education programs for 5 years at $1.6 billion, focuses proper attention on the need for vocational education in America. If we as Americans want to maintain a strong position in the world economy, we must be willing to devote the energy and funds necessary to develop a trained work force that can compete in the world market.

This legislation is the most thorough revision of the Federal vocational education law in 25 years. It will help to improve vocational education training by focusing Federal funds to school districts and institutions of higher education with high concentrations of poor and handicapped students. It will also increase the flexibility of Federal funds for program improvement and improve the coordination between high schools and community colleges.

I am proud of the strong vocational education program in my home State of Michigan, where we have 56 area vocational centers, 401 high schools, and 29 community colleges that offer these vocational-technical programs. I have visited these centers in my district and have seen the success and difference these programs make.

Our strong national defense that is now being tested in the Middle East will mean nothing if we do not have a strong national offense, a successful education system that serves all Americans, here at home, where we will fight other wars against illiteracy and poverty, and the war to educate American workers to be the best and most innovative employees in the world.

I commend the work of my colleagues on the House Education and Labor Committee and the Senate Labor and Human Resources Committee, and I look forward to continuing to work with them to improve education in America.

Mr. HAWKINS. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. OWENS].

Mr. OWENS of New York. Mr. Speaker, despite the fact that not very much controversy surrounds this bill at this point of the conference report, it is a very compex piece of legislation, and I congratulate all of those staff members and Members who have worked on it throughout the whole process.

This is a bill which I hope has a moral imperative for all of the members of the Education and Labor Committee and our counterparts in the other body to watch the process and see to it that we guarantee safeguards for the people with disabiiities, students with disabilities. We removed certain safeguards for those students when we removed the set-asides, and that was not done by unanimous agreement, but it has been done, and I hold all Members to the moral imperative of watching the process to guarantee that students with disabilities are not shortchanged.

This is a bill which integrates vocational education with the whole education process of elementary and secondary schools. In New York City these students are already way ahead of us. Some of the longest waiting lists that we have are for schools that are called special vocational education schools. They understand at these schools, and the students on these waiting lists understand, that this is a very important part of our future. The School of Aircraft Technology and a few others have long waiting lists of students who have high marks in math and science and who have high marks in reading.

The integration of this program shows that it is just as important as any other part of our education effort. The goals of the President to achieve fewer dropouts will certainly be helped by this kind of activity. The goal to achieve No. 1 ranking in math and science in the world will certainly be helped by what is in this bill.

States will also decide on the allocation of the funds, which I think is very important in terms of States being able to determine where these funds can achieve the greatest impact.

Finally, I would like to applaud a part of the bill that was added in conference, or accepted in conference by the House conferees and proposed by the Senate, which is a department of corrections education, a department to focus on education in correctional institutions. This is a very important innovation, a very important new element. We recently had a study which shows that at least one-fourth of all black males between the ages of 20 and 29 are in some form of incarceration, in some form of the law enforcement supervision, under government control. This is an embarrassment. It is a scandal. It is a disaster. Steps should be taken to correct it.

I think many things have to be done, but certainly one of the things to do is to focus on trying to improve the education of young people who have come under the control of the government. Some youngsters as early as 12 or 13 are put into the juvenile correction system. That means that at that early age some unit of government has control over their lives, some unit of government has assumed the role of parent, or mentor, or the role of guardian. Let us take this opportunity, use this captive audience, use the fact that they are a captive audience and try to maximize the educational opportunities, maximize their contract with education so that when young people, and I do not have much hope for those that are over 30, but certainly all of those who are at a very young age can be molded, they can be helped, they can be started on the road to literacy, on the road to proficiency in reading and math, and when they return to society they will have the appreciation and go to get an education which will help them to get a decent and honest job.

□ 1150

This is a very important innovation. It is supported by those on the right and the left, the conservatives, the liberals. Everybody supports the need to provide for a more basic education system in the correctional institutions.

I applaud this conference report, and I urge all Members to vote for it.

Mr. HAWKINS. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I rise today to express my support for the conference report on H.R. 7 and to recognize the hard work put forth by the chairman and the conferees in the shaping of this important report.

H.R. 7 will provide critically needed Federal support of vocational education programs to many disadvantaged minority individuals, especially our Nation's youth. Statistics show that native Americans have the lowest high school graduation rate of any minority group and the dropout rate for Hispanics has been estimated to be as high as 50 percent. There is little question that the academic path which leads to college is not appropriate for all our young people, whether they be Hispanic, white, black, Asian, or Indian. Alternatives must be available so that these individuals are encouraged to continue their education in whatever direction they choose. Thus,

vocational education is a practical and positive investment for our economy as well as for those youth who might leave school without a skill or future.

In New Mexico where 40 percent of the population is Hispanic and 9 percent is native American, the negative trends represented by the previously stated statistics have had a disproportionate and serious impact on New Mexico. However, the benefit of Federal vocational education funding has allowed 150,000 individuals to receive the education and training they need to be productive citizens.

I am very pleased to see that the conferees included provisions for native American vocational education that were similar to legislation I introduced and the Education and Labor Committee adopted earlier in the 101st Congress. Specifically, H.R. 7 authorizes a stable source of Federal funding for tribally controlled postsecondary vocational institutions, of which the Crownpoint Institute of Technology, located in my district, qualifies. Crownpoint has played an essential role in transforming many welfare-dependent native Americans into proud, productive citizens contributing to tribal and State economies.

Mr. Speaker, I believe that H.R. 7 will be extremely beneficial to thousands of individuals across the country and I hope my colleagues will join me in supporting this conference report.

Mr. HAWKINS. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY of New York. Mr. Speaker, I rise in support of the conference report, and I would like to take this opportunity to commend Chairman HAWKINS, ranking Member GOODLING, and Chairman FORD for their leadership in producing a conference agreement that will significantly improve vocational education programs throughout our Nation.

The final agreement contains numerous improvements that will help modernize our occupational training programs and improve our ability to compete effectively in the world marketplace. The bill targets funds to disadvantaged students. It ensures that vocational students will have a coherent sequence of courses and that vocational training will be linked to academic study. Further, it contains an innovative program, known as the tech-prep program, championed by Chairman FORD, which will link study in secondary and postsecondary institutions.

I am proud to support all of these important changes. I would also like to call attention, however, to two improvements in the final vocational bill that are of particular importance to my congressional district.

First of all, the final agreement contains a formula that permits direct funding of regional vocational education schools, such as New York's Board of Cooperative Educational Services, or BOCES. This is a significant improvement over the prior formula, which would have forced funding to go first to a local education agency. This might have disrupted the funding stream to area schools and caused financial difficulties for regional vocational schools. The final agreement will continue to provide strong, direct, support for area schools like the BOCES, which are doing a tremendous job in serving the needs of young people in New York.

Further, the final bill preserves Federal vocational education funding for New York's educational opportunity centers, which are regional postsecondary institutions serving disadvantaged students. Funding for these institutions was threatened by a funding formula based on receipt of Pell grants. But because these institutions do not charge tuition, their students are not eligible for the receipt of Pell grant funding. The final agreement will permit a waiver of this requirement if the State can propose an alternative formula that ensures that funding is directed to disadvantaged students. This formula will keep funds flowing to the EOC's, one of which is in my congressional district in Yonkers, NY.

In my view, these changes add significantly to the quality of ths reauthorization measure, and provide additional reasons why this excellent agreement should be strongly supported by all Members of the House of Representatives.

Once again, I express my appreciation to Chairman HAWKINS, ranking member GOODLING, and Chairman FORD, for their assistance in these matters and for their hard work on this essential legislation. I urge all Members of the House to support this conference report.

Mr. HAWKINS. Mr. Speaker, one important part of this conference report utilizes the bill as it was amended by H.R. 22, known as the Tech-Prep Education Act, sometimes also called 2+2, which would combine the last 2 years of high school with 2 years of college. The author of that particular provision is the gentleman from Michigan [Mr. FORD].

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, Members of the House, I think one thing that has not been said today that ought to be noted is that we have been inundated with rhetoric about education reform for the last couple of years, and it has come from Governors, and it has come from Presidents and candidates for President and candidates for Congress.

But the bill that comes back to us now is a product of a conference between the House and the Senate which contains as much education reform as I have seen in any education legislation here in many years. It is more dramatic in terms of what it does to shift resources and target them better than they have been targeted in the past than most people recognize.

As the gentleman from Kentucky [Mr. PERKINS], the son of the gentleman for whom this legislation is named, mentioned on the floor, because this bill has not been controversial and divisive on a partisan basis, people might overlook its importance and think that because it has not caused a big fight it is not really doing very much. It has not caused a big fight because there has been a great deal of good will put forth by both the Democrats and Republicans on this committee.

Mr. Speaker, I am pleased to say that the chairman, the gentleman from California [Mr. HAWKINS], has put together a piece of legislation that everybody has an opportunity to take credit for, and we have neither a Democrat nor a Republican bill.

I have full confidence that President Bush is going to like it, and he is going to feel more like an education President after he signs it. For that reason, I do not think we have any difficulties.

I think that it is important to note that there are some traditional noses out of joint about this legislation. Changing the name of vocational education to applied technology education sort of flies in the face of people who have spent a good part of their life teaching vocational education, and they say, "Well, that means that you do not think that vocational education has a very high place in the public opinion." That is not quite the case, but the fact is it has been apparent to many of us on the committee for a long time that we have fallen into a rut in this country of people categorizing young people when they reach high school level as being either vocational-education students or real students; real students are those who say they want to go to college, and vocational-education students are, in the eyes of, and in the street language, the people who cannot make it to be the real students, and they are getting second best.

The name change is more than just a simple symbol. It is a very clear indication that we think that vocational education for the future, if it is going to anticipate the kind of work force that this country needs, has to provide the kind of job training and, therefore, job opportunities that the young people coming through our system now are going to need in the next decade and the decades following.

□ 1200

We have to break with some of the old traditions and we have to stop doing things just because we always did them that way. We have to stop teaching courses called "vocational education," that have no practical application in the modern, more sophisticated workplace, and direct our education resources toward the future.

We think that this legislation, starting with the name change and going all through the legislation, moves in that direction. I am particularly pleased that H.R. 22, the tech-prep bill which I was joined in sponsoring by more than 100 Members of the House, ended up as part of this. It is the first new education initiative we have taken in sometime. It is designed for education for the future, not to do anything like we did in the past.

Mr. Speaker, I think it is in keeping with the way in which the gentleman from California [Mr. HAWKINS] has served as chairman of this committee, that as we draw close to the end of this Congress, and Mr. HAWKINS has chosen to retire at the end of this Congress, we are here on the floor with a piece of legislation that does all of these dramatic things, but does it so quietly and firmly that even my Republican friends sit serenely over there and watch it going by. I think it is a great tribute to the leadership of Mr. HAWKINS, that with all the other changes that are going on out at Andrews, and all the fighting and spitting that is going on around this town, that we bring a dramatic piece of legislation like this to the floor, under his leadership, and see both parties working hard to see it pass. I hope we have a unanimous vote on this today.

I am very pleased to have participated in the development of this bill for two reasons. First, this bill incorporates H.R. 22, the Tech-Prep Education Act, which I introduced early in this Congress and which attracted well over 100 cosponsors. The Tech-Prep Education Act will provide Federal support for linking high school and postsecondary technical training in a continuous sequence. It will help give America a world-class work force, and it will help young people attain productive careers.

Second, this conference report dramatically reorients Federal policy toward vocational education. It puts more resources in the hands of local educators, eliminates the red tape now binding local schools, more clearly focuses Federal resources on creating high quality programs and guarantees access to quality programs for women, the disadvantaged, handicapped and those of limited English proficiency.

The act is renamed the Carl D. Perkins Vocational and Applied Technology Education Act. Vocational education, the sole name of the current act, unfortunately has too often come to symbolize second-rate programs for somebody else's children. In title and in deed the new act will provide quality programs attractive for everybody's children and necessary to meet the competitive challenges of the future.

The Tech-Prep Education Act was born out of the recognition of five important facts about the technical training being given to America's young people. First, the work force of the future will need increasing levels of technical skills. We will need large numbers of computer operators and programmers, laboratory technicians, nurses, dental hygienists, paramedics, travel agents, police officers, mechanics, welders and technicians in areas such as broadcasting, aerospace, electronics, heating, air conditioning, instrument and appliance repair, robotics and waste treatment. As David Broder noted in a recent article, "Skill shortages, rather than job shortages, are likely to become the dominant labor problem of the future."

Second, high school vocational education, even when done well, does not provide a sufficient level of skills for most of the jobs of the future. Today, some education or training beyond high school is required for entry into about 50 percent of all job classifications. By the mid-1990's it is predicted that 75 percent of all job classifications will require some postsecondary education.

Third, training in the skills to get a first good job is not enough. Young people must have training and education that prepares them for the second, third, fourth and fifth job or career. They cannot stop the world and get off. They must be able to grow and change with the evolution of technology and the world economy. Therefore, they must know how to read, comprehend, compute, reason, analyze, communicate and solve problems.

Fourth, while most young people will need to continue their education beyond high school, the secondary and postsecondary educational systems frequently do not mesh smoothly. There is duplication and inconsistency as the two systems protect their turf and hold each other at arm's length. Consequently resources are frequently wasted and students are sidetracked rather than having their educational paths smoothed.

Finally, a great many high school students, particularly those in general education curriculum, have no clear path either into further education or into the work force. While existing vocational education programs are primarily designed to provide entry level job skills for those completing the 12th grade and the college prep curriculum usually leads students to a 4-year college, general education leads no where in particular for a very large number of students. Tech-prep education will help provide a productive alternative for the general education students and many others.

The Tech-Prep Education Act will establish a program of Federal grants to consortia of secondary and postsecondary institutions to encourage the implementation of 4-year tech-prep education programs linking the last 2 years of high school with the first 2 years of postsecondary education. Tech-prep education is a combined high school-postsecondary program which leads to a 2-year degree or certificate, provides technical preparation in at least one mechanical, engineering, industrial, or practical field, provides, a high level of competence in mathematics, science, and communications and leads to productive employment.

Tech-prep education will provide technical education beyond high school and combine occupational and academic learning so that students will have the capacity to grow and change in the workplace. In addition, since tech-prep education is a joint secondary-postsecondary program and only consortia of secondary and postsecondary institutions can apply, it will help break down the barriers between the two systems. Finally, it will give many more high school students a richer, more well structured, better integrated, more focused, and more challenging educational program.

The conference committee agreed to reduce the authorization level from $200 million in the House bill to $125 million, to provide that the program will be administered as a national discretionary grant program by the Department of Education if the appropriation is $50 million or less, to provide that the program will distribute funds among the States and be administered as a discretionary grant program by the State education agencies if the appropriation is greater than $50 million, to eliminate the matching requirements in the House bill and to include apprenticeship programs as an optional component of tech-prep education. I believe that these are all reasonable compromises and improvements in the House-passed version of the Tech-Prep Education Act.

I am particularly pleased that Michigan has been a pioneer in tech-prep education. The Michigan Department of Education has supported 10 tech-prep projects in each of the last 2 years with Federal Perkins Act funds. Other tech-prep projects have begun through initiative. It is my expectation that the Tech-Prep Education Act will result in an acceleration of tech-prep education being adopted both in Michigan and throughout the Nation.

H.R. 7 is a landmark in Federal support for occupational and vocational education. It breaks with the past and creates a Federal education policy to produce a work force equipped for the future. It directs more of the funds to the local level where students and programs need help. It substitutes for State discretion in the distribution of funds formulas to allocate funds to the local level more consistently and reliably. It sends funds to the local level based on formulas that insure that areas with the greatest need for Federal support receive increased amounts of help. The General Accounting Office found that in many States relatively affluent areas were receiving far more Federal vocational education funds per student than low-income areas.

The new bill provides that Federal funds will be used for clearly defined purposes which will improve the quality of vocational education. Instead of the 24 uses of funds in current law, H.R. 7 will support programs which integrate academic and occupational disciplines, which offer coherent sequences of courses leading to job skills and which are of sufficient size, scope, and quality to improve educational quality in the schools.

The bill also assures that students who are economically disadvantaged, students of limited English proficiency, students with handi-

caps and women have access to vocational education and that they have any special services they need in order to succeed.

It streamlines the administration of the program, relieving the local schools of paperwork and matching requirements that were both unworkable and ineffective.

H.R. 7 responds to the criticisms of the Federal vocational education program that have been loudly voiced from the field, and it reflects the extensive research and recommendations of the National Assessment of Vocational Education, the General Accounting Office and the Office of Technology Assessment.

H.R. 7 also relects the best traditions of the Education and Labor Committee in bipartisan ccoperation to produce innovative and effective Federal education policy. I salute Chairman HAWKINS and Congressman GOODLING, the ranking minority member, for their leadership in bringing this outstanding conference report before the House.

Mr. GOODLING. Madam Speaker, I yield 3 minutes to a very new, bright part of our Committee on Education and Labor, a Member who is very much interested in education and has been very much involved in education in the past, the gentleman from Vermont [Mr. SMITH].

Mr. SMITH of Vermont. Madam Speaker, it gives me great pleasure to rise in support of this conference report on the Hawkins bill.

If I may, I would like to address a number of features. First of all, as has just so well been pointed out by the gentleman from Michigan [Mr. FORD], there is a long history of vocational education, but in the current day as we look back, we will understand that that history, including the original motivation for the Vocational Education Act is not a motivation or a history that can be allowed to continue.

Quite frankly, when vocational education legislation was first written more than 50 years ago in this country, it was because there was the first influx of children into our public school system who were different from the mainstream kids that existed at that point in time. Therefore, what educators did, with what were considered to be the best of intentions in those days, they created a new program for them. We were not going to give them general education. It was for everybody's children, including my father, and his father, and his father. We were going to give them a vocational education, training for a job. That split has continued over the years, and increasingly the concern has been as this society tested and reached for new forms of equality and saw the form of education as being the major instrument for achieving that kind of equality, that a dual system within the academic structure was not only inescapable but impermissible.

This bill goes a long way in a dramatic way to healing what has been the split historically. I think for a minute about a country today where we need to have a new vocational education or technical bill. This is a society that graduates 13 lawyers for every engineer. That in itself is a frightening statistic, when we think about the requirements that this country is going to face in the 21st century. Still, we lag behind in an even more critical area, even further behind, which is the creation of technicians, men and women who do, who build, who fix, who design. That is the guts of the infrastructure of this country as we work toward new technologies. It is an area where we are falling way behind.

In order to upgrade the image of vocational education, it takes more than a title change, and we have done that. It takes a substance change. It takes innovation. In fact, this bill does two things that I think make it an extraordinarily important piece of legislation. First of all, it gives more flexibility to States and to local areas to design their programs the way that they think will work for children. Secondly, within that, and the second point is it has elements of program improvement from the innovation of the Member from Michigan's tech prep section to the integration of job-related education with general education. This bill seeks to break the walls down and make sure that they stay down so that every child, whether they enter a general or a college course, or whether they start in a technical course, it is going to get the best of both. This country needs to make sure that every child gets the best of both so that we have the best trained human resources and citizenry in the 21st century.

Mr. LAGOMARSINO. Mr. Speaker, I rise in support of the conference report on H.R. 7, the Carl D. Perkins Vocational Education and Applied Technology Amendments of 1990.

Vocational and applied technology training is a critical element in preparing today's students for tomorrow's workplace. The workforce of the future will be challenged by many goals and obstacles that are quite different from those faced by past generations. The changing economic climate of our post-industrial nation will demand well-trained and highly skilled individuals. I believe that the provisions of H.R. 7 will help America's educational system be prepared to meet those demands. The Federal support for Tech-Prep Programs will be especially beneficial to California's community colleges, many of which began implementing such programs 8 years ago.

The conference report on H.R. 7 not only reauthorizes many vocational education and applied technology programs, but it reemphasizes the importance of these programs and redirects the targeting of these programs to those Americans who are most in need of assistance.

I commend the conferees for the flexibility written into the allocation formulas in the bill. The great diversity of California's educational system necessitates such flexibility to ensure that the State is able to meet the congressional intent of making education and training available to those who are least able to afford it.

I urge my colleagues to join me in supporting the passage of the conference report on H.R. 7.

Mr. RAHALL. Mr. Speaker, I rise in strong support of the Vocational Education Act reauthorization bill.

H.R. 7 authorizes a total of $1.6 billion to be appropriated in fiscal year 1991, nearly $700 million more than the $930 million appropriated in fiscal year 1990.

During our development of the bill in the Education and Labor Committee, on which I was privileged to serve, I focused as other Members did, under the leadership of our able chairman, Mr. HAWKINS of California, on our need to smooth the transition from school to work to ensure that students were well-prepared for entry-level jobs in the market place, but also—and more importantly—that vocational education consists of applied academics as well as occupational skills training.

While I am most pleased to have been able to focus on consumer and homemaking education, including an increased authorization of $38.5 million in fiscal year 1991, I was also involved in the development of the provisions in the bill, introduced by my friend from Kentucky, Mr. PERKINS, to provide funds for state-of-the-art equipment for our vocational schools, and for new or renovated facilities for vocational school students. When I visited my vocational schools during consideration of H.R. 7, and the absolute need for up-to-date equipment for use in training students for today's workplace is clearly evident, and rundown facilities in need of modernization, or facilities that just are not adequate to house the students participating in vocational education is clearly evident as well.

In addition to the all-important increase in basic State grants, H.R. 7 authorizes the Tech-Prep Education Act, which enjoyed broad bipartisan support, and is authorized to be funded at $125 million. I look forward to the implementation of this program nationwide, for it combines secondary and postsecondary education activities that lead to an associate degree or a 2-year certificate for participating students. Such degrees and/or certificates will show that the student has been prepared in at least one field of engineering technology, applied science, mechanical, industrial, practical art or trade, agriculture, health, or business, through a sequential or coherent course of study, and will lead to employment. I predict that this program will become one of the more successful ones contained in the Act.

H.R. 7 reserves a higher percentage of funds for State programs—25 percent instead of 20—but it reduces State flexibility over use of those funds. The bill decreases the amount a State can use for administration from 7 to 5 percent, but gives them a minimum of at least $250,000, with each State reserving $60,000 for the sex equity coordinator, and permission to use the remainder of administrative funds for specific purposes, such as plan development, technical assistance, and compliance with Federal laws.

For State programs and State leadership activities, the bill reserves 8.5 percent of

funds, down from 13 percent in previous law, for use for professional development for vocational and academic teachers, integration of vocational and academic instruction and coherent course sequences, and program assessment of performance standards and outcomes.

Sex equity and programs for displaced homemakers, single parents, and single pregnant women are funded by setting aside 10.5 percent of a State's basic grant—specifying that not less than 3 percent be used for sex equity and not less than 7 percent for single parents, displaced homemakers, and single pregnant women. One percent is to be used for criminal offenders. Local recipient grants are reduced from 80 percent to 75 percent under the bill.

H.R. 7 repeals most requirements for nonfederal matching of Federal funds, with one notable exception being that states must match funds reserved for administration on a dollar-for-dollar basis.

Under the bill, 75 percent of each State basic grant must be distributed to local recipients for secondary, postsecondary and adult vocational programs, with States having the discretion to decide the proportion of funds to be distributed between secondary and postsecondary and adult programs, following specific formulas in the act.

Throughout the act, we have focused on bringing credible, useful vocational education programs back to the secondary school level, to focus vocational students on the academic side of the ledger, stressing academic learning as an integral part of manual or occupational skills training. The programs are targeted to special population needs, among them the economically and educationally disadvantaged, the handicapped, women and minorities, assuring access and appropriate services are available.

Mr. Speaker, I commend our esteemed chairman, GUS HAWKINS, and our very able ranking minority member, BILL GOODLING, for bringing this bill out of conference with the Senate with the most important House provisions intact. I also would like to join my colleagues in expressing thanks and appreciation to our respective staff members. It took many hours, days, weeks, and months to reach agreement on a new, modern, forward-looking vocational education initiative, which will bring today's students into the 21st century who are more able, confident, and better prepared to compete locally and globally in the marketplace.

I strongly support the adoption of the conference agreement on H.R. 7, and urge my colleagues to vote in favor of its passage.

Ms. SCHNEIDER, Mr. Speaker, I rise today to express my strong support of H.R. 7, the Carl Perkins Vocational and Applied Technology Education Act Amendments of 1990. As a founder of the competitiveness caucus and a member of the executive boards of the congressional clearinghouse on the future, the congressional institute for the future and worldwise 2000, I know how important this measure is to our work force in the next century.

The future of the American economy depends on an increasingly better educated work force. For the first time in U.S. history, a majority of all new jobs will require education beyond high school. Moveover, a knowledge of basic technologies will be a requirement for nearly every job. In the past, women and girls have been tracked into traditional female occupations, such as clerical, retail, and service trades, while men and boys have been trained for higher paying technical, and construction occupations. According to the national coalition for women and girls in education, a full 70 percent of female secondary vocational school students are simply tracked in programs leading to traditional female jobs.

I am proud to say that this bill includes provisions from legislation that I introduced to ensure the continuation of full access to quality vocational education services for millions of women and girls in this country. These provisions clarify and strengthen certain parts of the Carl Perkins Act of 1984 including the current 8.5 percent set-asides for women and girls. They also add displaced homemaker to the definition of eligible women. And finally, they clarify and strengthen the role of the sex-equity coordinator, or the individual responsible for administering vocational education funds for women and girls.

This will guarantee access to women and girls in nontraditional jobs in high tech work. It provides funding for single mothers seeking vocational and technical education. My legislation was built upon the strengths of an already successful program that is providing a vital resource for thousands of women in this country. We cannot afford to lose these set-asides. Without continued Federal leadership and targeted Federal dollars, women and girls will not receive the vocational services they need. Records show that prior to the passage of the Perkins Act and the inclusion of the set-asides, less than 1 percent of all State money was spent on women and girls.

In my own State of Rhode Island, our vocational education programs are very successful, with a placement rate of 90 to 92 percent. But only 38 percent of the participants in these programs are female. And, I regret to say, most of them are staying within the traditional job areas that pay less. These provisions will help encourage women to seek out nontraditional jobs and higher salaries. We need to provide opportunities and incentives for these women to achieve their potential.

We have no time to lose. Preparing women for the work force has never been more important. Projections from the department of labor indicate that between now and the year 2000, almost two-thirds of all the new entrants to the workforce will be women. By 2000, women will compromise nearly half of the Nation's labor force; and 80 percent of women ages 25 to 54, will be working.

Women and the families they support are increasingly at risk of living in poverty. Without access to education and training as well as support services, many women find themselves among the working poor. According to the Senate budget committee, 43 percent of women workers are currently in jobs that pay below the poverty level—compared to 27 percent of men.

Full access to quality vocational education for women and girls cannot be compromised. Vocational education offers the individual a lifelong set of skills that can provide economic self-sufficiency in a changing labor market, and offers the country a valuable cadre of experts who perform many of the jobs that keep the economy functioning.

Mr. PRICE. Mr. Speaker, I rise in support of the conference report on H.R. 7, the Reauthorization of the Carl D. Perkins Vocational Education Act.

H.R. 7 will help our people prepare themselves for satisfying and rewarding work, and will help our country secure our economic future. It is clear that our competitiveness will depend on a skilled and literate work force—on preparing our young people for the more demanding office, laboratory, and factory jobs of tomorrow.

I am particularly pleased that the conference report incorporated Representative FORD's tech-prep legislation. This program links the last 2 years of high school with 2 years of college in a sequence of courses designed to increase students' technical skills. Partly modeled after programs in place at several North Carolina community colleges, the Tech-Prep Program is intended to lead to a 2-year degree or certification, technical preparation in practical fields, a high level of math and science skills and eventual job placement. In North Carolina, these programs have proven to be a solid approach for addressing the need of students who do not choose to pursue postsecondary education.

I also want to express my special appreciation to the House conferees for insisting on the House position regarding the formula split of funds for secondary-postsecondary programs. Their decision to give each State the option of determining its own internal split of Perkins funds will give States the flexibility to determine how Federal funds can best supplement their individual programs. This was a position supported by numerous community college systems in our country—including the North Carolina community colleges.

Vocational education and tech prep are vital parts of our educational system and need our ongoing support. I urge my colleagues to continue this investment in this country's human capital and join me in supporting H.R. 7.

Mr. CRAIG. Mr. Speaker, I have long been a strong supporter of vocational education, and I am supportive of the Carl D. Perkins Act and vocational education programs in general. I beleive that the Committee on Education and Labor and the House conferees have worked very diligently in their consideration of H.R. 7.

Last year, I discussed this legislation with the Idaho director of vocational education, the director of vocational rehabilitation, the director and members of the State Council, the Idaho Vocational Agriculture Teachers Association, the head of agricultural and extension education at the University of Idaho, the Idaho Education Association, and many, many teachers. They all expressed varying degrees of concern regarding H.R. 7. Therefore, I did not support the original bill passed by the House last year.

While I remain concerned about the effects of the funding formula in the Perkins Act, I am pleased that many of the changes I supported, on behalf of my constituents, were made in conference. Vocational education provides many important programs for Idahoans. The

people involved with vocational education in my State have done an excellent job, creating effective, worthwhile programs. For these reasons, I do support passage of the conference report.

Mr. POSHARD. Mr. Speaker, I rise in support of the conference report on H.R. 7, the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990. The report outlines the excellent compromise which my colleagues and I on the conference committee worked out with the Senate. I believe it fully represents the substance of the House's positions on a number of important issues, and I am convinced that the final bill will help us improve the quality of job and skill-related training.

One of the most important aspects of this bill is the new emphasis which it places on the integration of both academic and vocational skills. That goal will be difficult to achieve, but is absolutely essential in today's increasingly technical and information-based working world.

The bill also contains Congressman BILL FORD's Tech-Prep Program to coordinate vocational programs offered in high schools and postsecondary schools. This is a bold move forward and it has generated a great deal of support, interest, and enthusiasm in my home State of Illinois. Our educators are excited about what they see as a more comprehensive approach toward training today's students for tomorrow's work force.

I would like to commend Chairman HAWKINS for his strong leadership in shepherding this bill through the legislative process. It is an excellent report and I urge all of my colleagues to support its adoption.

Mr. BRENNAN. Mr. Speaker, I rise today in support of the Perkins Vocational and Applied Technology Act. I fully support the bill's purpose, and although I have concerns which I have shared with the conferees about certain provisions in the reauthorization bill, I am confident that this legislation will be implemented and adjusted to serve the academic, vocational, and technology needs of today's generations and tomorrow's society.

We are approaching a world where education and employment skills are synonymous with economic independence and the ability to survive in a competitive society. As a nation, we are only as strong as our weakest link. A lack of academic and skill development opportunities is a clear indication of the presence of a weak link.

This bill targets assistance to those most in need of vacation and education services. Individuals with low incomes, disabilities, or limited English proficiency will benefit from the act. Dislocated workers, displaced homemakers, pregnant women and teenagers, youth offenders, and men and women striving to enter nontraditional jobs will benefit. And of course, we all benefit from a more fully educated and employed society.

I congratulate the conferees on preserving the States' flexibility in determining how funds should be distributed between secondary, postsecondary, and adult education programs. Earlier proposals to require States to direct 65 to 75 percent of Perkins funds to the secondary level would have forced my home State of Maine to completely reverse its State allocations.

As States strive to meet their particular education and employment needs, it is essential to allow them discretion in determining where the greatest needs are, and it is essential to allow them the flexibility and leadership necessary to effectively and cost-efficiently serve the intended beneficiaries of Perkins' programs. I remain concerned about the limited resources many States are facing and their ability to effectively implement quality vocational programs for special populations in light of budget deficits. However, I do believe the conference report is a step toward recognizing the need for State-level flexibility and leadership in the education and job training arenas, and I believe it is a positive change for vocational education in the United States.

Once again, I urge my colleagues to join me in support of the Carl D. Perkins Vocational and Applied Technology Amendments of 1990. I also ask that we continue to work to coordinate the academic, vocational, and employment training programs available to needy individuals in our Nation, and to ensure these programs are producing competent, educated, and employable individuals who will be able to live meaningful and fulfilling lives within our communities.

Mr. DORGAN of North Dakota. Mr.Speaker, I rise in support of the conference report on H.R. 7, the Carl D. Perkins Vocational and Applied Technology Education Act. As I do so, I wish to congratulate the chairman and ranking member for their leadership in shaping a bill that responds to America's vocational education needs in the 1990's. I also want to thank the gentleman from Michigan [Mr. KILDEE] and the gentleman from Montana [Mr. WILLIAMS] for their leadership and cooperation on the Indian vocational education measures in the bill.

GENERATING WORKFARE

I am particularly pleased that the Indian titles in the bill address the unique educational and economic problems evident in Indian country. The key need on reservations is generating durable businesses and productive jobs.

Staggering unemployment and the attendant poverty are the roots of so many other reservation maladies, such as the alarming rates of alcoholism, diabetes, and child abuse. Even as we tackle these as discrete problems with sufficient resources and creative programs, we must engender support for workfare and curb dependence on welfare. Otherwise we will only see a further repetition of the endless cycle of joblessness, poverty, and social problems.

Creating jobs, however, assumes that Indian communities have developed a trained pool of workers and managers. On too many reservations that is not now the case. This bill responds to that problem by reaffirming basic Indian programs and by establishing new programs in Indian postsecondary vocational education.

SUPPORTING INDIAN POSTSECONDARY INSTITUTIONS

The latter programs in the bill reflect legislation which I introduced with my colleague, the gentleman from New Mexico [Mr. RICHARDSON]. I am reassured from discussions with committee staff that our focus on support for the United Tribes Technical College, the Crown Point Institute, and Tribally Controlled Community Colleges is manifested in title III, part H, and title IV.

It is clear from the language in title III, that United Tribes and Crown Point will be eligible to continue their leadership in Indian vocational education by tapping grants available to postsecondary institutions. United Tribes Technical College in Bismarck, ND, has placed some 80 percent of its graduates in paying jobs, a remarkable achievement given reservation unemployment rates of equal magnitude. It's all the more remarkable when you consider that 70 percent of United Tribes' graduates once received welfare. Surely this is one needed route to self-sufficiency.

Indian tribal colleges are recognized in the bill, as well, for their special role in promoting economic development on Indian reservations. The bill will enable the colleges to improve their vocational education programs, to assist with economic development planning, and to train tribal leaders, among other tasks.

The bill reinforces support for these Indian postsecondary institutions because it does not diminish eligibility for other Federal programs. That's a critical feature of this legislation.

In conclusion, matching trained workers with vibrant enterprises is precisely the right prescription for Indian country today. Tribal leaders and tribal members alike have striven to achieve that goal and I am pleased that this bill will make it more achievable. It's also the approach we need to stop the waste of tax dollars on welfare and to ensure instead that invested tax dollars flow back to the Treasury. These titles in the bill, then, will not only benefit native Americans but all Americans.

Mr. CONTE. Mr. Speaker, I rise in strong support of the conference report to H.R. 7, the Carl D. Perkins Vocational and Applied Technology Education Act.

I had hoped to speak on behalf of this act when it was debated on Thursday morning, but found myself at the budget summit at Andrews Air Force Base working on a measure to resolve our fiscal woes. As a longtime supporter of vocational education and a person who is deeply concerned about the manner in which future workers are prepared I did not want to miss this opportunity to support the reauthorization of a very important law.

As we all know it is very difficult to improve a masterpiece, but that is what our esteemed colleagues on the Education and Labor Committee have done. They used the reauthorization process to take a diamond-in-the-rough law and turn it into a jewel laden act that will touch the lives of countless students for years to come by bolstering the academic and vocational training available in our public schools.

The new jewels that have been added to the proposed $1.6 billion voc-ed crown are noteworthy. They include the new tech-prep program authorized at $200 million, $10 million for high technology training grants for business-education-labor partnerships, and $8 million is for community employment and lighthouse schools. It also includes $20 million for new career guidance and counseling programs and up to $100 million for supplementary assistance for economically depressed areas.

In addition to special programs some individuals also receive special services via the funds that have been targeted for students who are disabled, economically disadvantaged, do not speak English very well, and workers in nontraditionally occupations.

These gems are but of few of the terrific programs in H.R. 7, an act that addresses a major weakness in our educational system, the needs of students who are not headed to college. The act does not mandate how much money the States should use on either secondary or postsecondary programs but does designate 25 percent of the funds via formula for State programs with the rest going to the basic vocational education grants.

By all measures the act is a masterpiece. It has the support of the administration, the vocational education community, the Senate and now the House. I salute the conferees for a job well done and all my colleagues who supported H.R. 7.

I also want to take this opportunity to thank Chairman HAWKINS for the leadership he has provided on this and other education issues over the years and to say that his presence in this Chamber will be missed when we reconvene next session.

Mr. PENNY. Mr. Speaker, I rise in support of the conference report on H.R. 7, the reauthorization of the Carl Perkins vocational education programs and commend the able leadership of Chairman GUS HAWKINS and BILL GOODLING for their good work on this important measure.

Important to Minnesota was whether to target vocational funds to secondary or postsecondary students. The conference report provides that the States will continue to decide where the money is needed, within a formula. This will insure continued flexibility in the distribution of Federal dollars to where they can accomplish the greatest good. The new Perkins Act also provides, for the first time, that funds could be directly provided to area vocational schools or to the local education agencies servicing those schools. Second, the new law will require that Federal funds serve four important populations: the economically disadvantaged, the disabled, the limited English proficient, and men and women seeking training in nontraditional occupations. The report stipulates that funds at the local level be spent on program improvement, services for the targeted populations, and the integration of academic and vocational education.

Third, the new law will provide a strengthened emphasis on guidance and couseling. This means both prevocational counseling and comprehensive guidance once a student is pursuing a course of study and during the job search. Finally, the new Perkins Act retains programs for single parents, displaced homemakers and single pregnant women. The new law also provides support for the tech-prep concept linking secondary and postsecondary education with apprenticeship training.

I urge my colleagues to join me in supporting this vitally important education bill.

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

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

The SPEAKER pro tempore (Ms. SLAUGHTER of New York). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HAWKINS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the conference report on H.R. 7 just agreed to.

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

There was no objection.

NATIONAL SERVICE ACT OF 1990

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 463 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 463

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4330) to establish school-based and higher education community service programs, to establish youth service programs, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and the amendments made in order by this resolution and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered by titles instead of by sections and each title shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of section 303(a)(4) of the Congressional Budget Act of 1974, as amended, and with clause 7 of rule XVI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HAYES of Illinois). The gentleman from California [Mr. BEILENSON] is recognized for 1 hour.

Mr. BEILENSON. Mr. Speaker, I yield the customary 30 minutes for purposes of debate only to the gentleman from Tennessee [Mr. QUILLEN] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 463 is the rule providing for consideration of H.R. 4330, the National Service Act of 1990. This is an open rule, providing for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor.

The rule makes in order the amendment in the nature of a substitute now printed in the bill as original text for purposes of amendment, and it provides that the substitute shall be considered by titles instead of sections, with each title considered as having been read.

The rule waives clause 7 of rule XVI, which prohibits nongermane amendments, against the substitute. This waiver is needed because the Education and Labor Committee added a third title, the Good Samaritan Food Donation Act, which was nongermane to the bill as introduced.

The rule also waives section 303(a)(4) of the Congressional Budget Act, which prohibits consideration of new entitlement authority prior to the adoption of the budget resolution, against the substitute. This waiver is necessary because the provisions of H.R. 4330 which permit the deferral or partial cancellation of student loan payments for certain volunteers are considered new entitlement authority. The cost of those provisions is minimal, only $500,000 annually. Since H.R. 4330 is an authorization bill, all of its other provisions are subject to appropriations.

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

Mr. Speaker, H.R. 4330, the bill for which the Rules Committee has recommended this rule, would expand and improve opportunities for civilian service, particularly for young Americans. Such opportunities are extremely important both for the people who will benefit from volunteer services and for the volunteers themselves. At a time when there are so many unmet needs in society, and when it is obvious that we are not doing enough to foster in young Americans an ethic of community service and commitment to others, this legislation is urgently needed.

Mr. Speaker, I urge the adoption of House Resolution 463, so that the House can proceed to consideration of H.R. 4330.

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

Mr. Speaker, the able gentleman from California [Mr. BEILENSON] has explained the provisions of the rule, and I will not repeat those provisions. Mr. Speaker, I would like also to commend the ranking Republican member of the Education and Labor Committee, the gentleman from Pennsylvania [Mr. GOODLING] and the chairman, the gentleman from California [Mr. HAWKINS] for the fine job they have done in putting this legislation together and bringing it to the floor of the House.

We are going to miss the gentleman from California [Mr. HAWKINS]. In his last days in the House since he has announced his retirement, I want to tell the Members how much I have enjoyed working with the gentleman. He certainly is a true gentleman in the best sense of the word. He has earned the respect of the Members of this body and his service has been noteworthy throughout this Nation of ours. I salute the gentleman from California especially for his dedication and his loyalty to the betterment of education and of labor.

This bill is one that the gentleman appeared on before the Rules Committee. There was no controversy at that time.

Mr. Speaker, I support the rule and ask for a yes vote on the rule so that we can get down to the business of discussing the measure as a whole. If there is controversy on it, the Members of the body will have an opportunity to discuss the issues involved under this open rule.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, this bill obviously concerns volunteers. It depends upon volunteers and their willingness to come forward and to offer their services in many different areas and in many different ways. That willingness depends increasingly in America, upon their perception of what it is they are undertaking, and I refer, Mr. Speaker, to liability concerns.

Unfortunately, increasingly in our country people worry that if they are going to volunteer—either in a direct service capacity or to serve on the board of an organization—that somehow they may end up in a court of law defending their assets, their homes, their farms, against a lawsuit. This has been documented in study after study taken across this country, and the chilling effect—the worry about ending up as a defendant in a court of law, at risk—is preventing many people who would otherwise be willing to come forward, from coming forward and offering their services.

Organizations like the Red Cross, the Boy Scouts and Girl Scouts, the PTA, the AAUW, and hundreds of others like them, have found, very increasingly, great difficulty in getting volunteers to come forward and offer the services needed to make their programs succeed.

Mr. Speaker, 3 years ago I offered to the Congress H.R. 911, a bill that would encourage States to amend State law—because this is essentially, primarily a matter of State law—to encourage State laws to be amended to give volunteers the immunity that they ought to have in order to encourage people to keep coming forward. In other words, people who are willing to volunteer their time and give their efforts to organizations that help others ought to be able to do so without ending up in a court of law as a defendant. Their organization ought to be the one that ends up as the defendant if somebody is injured or hurt as a result of their activities within the scope of their volunteer duties. The organization ought to end up as the defendant, not the individual. The individuals ought to be given immunity where they are acting within the scope of their volunteer duties and not in a willful or wanton manner. The organization should be made to be the defendant if any problem occurs. That was the essence of H.R. 911.

I might say, Mr. Speaker, that 254 Members of the House signed on as cosponsors to that legislation in the last Congress. Unfortunately, the committee of jurisdiction did not even give it a hearing.

In this Congress, the legislation has been reintroduced as H.R. 911. It has over half the House as cosponsors. It has, in this Congress, not received a hearing, either.

Mr. Speaker, this is essential legislation to getting people to come forward and volunteer. Two hundred fifty national organizations of the type I have just described ascribe to this legislation and support it and believe it is necessary to keep volunteerism alive in our country.

I would like to offer, and I hope to offer, the essence of this volunteer protection legislation as applied to the bill that we will consider under this rule. What it would do would, in respect to one of these programs, is make the organizations liable, but give direct service volunteers and board members a clear conscience, that they can come forward without any problem that will find them in court, unless they are acting outside the scope of their volunteer mandate or acting in a willful and wanton manner.

I would hope that the Members who are cosponsors would be alerted to the essentiality of this amendment. I would hope that others who may not be familiar with it would consider that liability concerns are increasingly a problem in our country. They are affecting many, many areas of American life—from the production of American products and their competitiveness overseas, to how our doctors and other health care providers treat patients—and what a waste it is for so much defensive medicine to be practiced in this country when those resources could be put forward to help people—to as simple a case as whether an individual will come forward and volunteer for something that needs to be done for others who are perhaps less fortunate than they.

I would hope that the Members would be alerted to the need for this kind of approach to be applied to this legislation, and I hope to offer that amendment when we consider the bill.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, one of the reasons why we are going to have this bill on the floor today is because we are seeking to have legislation brought to the floor that would not interfere with what is happening out at Andrews Air Force Base in the budget summit.

□ 1220

The DOD bill had to be pulled off the floor because they could not proceed until they got firm figures from the people who are engaged in the budget summit.

The people engaged in the budget summit have a real problem. They are trying to find ways to save enough money to get this Nation's economic situation back in order. One of the things where they are trying to find money is in the entitlement programs.

What does this rule do? Well, this rule brings the waiver of entitlements so that we can create a brandnew entitlement while they are out wrestling with exactly that problem at Andrews.

That does not make any sense. What in the world are we doing here? We are struggling to try to find ways to save money, and this bill would authorize $212 million of spending for brandnew programs, including new entitlement authority.

It just makes no sense at all. We ought to turn down the rule, based upon the fact that it has that waiver in it. We ought to be very cautious of this bill. This bill is not a noncontroversial bill.

The administration has a strong veto message on this bill. I will read to you from it. It says: "The administration strongly opposes H.R. 4330 because it is incompatible with the President's concept of voluntary service. If H.R. 4330 were presented to the President in its current form, his senior advisors would recommend a veto." They then

go on to point out about five different places where this bill has major problems and ought to give us real concern about its passage.

So I would suggest to the House and I would advise the House that this is a bill that, in its current form, will be vetoed. It is a bill that creates brand-new entitlement authority. It is a bill that creates $212 million in brand-new spending. It is a bill which gets in the way of all of what we have believed about voluntarism in America that is locally based. It is a bill that has major problems.

I would ask the House to reject the rule and to reject the bill.

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

Mr. Speaker, yes, there is some opposition to the bill. As the gentleman would say closing, the administration at the moment is not in favor of the bill. Some of those problems can be worked out in the immediate future. I would ask Members, however, not to be concerned about the waiver nor to be frightened away by the statements of our friend, the gentleman from Pennsylvania. As this gentleman stated earlier, the waiver is necessary because the provisions permit the deferral of partial cancellation of student loan payments for certain volunteers. That is considered new entitlement authority. That in fact is true, it is a new entitlement authority. But the cost, as the gentleman has told the Members earlier, is minimal.

The gentleman said earlier, $500,000 annually. In fact, CBO [Congressional Budget Office], says it is less than $500,000 per year. That is a very small amount of money. The gentleman would suggest to Members that that is not an adequate reason for turning down the rule.

It is an open rule. All of these matters will be before the Members later today, this afternoon, and this gentleman urges people's support of the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. HAYES of Illinois). The question is on the resolution.

The question was taken, and on a division (demanded by Mr. WALKER) there were—ayes 7, noes 3.

So the resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 463 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4330.

□ 1225

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. 4330) to establish school-based and higher education community service programs, to establish youth service programs, and for other purposes, with Mr. OBEY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California [Mr. HAWKINS] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 30 minutes.

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

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

Mr. Chairman, national service means Americans giving their time and effort to enhance the national good.

This bill is intended to promote national service by incorporating service learning into elementary and secondary school curricula, offering incentives to colleges and universities and college students to do service, especially in our Nation's schools, and creating American Conservation and Youth Service Corps to enable youth to carry out a variety of projects addressing unmet environmental and social needs. H.R. 4330 gives Americans, particularly disadvantaged youth the opportunity to serve their communities, their country, and themselves.

This bill, which reflects the contributions of many members on and off the Education and Labor Committee, is intended to build upon existing worthwhile community service efforts and enhance their potential for addressing unmet social needs. H.R. 4330 responds to the same concerns that the President noted when he proposed his points of light initiative in his inaugural address. This bill is an attempt to make the concept of service more central to American's life and work.

I want to make several points:

First, according to the organization Independent Sector, less than half of Americans are active volunteers. The typical volunteer is a white female between 35 to 44, married with no children and employed with an income of between $20,000 and $40,000. This legislation targets the young, the poor, and others presently not asked to serve. Further, it promotes opportunities for senior citizens through a blend of new and existing programs.

Second, it does not create cumbersome bureaucratic structures but rather uses existing administrative systems.

Third, this bill is fiscally responsible. For less than $200 million, it will generate hundreds of thousands of hours of community service.

Fourth, this bill is intended to expose more people to community service. It emphasizes exposing youth to these opportunities because studies show that young people who have served continue to do so throughout their adult lives.

Fifth, service learning also appears to be an effective technique in keeping students involved with school. It is consistent with the Congress' focus on programs to fight school dropouts.

Finally, this bill is faithful to a set of principles which emerged from hearings conducted by the Education and Labor Committee. First, it categorically rejects any linkage between service and student financial assistance. Second, it contains adequate and realistic protections regarding job displacement. Third, the programs authorized include appropriate compensatory education and job training, where necessary. Finally, it recognizes the large number of service efforts underway in virtually every American community and therefore intends to build upon, not smother, these efforts.

Similar legislation passed the Senate overwhelmingly with strong bipartisan support. I urge Members to pass this bill so that we can go to conference to produce a bill that achieves the widely shared goal of enhancing civic mindedness and good citizenship at a time when many Americans, particularly youth, are alienated from the system.

□ 1230

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

Mr. Chairman, I wish the honeymoon and the love-in that we had on the previous bill could continue on this bill. Unfortunately, it will not.

I am pleased that the Committee on Rules gave us an open rule. The only problem is that I, as the ranking member, only found out that the bill was coming to the floor at 9:15 this morning, meaning other members of the committee found it out even later. It is pretty difficult to get amendments prepared and ready as well as change schedules in order to present them. So, the open rule, unfortunately, does not help us to clean up the bill. I am pleased, however, that they did give us that opportunity.

Mr. Chairman, there has been considerable interest in this issue. Dozens of bills have been introduced in this Congress, the President addressed it in his State of the Union Message, and the Committee on Education and Labor has held over five full committee hearings on the issue.

The bill before us provides grants to colleges, elementary and secondary schools, and State and local conservation corps to establish or expand community service programs. The major focus of these programs is our youth, but it also provides for the participation of senior citizens.

Mr. Chairman, I have some concerns about the bill, and the administration has indicated its opposition to the bill, and I probably should read that opposition into the RECORD at this particular time.

The President strongly supports the concept of community service. He has challenged all individuals and institutions to make service central to their lives and work.

The administration, however, strongly opposes H.R. 4330 because it is incompatible with the President's concept of voluntary service. If H.R. 4330 were presented to the President in its current form, his senior advisers would recommend a veto.

H.R. 4330 would: Provide unnecessary financial incentives for service. It includes unjustified determent and cancellation of certain student loan payments for full-time professional staff in drug counseling, prevention and treatment programs, and full-time volunteers. These costly provisions extend the concept of volunteer far beyond reasonable bounds. Attempt to direct community service efforts from the Federal level rather than from the community. Emphasize short-term volunteer participation and financial rewards, concepts inconsistent with a substained commitment to voluntarism. The reward for voluntary service should never be seen as financial.

Mr. Chairman, there are other reasons why he would veto the legislation. Hopefully we will have an amendment or two that will clean it up so that it perhaps will not be as objectionable to the President or to many of us.

I have some concerns about the bill, as I indicated. First, the inclusion of loan cancellation provisions is troublesome as there is no reliable evidence that it would enable individuals to choose a public service career who otherwise would not. We also do not know what the fiscal impact of such a provision would be. First of all, it is a very discriminatory approach in my estimation. We are saying to people who receive Perkins loans that it is important to volunteer. Now to those who do not receive Perkins loans, I suppose it is not as important. The argument will be made that we know the purpose is to allow those people who ordinarily would not be able to afford to volunteer to volunteer. I have a little trouble following that line of thinking. With respect to the cost I would like to ask a question. Since the Perkins loan is a revolving fund to the college or the university, if we forgive that loan for the student and then the money does not come back to the revolving fund, do we then say to the college, "You don't have a revolving fund," or do we ask for additional money and additional revenue in order to continue the revolving fund? One or the other has to be done because there is no way to keep it going if these loans are canceled.

I had to laugh at CBO's comments on this provision because they said it probably would only cost $500,000 a year when fully implemented. That is because they go on to say, "It is available only for young persons with a major commitment to service and who make a major sacrifice to perform the service." CBO goes on to say that very few young people are willing to make this kind of sacrifice.

Again, I would hope that before we finish consideration of this bill we can offer the amendments, or at least in the conference report that will make it an acceptable bill to the administration. Notwithstanding these concerns I have, I cannot discount the value of community service, both to the participants and recipients of such service. In my State of Pennsylvania they have a very active service corps, PennServe, and a public-private partnership called the Pennsylvania Citizens Service Project. Each of these programs could be enhanced by this bill. However, we must be careful that we do not discourage true voluntarism by offering financial guarantees.

Mr. Chairman, I encourage my colleagues to listen carefully to the debate on the bill, and the issues raised by this bill and to the amendments that will be offered today. I believe that we all can support the concept of volunteer service and its value to our communities whether or not we believe that the bill in this form is the appropriate vehicle to encourage such support. Probably the bill represents a basis from which we can develop a national service policy, but in its present form it does not give us that opportunity. Perhaps it would be better dealt with in amendments to JTPA, and certainly a part of it should be considered in our higher education reauthorization.

Again, I am pleased for the open rule. I am only sorry that we do not have time to really make the open rule count, time to really develop the amendments that are needed in order to make this a bill that will be signed and a bill that will best serve voluntarism in the United States.

Mr. HAWKINS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. NEAL].

Mr. NEAL of Massachusetts. Mr. Chairman, I rise to express my strong support for H.R. 4330, the National Service Act of 1990. I have been a long-time supporter of this type of measure and am happy that this measure has been brought to the floor today. A large number of people have worked to pull this bill together, from Captiol Hill to city and town halls and in thousands of schools and volunteer service organizations. I want to particularly thank Chairman HAWKINS, Congressman FORD, Senator KENNEDY, and all the sponsors of this measure for their efforts in behalf of volunteer programs. This is a good, solid measure and it will provide volunteer opportunities for thousands of students across this country.

As mayor of the city of Springfield, MA for 5 years I had the opportunity to help establish a community service learning program in that city. It has been a tremendous success. This program has become a catalyst for a renewed spirit of volunteerism in my home city and I believe a national program will do the same for America. This bill provides the seed money for a school- and college based comunity service program. If the Springfield experience is repeated nationwide, the schools will benefit, the communities will benefit and—most importantly—the students will benefit.

Just today I received some comments on the Springfield community service learning program from Carol Kinsley, who is the director of the program. She has put together reports from the teachers and principals who make it work in Springfield. For the past 3 years, hundreds of Springfield students have gotten involved in various volunteer program through this program. I would like to quote from remarks prepared by Carolyn Price, who is the principal of Lincoln School—kindergarten through fourth grade—in Springfield. She writes, "our test scores are higher. I would like to think that as community service becomes a part of school restructuring, C-S-L is one more component that adds to the success of the child. C-S-L builds more successful * * *." That kind of praise is common for the Springfield school volunteer program. Over and over, the teachers say that a school-based volunteer program helps students learn to care for themselves and for others. Voluntarism is a great learning experience, it is a great life experience.

Mr. Chairman, the other major benefit from a national service program is, of course, the work provided by the volunteers. In Springfield, many people and institutions have been enhanced by student volunteers. The elderly in nursing homes, in particular, have greatly enjoyed entertainment and reading programs that student volunteers have provided. Handicapped citizens and patients at area hospitals have also had their lives brightened by volunteers providing services.

It is my belief that good citizenship can, and should, be taught in our schools. The success of the Springfield program backs up that belief. Practical volunteer work, combined with course work, provides a much more realistic look at the world and better prepares students for adult life. Our young people are our greatest resource and a community service learning program improves both the students and the community.

This bill provides funds for grants to the States for them to implement school-based service learning programs. At least 80 percent of the funds will be passed through to the localities. Additional funds are provided for grants to institutions of higher learning to establish similar programs for college students. This is a much needed plan that will repay this modest cost a 100 times over. The National Service Act will benefit every community in this country and I urge all of my colleagues to vote for this measure.

□ 1240

Mr. GOODLING. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Chairman, this is not much fun. I do not know of anybody in this Congress who does not believe in voluntarism. I do not know of anybody in this Congress who did not get here without one heck of a lot of volunteers in our campaigns and in our political activities. And now we are here debating not the goal of voluntarism, because I believe everybody in America that I know of believes in the merits and the worthiness of voluntarism, but what we are debating today is apparently a major philosophical gulf between those who believe the only way we can have voluntarism is to pay for it and have Government set it up and those who think it can come from the hearts and the minds of people in the communities and schools and churches and families and clubs and organizations of America.

I thought probably it would be helpful as we begin this debate to call on our good friends who make up the dictionary—this is Webster's—and so I looked up "volunteer." It says that a volunteer is one who enters into or offers for a service of his own free will—that is not through government organization, not through incentives, not through compensation, not through grants to local governmental agencies or anything of the sort; it is doing it on their own because they know it is right and they know it is good.

The fact is, Mr. Chairman, that we are meeting here and talking about setting up a new Government program, a new Government authorization, at the very time that the leadership of this Congress and the administration is meeting at Andrews trying to figure out how we are ever going to bring the deficit down.

We ask, who is the problem? We are the problem. We are the problem when we say the only way we can get voluntarism in America is to pass an act and set up a bureaucracy and set up all kinds of grants and programs through different departments.

We just finished passing the conference report on vocational education. Do you know what? Every Member on both sides of the aisle stood up and talked about how good that bill was. Yet today we fund 56 percent of the authorization for vocational education because we do not have any more money. Today we fund 50 percent of the authorization for chapter 1 to disadvantaged children because we do not have any more money.

Today, for every poor college student in this country who is eligible for a Pell grant, they are authorized under Federal law to get $2,900 a year, and we give them only $2,200. That is $700 less than the authorization, because we do not have any money.

Let us talk about Head Start. Today in Head Start we have an authorization or a need for approximately $8 billion. We provide $1.4 billion. Twenty percent of the projected need for Head Start is all we can provide. Why? Because we do not have any money.

We have the Job Training Partnership Act which we are going to modify yet in this session in a program that looks upon the committee chairman, the gentleman from California [Mr. HAWKINS], for his leadership in creating that program. But do you know what? We only fund 5 percent because we do not have any money.

Then we look at education for the handicapped. We at the Federal level said we are going to provide 40 percent of the cost of education for every handicapped child in America. We only provide 7 percent of the cost. Do you know why? Because we do not have any more money.

But here we are today in the midst of deficit reduction saying, "Let's pass a new bill, let's set up a new authorization. It doesn't cost much."

But not this year. Is there any Member in this Chamber who thinks that if we pass this bill to pay for a centralized bureaucracy for volunteerism in the midst of the deficit reduction summit, we are not going to be back here next year expanding the authorization? Come on. This is not any fun. I do not like to be against volunteers. I am for them as much as anybody else. But do we need a Government bureaucracy?

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

Mr. GUNDERSON. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, does the gentleman understand that if we take this action today, that we will be able to provide more volunteers as a result of the passage of this bill?

Mr. GUNDERSON. I would hope so.

Mr. WALKER. That was my understanding when I looked through the committee report and saw the premise of the bill. But has the gentleman heard any figure as to how many additional volunteers we are going to get out of it?

Mr. GUNDERSON. Actually I have read the committee report pretty closely, and the best I can tell is that there is no projected figure.

Mr. WALKER. I wonder, can any Member on the other side tell us? Maybe the gentleman could yield to some Member on the other side who will tell us how many additional volunteers we are going to get for $212 million. Is there any Member in the House who knows that figure?

Mr. GUNDERSON. I would be happy to yield for that purpose.

Mr. WALKER. Mr. Chairman, if the gentleman will yield further, I note there is a deafening silence. We have no idea, after we spend $212 million, how many additional volunteers we are going to get. Yet the whole premise of the bill is that we are going to get additional volunteers for the amount of money we spend. I think it is absolutely ludicrous that we would come to the floor and suggest that we have this bill that is going to do all these good things, but we do not have any idea how many additional volunteers it is going to produce.

What I do know is that under the present system we have been producing more and more volunteerism every year, that volunteerism in this country has gone up tremendously during the last 10 years, and that in communities across this country they have found more volunteerism, not less. We are about to get in the way of all that by adding a new Federal regulation and a new Federal bureaucracy over and above what is presently in place. Yet nobody can tell us how many volunteers it is going to produce.

□ 1250

It could in fact reduce the number of volunteers, if you put too much of a Federal overload on this.

Mr. NEAL of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. GUNDERSON. I am happy to yield to the gentleman from Massachusetts.

Mr. NEAL of Massachusetts. Mr. Chairman, I thank the gentleman for yielding. I would cite the example earlier that I offered of the Springfield program, in which we expended a

salary of about $37,000 for a director. In the school system alone we came up with probably 10,000 to 15,000 from kindergarten through the senior high schools in the city of volunteers that participated broadly across the entire community.

I would also thank the gentleman from Wisconsin [Mr. GUNDERSON] for quoting from a dictionary that is produced in my home city as well.

Mr. GUNDERSON. Mr. Chairman, reclaiming my time, I appreciate the remarks of the gentleman from Massachusetts [Mr. NEAL]. I would ask the gentleman, did he have any funds for that project he set up?

Mr. NEAL of Massachusetts. Mr. Chairman, we used local and State money. But I think it is a wonderful model. Public money was used.

Mr. GUNDERSON. Mr. Chairman, I do, too. The tragedy of the debate we are going to have this afternoon is it is going to come off as some of us being against voluntarism. For gosh sakes, I hope no one in this body is against voluntarism. The question is do we need a Federal bureaucracy and appropriation to get voluntarism?

Mr. Chairman, I think my friend the gentleman from Massachusetts [Mr. NEAL] has clearly articulated we do not. Springfield did it with local funds.

Mr. NEAL of Massachusetts. Mr. Chairman, if the gentleman will yield, and State money.

Mr. GUNDERSON. And State money.

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

Mr. GUNDERSON. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I just want to make one point, and that is that I just did some rough calculations here. In order to fund the $212 million, we are going to have to take every dime of taxes of 40,000 American families in order to pay for the cost of next year's program. Forty thousand American families are going to have to contribute every dime of their taxes, based upon just the average tax bill, in order to fund this program.

Mr. Chairman, it seems to me we ought to have some idea as to how many volunteers we are going to get for that level of sacrifice.

Mr. GUNDERSON. Mr. Chairman, reclaiming my time, let me go on. I think we are going to believe that this legislation, because it says the National Service Act, is all committed to just providing grants to local governments to set up volunteers. I would just like to call the attention of Members in the remaining time I have to section 224 of this legislaiton, which deals with the youth conservation and Youth Corps.

We can legitimately debate whether that kind of corps is or is not something that should be part of this bill, and whether you believe it is or is not going to be productive in the concept of education and training like the Job Training Partnership Act and vocational education, and so on. But I want all Members to understand what is included in this bill in section 224, where it says the following:

> Assistance under this title shall not be suspended for failure to comply with the applicable terms and conditions of this title.

(b) goes on,

> Assistance under this title shall not be terminated for failure to comply with the terms and conditions of this title.

Do Members know what I just said? I just said that under this act, under the language in front of us, once a grant is given, if that local agency does not comply, so what? We cannot suspend and we cannot terminate the program, unless we go through a long administrative hearing process.

If one thinks the administrator of a volunteer program at the Federal level should have to go through a long hewing process before they can suspend it during the hearing, or terminate it for just cause, then you begin to realize that this is not a Voluntarism Act, this is not a National Service Act, this is the new Bureaucracy Act of 1990.

Mr. HAWKINS. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. MCCURDY], who has presented to the body several of the bills that were considered by the committee, and whom I wish to applaud for his leadership in this particular field. I think the gentleman inspired and really moved us to action. For that we are deeply thankful.

Mr. MCCURDY. Mr. Chairman, I thank the chairman, the gentleman from California [Mr. HAWKINS].

Mr. Chairman, I am a strong advocate and proponent of voluntary national service. I have traveled this country, as many have, and observed the number of programs in the States and communities. I have been on college campuses advocating national service. I have publicly debated the issues with notable opponents like Milton Friedman. I am a strong supporter.

Mr. Chairman, I believe America supports a real national service program, and as an advocate of this approach, I wish I could rise in strong support of this bill.

Mr. Chairman, I cannot rise in strong support. I will vote for it in order for it to go to conference, in order that we have a possibility and potential to include one of the Senate provisions currently in that legislation which was advanced by Senator NUNN and myself for a demonstration program of earned benefits for young people who provide service in return for some increased educational benefits.

I firmly believe national service can be a truly progressive solution, a fresh approach, to a number of social problems facing our Nation today.

Voluntary national service promotes citizenship. It expands opportunities for Americans to secure educational benefits. Furthermore, participants gain by working to address many of the ills that face this country today, whether it is illiteracy, homelessness, or the problems that are faced by many urban areas and communities across this great country.

Mr. Chairman, I do not disagree with incentives to promote voluntarism. However, I believe that a real national service program goes beyond this particular legislation, and I would urge, respectfully, the leadership of this committee to consider the demonstration program contained in the Senate bill.

I would love to come back and urge my colleagues to support a strong bill for a new, fresh approach for national service that can stand the scrutiny of the American people, that addresses the concerns they have, and answers the desire that they have to promote citizenship, and at the same time increase opportunities for our young people, and furthermore, to address many of the social ills that we do not have money for in this country today.

Mr. Chairman, we do not at the Federal level have the money, but I believe a real national service program can put people on the ground in America to deal with those issues.

Mr. GOODLING. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. PETRI].

Mr. PETRI. Mr. Chairman, I rise in opposition to the bill. The essence of voluntarism is that people do it on their own. They don't have to be told to do it. They don't have to be encouraged to do it. They don't have to be paid to do it. They volunteer on their own without expecting to be compensated because they see things that need to be done and they want to help. That's what voluntarism means.

And people are doing it all over America right now, as they always have—young and old alike. Today's youth, in particular, are no less public spirited, I am sure, than we were when we were younger. And when we were younger, I'm sure there were a lot of older people who looked down on us and thought we were self centered and wanted to tell us what to do with our lives. That's just the way it always is.

There are always some older people who think the younger generation is worthless and has to be told what to do. But that doesn't mean we should succumb to that temptation as a government. I firmly believe that today's younger generation is equally as capable as its predecessors of making its

own decisions about how best to serve our country.

Mr. Chairman, we should defeat this bill in the first place because it is unnecessary. The volunteer spirit is alive and well and just does not need government messing around with it. But we should defeat this bill also because it is counterproductive. A big new government program will hurt voluntarism in our country, not help it. It will divert effort and resources into meeting bureaucratic standards and into efforts to obtain ever increasing levels of Federal funding.

But in addition, when some so-called volunteers are paid to do what others have previously done without compensation, those who are paid will gradually supplant the true volunteers. There will be an increase in the sentiment that "I won't do it unless I'm paid." The true spirit of voluntarism will decline. The effect will be the exact opposite of what is intended.

Beyond that, this bill would increase the potential for waste of taxpayers' funds in the Federal student loan programs. It provides various kinds of deferment and loan cancellation to volunteers. But it is non-Federal entities running volunteer programs that get to decide who is a volunteer and therefore who qualifies for these benefits. This invites favoritism and abuse.

The cost of loan forgiveness or deferment is entirely borne by the Federal taxpayers while the eligibility is determined by the managers of thousands of private organizations, and the beneficiaries may be their sons or daughters or their neighbors' sons or daughters. In addition these benefits are highly inequitable, since the value varies greatly from person to person, and their tax status is unspecified.

The student loan provisions are reason enough to reject this bill. They invite abuse, they are unfair, and they represent large payments for what are supposed to be voluntary services. But beyond that, the entire concept of the bill is wrong. We don't need it, and government intrusion in this area will be harmful. I urge all my colleagues to vote against the bill.

□ 1300

Mr. HAWKINS. Mr. Chairman, I yield 3½ minutes to the gentleman from California [Mr. MARTINEZ].

Mr. MARTINEZ. Mr. Chairman, I rise in strong support of the youth service bill, H.R. 4330.

It has been mentioned here by several Members here that voluntarism is people coming forth wanting to provide service. The thing that is overlooked by them when they say that, is that in most cases when especially young people want to volunteer for a particular service, and they come forward, they say, "I want to help. Where can I help? Where can I go, what do I do," and there has to be an organization in place that will direct them into that voluntary service. That being the case, that organization must be structured and paid for by someone, and in many cases it is paid for on a voluntary basis by private individuals or corporations. In many cases it is provided for by local public funds, the same as the public funds we are talking about in this bill.

There will always be those who will find a way to volunteer on their own, and for no compensation, but there are also those who need to be inspired, convinced or cajoled into some kind of voluntarism, because it is terribly needed.

Let me read something that is a fact, and it is that the typical volunteer is a white female between the ages of 35 and 44, married, with no children, and employed with an income of between $20,000 and $40,000. That is not the kind of volunteer we are trying to attract by these programs. This legislation targets the young, the poor, and others who have not been asked to serve further, and it promotes opportunities for senior citizens through a blend of new and existing programs.

Mr. Chairman, at a time when our communities have eroded from drastic budget cutbacks and at a time when news accounts proliferate with crimes committed by youth, we have a wonderful opportunity and solution at hand I believe: The National Service Act of 1990.

Mr. Chairman, President Bush recognized the need for national youth service when he called upon all Americans to volunteer their services to our communities. At a time when we face both internal and external threats to our democracy, we must reestablish the moral foundations that made this such a great nation. One is that we must all help each other to find and bring out the best in our citizenship.

This national service bill will do that. It will allow our Nation's youth to provide services to their communities, to help their elders, to help their peers, and to help their juniors, to improve their communities and environments. In turn, the communities will receive help for performing needed services that no longer can be afforded by our State and local governments. Everybody comes out a winner.

For over 10 years we have debated national youth service and crafted legislation based upon successful programs that have already been implemented in over 60 States and local communities. This year with the strong endorsement of the administration for youth service programs, we hope to see this dream come into full and concrete fruition.

As I indicated at the onset, this bill establishing a national youth service will create a new set of moral and working values for our Nation to build upon for the future. I urge my colleagues to make this a lasting hope and reality for the future of our Nation.

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. BALLENGER].

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

Mr. Chairman, I have been a volunteer all my life. At home we have raised money for the Boy Scouts, the Red Cross, the homeless, alcohol rehabilitation units, soup kitchens, colleges, and other good causes. The people who did most of the work were volunteers who never thought a moment about becoming paid, and because of this over 90 percent of the money that was raised went to good causes.

I remember quitting the Heart Fund because 40 percent went to a paid organization, a bureaucracy. I remember our churches for years took care of the poor and needy as our Christian duty with us as volunteers.

But slowly but surely the Government decided to step in and assist or supplant this volunteer effort. Through the years our Government assisted more and more and created the morass we today call welfare.

If we want to destroy the volunteer movement in our country today, let us start organizing and weakening this movement with Government financing and organization.

I can see the newest bill to be introduced next year that will mandate the maximum number of hours that volunteers will be allowed to work, and each volunteer group will have to have a proper racial and sexual makeup.

Our United Fund at home has never failed to pass its goal in 45 years, always with volunteers, and never with Federal guidance. To spend millions of Government money to assist in organizing and arranging the volunteer movement is the beginning of the fund's first failure.

If we want to destroy the idea of doing good work as a volunteer, allow the Government to take charge.

I ask my colleagues to vote against this bill.

Mr. HAWKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I thank the chairman for yielding time to me.

Mr. Chairman, my Subcommittee on Postsecondary Education held several hearings on this legislation and worked to establish the language in several of the sections of the bill. We conducted filed hearings, hearings here in Washington, and had several onsite visits with students and volunteers throughout the country.

When this legislation was brought to us by the President and was first con-

sidered, and when the issue was first raised, I was struck by the attention that national service volunteerism in America was receiving. It was treated as though it were something new.

This is not a new issue. There have been a thousand points of light blinking brightly across the American landscape for more than 200 years. The organized concept of national service, especially service among the poor and middle-income people, stretches back to at least the 1800's with the creation of the YMCA and the YWCA, the Boy Scouts and the Girl Scouts, all agencies, by the way, which spend a considerable amount of money on administration.

In this century to help us out of the Great Depression the Federal Government, the public of the United States created the old Civilian Conservation Corps, and the National Youth Administration. They were wildly successful and popular agencies of Government. And by the way, the same objections that are being expressed by Republicans on the floor today to the cost in this bill were expressed by Republicans back in the 1930's against the cost of the CCC and the NYA. They were wrong then and they continue to be wrong a full half a century later.

In the 1960's under the inspired leadership of President Kennedy and President Johnson, the United States created the Peace Corps, the Teacher Corps, the Neighborhood Youth Corps, the Job Corps, the National Student Volunteer Program, the Foster Grandparent Program, the Retired Senior Volunteer Program, and VISTA.

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There is a current agency downtown which administers most of those programs called ACTION, and so, my colleagues, there is nothing new about national service, nor is there anything new with the cost of administering national service in the United States, whether that cost is being borne by the private sector as it is with the YMCA and the YWCA, or borne by the public as it is under the Job Corps.

I expect that throughout my lifetime Republicans in this Chamber will rise in opposition to the extraordinary cost of these programs, but despite their objection, the American people continue to support these efforts.

President Bush, of course, understood that in his campaign when he called for a national service effort, volunteerism, a thousand points of light, but neither he nor his Republican colleagues in this Chamber want to provide any batteries for those thousand points of light. We need batteries. Yes, the batteries will cost some money.

Speaking of money, I just noted a new article that has come across the ticker tape outside this Chamber that last year, of the $300 billion that was spent on the Pentagon, $170 billion of it was spent to defend Japan, Korea, and Southeast Asia. We are talking here about the tiniest percentage of that kind of cost.

I would suggest that as our budget conferees meet not far from Capitol Hill out at Andrews Air Force Base, they reset the compass for America's priorities, putting more, not less, money into such efforts as being envisioned here today, and that we find the money by telling the Koreans and the Japanese and the others that if they want their country defended, they must either defend it themselves or pay someone else to do it for them, but that the American people want to turn our precious resources back to be spent, to be used, to be reinvested in this Nation, and that is what this national service legislation envisions us to do.

I am pleased to support it.

Mr. GOODLING. Mr. Chairman, I yield myself 30 seconds, just to rise to say that before the gentleman from Montana became totally politically partisan, he indicated for 200 years the system worked beautifully without the Federal Government providing any batteries, and I appreciate that statement from him.

Mr. Chairman, I yield 4 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, while this national service bill has come a long way since the original versions introduced last year, I must oppose it. It is dirty work, but someone has to do it. What has this Nation come to when Congress feels that it is necessary to authorize over $200 million for voluntary service?

When I was a teacher, schools organized and carried out community service voluntarily and without financial incentives from the Federal Government. If we want to encourage civicmindedness, clearly paying schools to participate is contradictory to that goal.

Aside from the sheer contradiction indeed its an oxiymoron this bill represents, we have no business being here today creating yet another Federal program while currently existing worthwile, tested programs go starving for funds. After this committee passes this legislation, student financial aid, vocational education, education of the handicapped, and the WIC programs will still be funded inadequately.

Even the administration which has espoused and promoted the worthiness of national service is opposed to this legislation. Why not allow the administration to carry out its voluntarism initiatives with the support they require from Congress? National service is not a "problem" requiring the infusion of Federal dollars. The lack of national service and civic mindedness is a problem that can only be addressed by changing the way our youth and adults think about what they owe their communities, their schools and their country. This cannot be accomplished by spending money.

In addition to the foregoing reasons, I must oppose this bill because of the student loan cancellation provisions. While I can agree that those performing volunteer service should be allowed to defer payment of their student loan obligations, I cannot agree with cancellation of loans. This sets a dangerous precedent and opens a Pandora's box. I had offered an amendment during the committee markup of this bill to delete the loan cancellation provision at least until a GAO study could be done to determine the cost impact of loan cancellations. This I believe to be an eminently sane way to go about legislating such an important issue which has profound, wide ranging policy implications.

Let me explain why I oppose the cancellation of student loans in return for volunteer service:

My colleagues on the other side of the aisle stated during our last debate on this point that this provision will not cost that much money. I do not oppose this section simply because my colleagues could not answer the question "How much will this cost?" I oppose it because it violates the very essence of the idea of voluntarism and service.

What precedent do we set by saying that it is important to serve others—for a price? Will people only volunteer as long as it is profitable? Have we come here again today to talk about the virtues of national volunteer service to our fellow citizens while lining the pockets of those that serve? Can we not persuade and encourage our citizenry to give of their time freely and willingly and without pay? Is authorizing in excess of $200 million the only way to accomplish that task?

If this is so—if we cannot enlist volunteers without these dollar incentives, then is it any wonder that we have raised a generation of young people with the attitude of "I don't know, and I don't care?" The "me" generation.

My colleagues across the aisle argue that this loan cancellation provision will not cost a lot of money—that it will not apply to very many people. I can not understand if that is an argument for the section or against it. If not many people will be using this loan cancellation provision, then why do we have it in the bill? Unless, of course, we have special interests at work here.

Beyond the costs of loan forgiveness and how many will take advantage of this provision, there is this question:

If we can cancel loans for these volunteers, why do we not cancel loans for your and my favorite group of

people? Let us cancel loans for volunteer fireman, volunteer ambulance crews, people who were Boy Scouts and Girl Scouts, the list goes on and on.

If your argument is that these full-time volunteers are only earning the minimum wage or less, well why do we not cancel every student loan of every person who earns the minimum wage or less? Let us cancel students loans for everyone working at McDonalds. While we are at it, why do we not cancel the student loan obligations of women that choose to stay at home and raise a family?

I think we need to excise this section of the bill and consider it further. Better yet, since, this deals with the Higher Education Act, should not we be putting it off until next year when we reauthorize that legislation? After all, that is what I have been told we should do with the much more serious problem of student loan defaults which I have been trying to get this committee to address for the past 2 years!

I urge my colleagues to resist the temptation to approve this feel good legislation and vote for fiscal responsibility and common sense. Let us find other ways to help encourage the ideals of national service by recognizing purely voluntary community leadership and service.

Mr. HAWKINS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I rise in strong support of H.R. 4330, the National Service Act of 1990.

In meeting and talking with young people around my district, I can testify to a new idealism and an eagerness to serve others. This bill represents a number of proposals to expand their opportunities to do that, and to encourage them to take advantage of those service opportunities.

For example, I have heard from students from all over my district and around the country who are interested in my proposal, incorporated in H.R. 4330, to create a Peace Corps training program. This program would provide 2-year scholarships to qualified students who agree to serve 3 years in the Peace Corps.

I decided to introduce legislation creating a Peace Corps training program following a September 1986 memorial service honoring Peace Corps volunteers who had died in service. Speaking at that ceremony, Father Theodore Hesburgh, then-president of Norte Dame University, suggested that students should have the opportunity to train for peace as they do for war. Father Hesburgh proceeded to propose a new challenge to our Nation's college students, taking as a model the Reserve Office Training Corps. [ROTC].

I believe that the Peace Corps Volunteer Education Demonstration Program Act incorporated in H.R. 4330 is an important addition and complement to the national service youth plans included in the bill under consideration today. My proposal addresses the principal benefits which Father Hesburgh asserted would result from this proposal: First it would help "to institutionalize the Peace Corps and set it firmly into American life." Second, it would produce Peace Corps volunteers who are much better trained than present volunteers, who only have about 3 months to prepare for service. Third, it would reinvigorate the once fruitful relationship between the universities and the Peace Corps. Fourth, it would "suddenly address * * * one great lack so often voiced about universities and American students today: the provincialism of students, the lack of international concerns, the dearth of Americans who can speak both the main and the esoteric languages of the world."

This program is intended to give special emphasis to the recruitment of minority students, who have been historically underrepresented in the Peace Corps, and preference will be given to students enrolled in technological and scientific fields. In addition to their regular academic curriculum, these Peace Corps candidates will also be required to study the languages, customs, history, and politics of those countries or regions in which they will serve. During their summer breaks, they will receive practical experience in public service in either their own communities or in the communities where they attend college.

For many students, and particularly for minority students, entering the work force as quickly as possible after graduation is a practical economic necessity. Repaying the often enormous loans that have financed their educations must be a top priority for them and their families. This Peace Corps program would help to remove that financial barrier, easing the burden for many students, as well as encouraging international service.

At a meeting at Stanford University 3 years ago, college presidents, including representatives from historically black colleges, met with Peace Corps officials to renew old ties between the academic community and the Peace Corps, and to consider ways to attract new volunteers, especially from minority groups. It was noted that although the idea of public service is an essential thread in the fabric of black American life, it is particularly difficult for students who may be the first in their families to attend college to surrender their first few years of earning power.

There is no question that the Peace Corps is committed to reflecting the diversity of the American people in its own ranks of goodwill ambassadors to the world. Yet it has indeed had trouble attracting minorities. By way of example, although the population of the United States is about 12 percent black, blacks constitute only about 2 percent of Peace Corps volunteers.

The college presidents suggested that the incentives included in the Peace Corps language of H.R. 4330 are certain to be of particularly great value in attracting blacks and other minorities into the corps. An increase in the number of minorities serving in the Peace Corps would have a ripple effect, helping to augment the number of minorities among foreign service officers and pessonnel of the Agency for International Development, both of whom the Peace Corps is a noted supplier.

Many in this body may recall that the Congress and President Reagan strongly supported the 1986 resolution setting a target of 10,000 Peace Corps volunteers by 1992. This legislation would help achieve that goal by addressing the decline in the number of volunteers, which has dropped from a high of around 15,000 in the mid-1960's to just over 6,000 today.

The Peace Corps language in H.R. 4330 would also help the corps recruit students with an expertise in such scarce skill areas as forestry, crop extension, animal husbandry, and irrigation—all of them skills which are much in demand in Peace Corps countries and in short supply on American campuses. It is well known that the Peace Corps today had a surplus of applicants with generalist degrees in fields such as history and political science. It is less well known that the Peace Corps does not come close to satisfying host countries' request for volunteers with those scarce skills which I previously mentioned.

Peace Corps volunteers have been called our best exports. Expecially in this post cold war era, they have been called on to help spread and instill the principles of democracy in Eastern Europe and around the world. They return for their service overseas as our best imports, serving our people as teachers, public interest advocates, social workers, and other community service careers, including legislators.

In his inauguration address, President Bush called on us to "make gentler the face of the world." It is time that a new generation of American students and we as a nation took up that challenge. I firmly believe that the national service legislation which we are debating is necessary to provide our youth with the opportunities to confront that challenge. I urge my colleagues to join me in strong support of H.R. 4330.

Mr. HAWKINS. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Chairman, the National Service Act is an exciting call to our young people to serve their communities. My family served overseas with the Peace Corps, and those Peace Corps volunteers changed lives forever.

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Their own and everyone with whom they came in contact. It would have been a drastically different service organization had those Peace Corps volunteers had to pick up all of their own expenses themselves with no Government umbrella.

Some of the various organizations that are identified as those that are examples of the voluntarism and therefore, no need for this program, are themselves advocates of our National Service Act. For example, the National Collaboration for Youth, National Council on the Aging, National Crime Prevention Council, National Network of Runaway and Youth Services, United Way, Big Brothers and Sisters, Girl Scouts, Red Cross, and the Child Welfare League of America.

The National Service Act is a brilliant plan. It delivers a double benefit. Volunteers benefit from the experience, and their own personal growth, while communities benefit from their help. National service projects offer a special advantage for at-risk youth. It allows them to obtain job skills and work experience which can lead to permanent employment. The Washington Service Corps, in my State, is an extremely successful, positive model of youth community service. That corps has attracted national attention because they do one thing well. They maintain their primary focus on community service, while giving unemployed youth meaningful work experience.

From tourism, to tutoring, from food banks, to fire departments, the youth of Washington are responding. Service to others, to communities, State, and Nation, is not by any means a new idea. It is emerging, however, from a long period of dormancy. I hope to encourage it. Along with thousands of others in this community, I benefited greatly from the Peace Corps experience years ago. I urge my colleagues to support this bill. It will help unlock the vast potential of our youth to improve their own lives and the well-being of their communities. The National Service Act is a winner for everyone.

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

Mr. WALKER. Mr. Chairman, what we have here is a difference in philosophies. There are some who believe that the only way we can have volunteers is if the Federal Government is involved in the process. There are some Members who believe that volunteers are there because they, themselves, want to be there and that that is the kind of voluntarism that has worked for 300 years in this country.

Indeed, the people who bring this bill to Members today, believe, evidently, that there is a Federal solution to everything, including things that have no useful Federal role. That is the case here.

There is an old adage that says, "If it ain't broke don't fix it." Well, that is what we ought to be looking at right now. We have 300 years of experience in this country of people volunteering. In the earliest days, volunteering to save their neighbors from fires on their farms, or in their homes, or to defend the community. Volunteering in all kinds of ways. And it has been getting better in recent years. In recent years, we have had more people volunteering, not less. We have had fantastic participation in voluntary organizations, and we ought not to get the Federal Government involved in ways that would be harmful.

I have to ask some of my colleagues who bring this bill to Members, have they been in high schools recently? Have those Members been on the college campuses recently? The young people in our colleges today and in our high schools today are doing a fantastic job. We have service clubs that have oversubscriptions of kids. We have church groups where kids are volunteering, doing all kinds of community work. We have fraternity and sororities that are holding all kinds of charitable events. These are kids who want to serve their country and are doing a good job of it.

Why in the world would we impose a new kind of Federal program on top of this? Why would we take real voluntarism and convert the people who are volunteers into simply tools for Federal bureaucrats? That makes no sense at all. Why do we do that? You have got young people today who are enthusiastically serving their country. Let Members keep it that way.

Mr. HAWKINS. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Chairman, I would like to commend the chairman, the gentleman from California [Mr. HAWKINS], as well as the gentleman from Michigan [Mr. FORD], and the others for bringing this legislation to the floor. It is a compilation of a number of Members' initiatives, and a response to the interest that many Members have had for a long time to encourage the community to get more involved in national service, especially the youth of our country.

The task of leadership is to help provide others with the opportunity to give the best of themselves. That is what, basically, we are doing today with this piece of legislation. It has a couple of important features. The school-based programs are particularly important. It encourages students at all levels to get involved in volunteer activities in their community. More and more high schools across this country, and junior high schools, are now requiring that there be some community-based service, and that is good.

My son, just this summer, spent 20 hours working in community service. He worked in a food bank. It had a tremendous and profound maturing effect on him. We need to be doing more of that type of thing. We need to be bringing in people with skills into our schools from the business community. New England Life Insurance is doing a magnificent job in a partnership between our young people in the schools and the business community, teaching them skills, getting them involved. We need to be bringing the skills of those who have worked with their hands, to help our young people in school understand those processes.

The school-based program is a wonderful component of this. It encourages partnership with business and labor and with our young people. The American Conservation and Youth Corps is another important part of that, recruiting youth for public service needs, conservation needs, historical preservation, day care, all of the important things in our society, why our youth can be productive, can obviously handle these cases, these activities better than some in other age categories. I know in my own State, the Michigan Conservation Corps and Youth Corps had done a tremendous job in helping many, many young people today develop a sense of responsibility, and to contribute to the community in health and environmental and other important ways.

I would like to see this whole concept broadened. I mentioned this to the gentleman from California [Mr. HAWKINS] and others. Ms. MIKULSKI, the Senator from Maryland and I have introduced legislation that would encourage community development among all ages, not just young people. We get an intergenerational mix with the old and young, they would work together and benefit, on a very small model scale. Those people who would give time, based on the concept of the National Guard, 2 weeks during the summer, 2 weeks during the year, they could earn a stipend which would help finance a college education or perhaps a first home buy.

I would like to have Members look at that, perhaps in conference, on a very small scale. I have no idea that that will work, but I think it is worth visiting. The Senate has included it in their package, and I think it is indeed a worthy idea to look at. Therefore, in conclusion, Mr. Chairman, let me congratulate the chairman of the committee, the gentleman from California

[Mr. HAWKINS], for bringing this to the floor of the committee. I look forward to working with the gentleman on this bill in the months ahead.

Mr. HAWKINS. Mr. Chairman, I yield myself such time as I may consume to simply say that this proposal simply brings before the body, and hopefully it will go into conference with the other body, which has already approved a companion bill, the views and proposals of many Members of the House, more than 140. What we have tried to do is incorporate those various ideas into the proposal.

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I do not understand those who now preach that we are creating some new bureaucracy. The bill simply provides grants to States and local governments that will in turn encourage already existing agencies. Not one bureaucracy is created. For a Member of the opposition to say that we are creating some great new bureaucracy, particularly at the Federal level, simply is not true.

The bill is not as broad, not as comprehensive as some of us would want to do. It certainly is not a Federal intervention into the subject matter.

The President in his Inaugural Address merely continued a Federal encouragement to volunteers in this country. If there is any intervention, it certainly is largely a result of the President proposes the creation of an initiative, a specific initiative to stimulate such volunteer service to America, and not certainly the members of this committee or the author of the proposal.

Now, I am also shocked that there seems to be a great desire to refer to the cost of the program, that we cannot afford it. It would be concluded that simply by authorizing $183 million for the National Service that somehow is going to bankrupt the country.

First of all, it would leverage millions of dollars that are not now being made available from local public funds, from corporations, from senior citizens who will use or volunteer out of their Social Security benefits, from students who already receive financial aid who would volunteer, from agencies as the Boy Scouts, the Girl Scouts, the YMCA's, the YWCA's, the Youth Corps, the United Way, and other such agencies. To me, that is not a tremendous departure. It certainly does not involve a great cost.

I am wondering what some of these individuals would have done had they been our Founding Fathers. We probably would never have closed the borders of our country. We would never have purchased Louisiana and Texas would be a part of Mexico. We would not have the Panama Canal. We would not have had the GI bill of rights at the end of World War II, one of the great investments that we have made. These were larger investments, but they paid off. Here is an investment that also will pay its own way and leverage millions of dollars, but most of all will give dignity to those who volunteer in national service in behalf of America.

I would certainly hope that we further the cause by approving this bill and allowing us to continue the subject matter.

Ms. PELOSI. Mr. Chairman, I rise in support of H.R. 4330, the National Service Act of 1990. The bill would authorize a variety of youth service programs which I believe will better prepare our young people for the future while benefiting communities now.

The bill authorizes grants for model community service youth programs and special service programs for dropouts and out-of-school youth. Among the programs provided for in the bill is youth build, through which young people are employed in the construction and rehabilitation of housing for low-income and homeless families as well as health service facilities.

In my district of San Francisco, voluntary youth service has been a hallmark of the community. The San Francisco Conservation Corps [SFCC] has become a model for youth service programs throughout the country, offering training for at-risk youths and services for the community at large. The National Service Act would provide needed support for programs such as the SFCC.

Mr. Chairman, young people are the foundation of our country; they represent our aspirations for the future. Investing in young people is the best use of our tax dollar. The National Service Act is a sound investment—it prepares our young people for the challenges of the 21st century. I urge my colleagues to vote for the passage of H.R. 4330.

Mrs. KENNELLY. Mr. Chairman, I rise today in support of national service.

We are all here today because we believe in national service. First, and foremost, the need is real; real in communities like my own Hartford, CT, where volunteers are desparately needed to help care for the elderly, feed the hungry, and educate our children.

But aside from meeting these needs of the Nation, national service goes to the heart of what it means to be an American. Often we are so caught up with our problems—the budget deficit and the summit and the Persian Gulf and a renewed energy crunch—that we forget how fortunate we are in America. But with the advantages and privileges of being Americans comes civic responsibility. This responsibility is what national service is all about.

All we are asking today is that Americans respond to this challenge, to give something back and to fulfill the promise that is America. As a Democrat, I believe in civic obligation. I believe in helping the less fortunate in the world and each other. I believe in hard work and equal sacrifice for the common good. These values are the key to our stature in the world, our survival and our future.

Today we are asking Americans to dedicate themselves to a higher standard of excellence. The Nation needs the courage, the ingenuity and the idealism of our citizens. We all have limits as individuals, but as a community, a nation, there is nothing we cannot accomplish, no problem we cannot solve. National service can unify our sense of national purpose and direction.

Mr. PENNY. Mr. Chairman, I rise in support of H.R. 4330, the National Service Act of 1990. This bill represents an initial step in fostering a sense of community service and expanding opportunities for community service among America's young people. And for that step, I applaud Chairman HAWKINS and the Education and Labor Committee. For the most part, this legislation uses existing structures to expand volunteer opportunities. It builds on State programs, such as the one in my State of Minnesota, that have already been successful. And, it expands loan cancellations to volunteers serving in nonprofit, nongovernmental agencies. This is comparable to a provision I would like to see adopted on an international level as well.

My interest in national service legislation, however, goes far beyond the scope of this bill. I recently introduced H.R. 5514, the Voluntary National Service Act of 1990, which has many of the same goals as H.R. 4330, namely to create, restore, and expand opportunities for voluntary national service. My legislation would encourage volunteer participation by providing assistance in student financial aid in exchange for voluntary service. It would enhance recruitment and retention in our Nation's Armed Forces by improving benefits under the provisions of the Montgomery GI bill education programs. It would expand international volunteer service opportunities by affording educational assistance for those serving overseas with private voluntary organizations as well as those serving in the Peace Corps. And, it would encourage qualified individuals to enter and be trained for law enforcement service. The opportunities for service and the needs to be met are endless.

I am aware that our current Federal fiscal situation does not allow us to adopt national service on a broader basis such as proposed by my legislation. But we can demonstrate support for expanded voluntary service as provided for in H.R. 4330. As an editorial in the Faribault, MN, News supporting my national service concept said: "* * * There is a need to actively nurture the concept of service, commitment and citizenship." With the passage of H.R. 4330, we can provide the nurturing climate that will allow those values to grow.

Mr. POSHARD. Mr. Chairman, I rise to express my support for H.R. 4330, the National Service Act of 1990. The legislation will establish school and college-based community service volunteer programs which will ultimately improve the quality of life in this country.

The bill gives States grants to establish school-based student volunteer programs. It creates an American conservation corps to work in wildlife areas, parks, forests, and recreational areas. It also establishes a youth service corps to provide volunteers for nursing homes, day care centers, libraries, and government agencies.

H.R. 4330 also provides funding for a rural youth demonstration project which would provide students in rural areas with volunteer op-

portunities which they would not otherwise have. In my rural southern Illinois district, many of the young people do not have as many recreational options as their counterparts in cities. When kids do not have constructive activities to occupy their time, they get into trouble. Alcohol abuse and teenage pregnancy are just two of the problems which plague rural schools in my district and across the country. The rural youth demonstration program would give those students a volunteer job and a chance to serve their communities.

Mr. Chairman, this bill reflects our strong commitment to voluntarism and it establishes important new programs, and it deserves the full support of each and every member of the House. I applaud the efforts of my colleagues on the committee for the work they have put into this important bill and I urge all of my colleagues to vote in favor of it.

Mr. FORD of Michigan. Mr. Chairman, I am very pleased to rise in support of H.R. 4330, the National Service Act of 1990, of which I am an original cosponsor. This comprehensive bill will encourage and reward public service by Americans of all ages, but particularly young people. This bill will help call on the altruism and generosity of Americans to make significant contributions toward alleviating some of our Nation's most pressing problems—illiteracy, inadequate health care, homelessness, environmental degradation, crime, drug and alcohol abuse, and insufficient care for children and the elderly.

Crafting this bill has been a very challenging and complex task that has involved the subcommittees on Elementary, Secondary and Vocational Education, Postsecondary Education, Employment Opportunities, Select Education and Human Resources of the Education and Labor Committee. The chairman of those Subcommittees, Congressman HAWKINS, Congressman WILLIAMS, Congressman MARTINEZ, Congressman OWENS, and Congressman KILDEE deserve commendation for their work in developing various facets of this bill. Chairman HAWKINS and his staff, especially Gene Sofer, merit special recognition for artfully weaving together the diverse strands of this legislation. Many Members who do not serve on the Education and Labor Committee, including Congressman NEAL of Massachusetts, Chairman PANETTA, Congressman BONIOR, Congressman MCCURDY, Congresswoman KENNELLY, and Congresswoman MORELLA, have also been strong advocates of national service legislation and contributed to the development of this bill. The Committees on Foreign Affairs, Banking, Finance and Urban Affairs and Interior and Insular Affairs were also extremely cooperative in expediting this bill and making its timely consideration by the House possible.

I am particularly pleased to support this bill because it substantially incorporates H.R. 2591, the Serve America, the Service to America Act of 1989, which I introduced on June 8, 1989. In particular, the School-Based Service Learning Program in title I of the bill authorizes the Secretary of Education to make grants to State education agencies to plan and build statewide capacity for school-based service learning programs. The State education agencies will make grants to local partnerships between local education agencies and local government agencies, community-based organizations, institutions of higher education or private nonprofits. Priority will be given to projects undertaken by the partnership which target low-income areas, promote intergenerational contact, promote drug and alcohol prevention and include mentoring activities. Thirty-five million dollars is authorized for these activities in fiscal year 1991 and such sums as may be necessary for each of the 3 succeeding years. In addition, the Higher Education Community Service Program authorizes the Secretary of Education to make grants, or enter into contracts, with institutions of higher education to enable them to create or expand service activities for their students. This program is authorized at $10 million in fiscal year 1991 and at such sums thereafter for the next 3 years. I believe that service opportunities which effectively use our schools at all levels and which engage the energy and idealism of students are likely to be most effective. Support for these school-based service opportunities were the centerpiece of my national service bill, H.R. 2591, and I am delighted that they remain central to National Service Act of 1990.

I urge my colleagues to vote in favor of H.R. 4330.

Mr. FAWELL. Mr. Chairman, when Congress sees a problem, its first impulse is to enact a law, any law, to spend money to solve it. Countless examples have shown that money spent does not always equal results. But what happens when there is no problem.

Welcome to the National Service Act of 1989. The National Service Act attempts to fight the problem of waning voluntarism nationwide. This measure spends $183 million each year to promote the oxymoron of the year—paid voluntarism.

According to a 1988 survey conducted by the Independent Sector, an umbrella organization for most of the charitable groups in the country, voluntarism thrives without government intervention. In the study, 45 percent of people surveyed said they regularly volunteered. Further, one-third of those respondents reported spending more time on volunteer work in the previous 3 years. In all, an estimated 80 million adults gave a total of 19.5 billion hours in 1987, at a value of $150 billion.

In the face of such huge success, Congress is well on its way to spending millions of tax dollars to solve a problem that doesn't exist or, at the very least, considering the debt and deficit, is of lowest priority. The national service bill will pay volunteers to fill a variety of roles. A few examples are: programs establishing a youth service corps to work in government agencies, libraries, law enforcement agencies, and other activities that are of substantial social benefit; paying Peace Corps volunteers' college tuition; and deferring the guaranteed student loans of those who would undertake full-time volunteer service.

But voluntarism thrives without Government subsidies. Where Federal money will make a difference, however, it will surely destroy the spirit which initially led people to volunteer. The example I cited above demonstrate the point. As for the Peace Corps, applicants for the corps far exceed the spaces available, because young college graduates and older technicians view the experience as gratifying and beneficial for future career prospects. Tuition subsidies—which could total $40,000 at an elite university—are unnecessary. Finally, a GSL deferral for those who choose full-time volunteer service is of little financial consequence and barely an incentive.

The only sure effect of paying volunteers will be to increase the size of the already mammoth Federal debt. Based on the most recent Congressional Budget Office [CBO] projections, the deficit for fiscal year 1991 will exceed $230 billion, not including borrowing from the Social Security trust fund. The Federal debt is over $3 trillion, and interest on the debt alone is projected to be $286 billion in fiscal year 1991. With this unshakable burden resting upon us, I found it hard to believe Congress is even considering a $180-million bill to address a problem that doesn't exist.

The American people know to volunteer—let's prove to them that Congress knows how to earn its salary. Vote no on the National Service Act.

Mr. RAHALL. Mr. Chairman, I rise in strong support of H.R. 4330, the National Service Act of 1990.

I was privileged to be an original cosponsor of the act, as introduced by the able chairman of the Education and Labor Committee, the gentleman from California [Mr. HAWKINS]. At the time of the bill's introduction, I was serving as a temporary member of that committee.

The Education and Labor Committee approved a bill that encourages a greater spirit of community service, particularly among America's youth by building upon existing State and local efforts and enhancing their potential for addressing unmet social needs. Funds are authorized in the bill for the coordination of school-based community services programs, both K-12 and higher education, as well as for the American Conservation Corps and the Youth Service Corps.

The bill as reported provides matching support for a variety of school-based and full-time service programs for America's young people, providing them with opportunities to serve their communities in significant ways, while improving their own skills. These opportunities will ease their transition to productive adulthood and give them an understanding of their responsibilities as citizens in a democracy.

Mr. Chairman, I am appalled that the administration is opposed to this measure, saying among other things that it authorizes unwarranted new Federal programs, such as loan deferment and cancellation provisions, or the costs of administering the new programs, or the authorization of $28 million in fiscal year 1991 for the Youth Service Corps.

The Secretary of Education claims that our bill attempts to direct community services from the Federal level, rather than from the community.

Mr. Chairman, I would characterize our bill as forming a partnership with States and localities who cannot afford to do what needs to be done by themselves. They cannot, and they have said they cannot, do it alone.

H.R. 4330, as reported, expressed a need for the legislation thusly: "* * * seeks to maintain and where necessary, revive the

American spirit of civilian service. While Americans have a rich history of commitment to service efforts, the availability of service opportunities has been less consistent. This bill intends to build upon existing Federal programs like VISTA, Peace Corps, Older Americans Volunteer Programs, and the Student Literacy Corps to expand service opportunities and to increase the number of Americans who perform community services."

I think that says a lot. In fact, I think that, says it all.

H.R. 4330 also addresses the issue of sectarian activity or participation in these programs, and the committee expresses its intent that prohibitions on sectarian activity in the performance of program responsibilities found in title I, section 157 shall not be interpreted to abridge or interfere wiht the rights of such individuals or organizations to freedom of speech and expression.

Mr. Chairman, the committee also acknowledges that the country's 960 community action agencies mobilize a vast and committed network of volunteers representing a broad cross-section of the local community. Community action agencies, or CAP's as they are known, are given the opportunity to use their more than 25 years experience to carry out programs authorized in this bill.

The inclusion of CAP's is of enormous satisfaction to me. While I was a member of the Education and Labor Committee early this year when the bill was originally introduced, regrettably I was rotated off the committee in June prior to its consideration and reporting of H.R. 4330. Prior to going off the committee, I had been urged by the director of the West Virginia State Community Action Agency Association, David Treharne, to include community action agencies throughout the bill. The simple justification was: If anybody or entity knows how to deliver volunteer and community services at the local level, it is the 25-year-old CAP's, who began their service in 1964, as part of the old EEO Program.

Last March I had prepared an amendment which was submitted at the Committee staff level, prior to leaving the committee, to include CAP's in the bill as eligible participants. I want to express again my pleasure that this has been done in the committee bill, and to commend the Subcommittee on Human Resources Chairman DALE KILDEE for his foresight in making CAP's eligible participants.

Chairman KILDEE's outstanding record to improve and enhance the programs under his subcommittee's jurisdiction is legend, and particularly on behalf of the community action agencies and their continuing war on poverty begun back in 1964.

This bill will help prepare our young people to be the workers and citizens we will need in our global economy as we approach the 21st century. It also provides modest resources to energize the partnership we intend to forge with State and local governments in providing community services, among young and old alike.

Again, I commend the distinguished chairman of the Education and Labor Committee GUS HAWKINS, and its ranking minority member BILL GOODLING, for bringing this bill to the floor of the House for our consideration. I include all members of the Education and Labor Committee in my congratulations for reporting this tremendously important measure, and I also wish to convey my appreciation to the chairmen of other standing committees with jurisdiction over many of its parts, for their agreement to waive jurisdiction so that this bill can move forward to enactment by the House. These include the Committees on Foreign Affairs (Peace Corps), Banking, Finance, and Urban Affairs (construction and rehabilitation of Housing), and Interior and Insular Affairs (conservation).

I strongly support passage of H.R. 4330, and encourage my colleagues to vote for its passage as well.

Mr. PANETTA. Mr. Chairman, I rise today in support of H.R. 4330, the National Service Act of 1990, introduced by Representative AUGUSTUS HAWKINS, which now has the support of over 100 of our colleagues. That support alone indicates the tremendous interest this issue has garnered. Chairman HAWKINS has done an outstanding job in providing the leadership necessary to balance the various interests and concerns of the Members who were responsible for contributing to the titles represented in this comprehensive bill. This legislation we are addressing today will indeed promote and coordinate efforts to address social problems through community service across this great Nation.

H.R. 4330 authorizes $35 million for school-based programs that make community service an important element of learning. Such service learning programs have beneficial impacts on attendance, behavior, and achievement and energizes teachers and administrators as well as students. In addition, the bill authorizes $25 million in grants to institutions of higher education to create or expand service opportunities for their students. It also encourages students to tutor both disadvantaged students in chapter 1 schools and their parents.

The National Service Act of 1990 authorizes $93 million to establish the American Conservation Corps [ACC], the Youth Service Corps [YSC] and Youthbuild demonstrations. Both the ACC and the YSC, which are based on H.R. 717, the American Conservation and Youth Service Corps Act of 1989 which I introduced last year, would provide innovative means of restoring lost social services to our communities and performing vital conservation tasks. The American Conservation Corps would focus on environmental and conservation projects on public Federal and State lands. The Youth Service Corps would work with projects in nonprofit social service agencies, schools, nursing homes, and other facilities meeting human needs. Richard Danzig and Peter Szanton, in their book, "National Service: What Would It Mean?" estimated that up to 3.5 million positions could be filled by youth service workers each year to help fill the gaps without displacing current workers. These included over 1 million in education, over 700,000 in the health field, nearly 1.5 million in child care, over 165,000 in conservation and the environment, and 250,000 in criminal justice and public safety.

Youthbuild combines compensatory education and construction skills training to provide disadvantaged youth with an opportunity to learn and to revitalize their community's housing stock. In addition to performing service, participants receive education, job training, work experience and enhance self-esteem. Service benefits both the participant as well as the community, and this bill gives disadvantaged youth the opportunity to serve their communities, their country and themselves.

This bill also includes $30 million to fund demonstration programs targeted to school dropouts and rural youth; to encourage college students to join the Peace Corps; to encourage Foster Grandparents to participate in Head Start; to allow Governors to sponsor new and innovative community service programs at the State level; and to fund Presidential awards recognizing excellence in community service.

The bill also contains provisions regarding job displacement and, education and job training, where necessary. No new bureaucracy is created and in fact builds upon service efforts currently underway in local communities throughout the country. Finally, the bill does not include any linkage between service and student financial assistance.

I am very proud to be a part of this national service movement and am encouraged both by the passage of S. 1430, the National Community and Service Act, and by the President's interest in the national service issue. Community service helps address social and environmental needs; provides the chance to serve fellow citizens and communities, and provides participants with valuable experience and, often, education and training as well.

This call to service is not issued lightly, and it is the entire Nation, in the long run, which stands to gain the most from the more outward-looking citizenry that would develop from such a program. A national service program would offer young adults a renewed opportunity to earn a sense of pride and self-respect, and fulfill many pressing national, human, social and environmental needs. Fellow colleagues, I fervently hope that the House will take timely action, and build on extensive efforts, to create the national service program and make national service a national reality. I urge your support of the National Service Act of 1990.

Mr. TAUKE. Mr. Chairman, I rise in strong support of the volunteer liability protection amendment offered by my friend from Illinois, JOHN PORTER.

This amendment is virtually identical to a bill he has sponsored in the House, H.R. 911, which has 215 cosponsors.

We cannot introduce such a strong Federal presence in volunteerism without sending a firm message to States about the need to protect volunteers from malicious lawsuits.

I offered this amendment when we considered this bill in the Education and Labor Committee because it is an important component of an infrastructure we are attempting to build to support and encourage volunteerism.

A story I relayed during the Committee markup is worth mentioning here. This occurred in Runnemede, NJ in 1985. A child playing in the outfield during a little league playoff game misjudges a fly ball, is hit in the eye, and injured. The parents sued the four coaches as individuals. The allegation: the child was an infielder, not an outfielder and

the coaches knew this. The case was settled out of court for several hundred thousand dollars.

We are seeing greater and greater incidences of potential volunteers unwilling to give their time in service for fear of being sued.

A 1988 Gallup survey revealed: 20 percent of directors of nonprofit associations indicated that fear of liability was hurting their ability to recruit and retain volunteers to serve on boards.

A growing number of States are passing volunteer protection laws. This amendment does not usurp State's authority in this area. This amendment does not interfere with State participation in the act, except for one program, the new Governor's service program.

This amendment protects the volunteer as an individual, the organization must still answer in court for any injury.

In order for the volunteer to receive this protection, the volunteer must have been acting in good faith, not in a willful or wanton manner, and in a way that is within the scope of his duties.

The National Service Act will create thousands of federally-sponsored volunteers in all 50 States. These volunteers will be subject to different civil justice standards in each State. This amendment will encourage States to treat all volunteers, equitably and fairly.

The amendment is supported by over 75 organizations representing tens of millions of volunteers across the Nation including: The United Way, American Society for Personnel Administrators, U.S. Farm Bureau, the American Medical Association, and the National Association of Manufacturers.

I urge my colleagues to support this amendment.

Mr. GAYDOS, Mr. Chairman, I rise in support of this bill, H.R. 4330, the National Service Act of 1990, and in particular support of the title 2 provisions, which are similar to those in the service bill I introduced February 2, 1989.

Our Nation's young people must have the opportunity to experience both the tangible and the intangible benefits stemming from giving of themselves.

The experiences young men and women have while serving and later walk away with are more than just job related. In addition to helping other people, they learn that they can make a difference in their schools, their communities, their families, and in their own lives.

To show how effective these programs can be, let me tell you about just two of the many programs that are part of a statewide effort in Pennsylvania, my home State.

The Successful Student Partnership Program is an integral part of school dropout prevention efforts. It now operates in 30 school districts and will soon expand to 15 more because of the significant achievement of participating students. For example—out of 100 seventh graders at risk of leaving school before completing high school, after just 1 year in the program, 18 of these students were on the honor roll.

And, statistics from the Pennsylvania Conservation Corps Program, which targets youth who have already left school, show an even higher success rate. Out of the 8,000 young men and women the Pennsylvania corps had helped:

Each one was unemployed when joining the corps;

Almost 40 percent were on some form of public assistance; and

Fifty percent had not finished high school.

Today, 72 percent of these young people—5,760 of the original 8,000—have moved on to unsubsidized employment, further education, or military service.

Mr. Chairman, many of us in this Chamber don't even need statistics to know these programs work.

During the Depression, we saw firsthand the positive effect service programs had on thousands of families because some of those families were either our own, or those of close friends or classmates. We saw how these programs cannot only instill the work ethic, but also pull people out of the pits of despair by changing their lives and their outlooks on life.

I urge all of my colleagues to vote for H.R. 4330 the National Service Act of 1990.

While I still have the floor, I'd like to point out that Pennsylvania has been and continues to be a leader on this front. Currently, Pennsylvania invests more than $7 million in service programs through the Pennsylvania Conservation Corps and PennSERVE, the large program of which the Successful Student Partnership program I talked about earlier is only a small part.

Since 1988, PennSERVE has created 60 model school-based community service programs, launched two full-time year-round service corps in McKeesport and Pittsburgh, worked to expand he Pennsylvania Campus Compact to 28 colleges, initiated the Pennsylvania Model Literacy Corps on 13 college campuses, strengthened volunteer programs for 180,000 State employees, and collaborated with the United Way to establish the Pennsylvania citizen service project.

In addition, four school districts in the State have made community service a graduation requirement and the State's two largest districts—Philadelphia and Pittsburgh—have made community service an integral part of major restructuring efforts.

Mr. SIKORSKI. Mr. Chairman, National Youth Service is a phrase that has many definitions but one common goal. That goal is the development of patriotism and community spirit by encouraging America's youth to devote a portion of their lives to working for the common good. Our communities need the voluntary services of our Nation's college students and many of our young people are willing to serve their community. But one thing often stands in their way—looming student loan indebtedness.

In the past two Congresses, I have introduced youth service legislation that calls for the deferral or partial forgiveness of student loans for college graduates who spend at least 1 year of their life working in charitable or community service activities. Aspects of my legislation have been included in H.R. 4330, the National Service Act, and I commend Chairman HAWKINS for realizing that loan deferment and partial forgiveness can play a vital role in the promotion of community service activities.

As a member of the Governor's Blue Ribbon Committee on Mentoring and Youth Community Service in the State of Minnesota, I have seen firsthand the impact that volunteerism and service has on our Nation's communities, on its citizens, and especially, the positive impact it has on our Nation's young people—our future. H.R. 4330 consolidates many of the best ideas of the several youth service proposals that have been introduced in the House of Representatives that past Congress, and I am proud to be a cosponsor of this important legislation.

I would like to commend Chairman HAWKINS for his strong leadership on this legislation, and as a member of the Minnesota Governor's Blue Ribbon Committee on Mentoring and Youth Community Service, express the committee's full support of H.R. 4330.

Mr. OWENS of New York. Mr. Chairman, I rise in support of H.R. 4330, the National Service Act of 1990.

This legislation is a significant but appropriately modest response to the renewed interest in voluntarism and service we are seeing around the Nation. This bill will encourage and provide necessary support to State and local youth volunteer efforts, but it does not, as some urged us to do earlier in this Congress, create any massive new volunteer program. H.R. 4330 also recognizes that young people do care and are willing to serve their communities if they are given an opportunity and do not need to be compelled or coerced to serve as some have advocated. H.R. 4330 also forthrightly rejects the demands of some that postsecondary financial aid be provided only to those who perform service, recognizing that the Nation's woefully underfunded postsecondary aid programs are not welfare but a critical investment in our future. Finally, H.R. 4330 does not, as some had recommended, create any new bureaucracies to administer volunteer programs, recognizing that the ACTION Agency, an entity created by President Nixon specifically to support voluntarism and administer service programs like VISTA and Foster Grandparents, must have a pivotal role in administering any new volunteer programs.

Most of the resources provided by H.R. 4330 are targeted to improving opportunites for service by low-income and other disadvantaged young people. I am particularly pleased that the legislation includes provisions I authoried to support Youthbuild training and employment projects. Up to $10 million is authorized for grants to assist local development projects which provide disadvantaged youth with education, skills training, and work experience in the construction or rehabilitation of housing for homeless and other low-income people or community facilities needed in low-income communities.

All Youthbuild participants must be economically disadvantaged and at least 75 percent of the participants in each youthbuild project must be high school dropouts with reading or math skills below the eighth grade level—persons who are frequently unserved by JTPA and other training programs and who are among those with the greatest difficulties in the job market. The remaining 25 percent of the participants could be high school dropouts

with reading skills above the eight grade level or high school graduates who have educational needs despite their attainment of a degree. Special recruitment activities would have to be undertaken by each project to attract the participation of young women, ex-offenders, foster care youth, and youth who are homeless.

Youthbuild participants would spend half their time in academic remediation, GED classes, and other educational programs. The rest of their time would be spent on the construction site, working at minimum wage and learning marketable job skills. Upon its completion, the housing Youthbuild participants help to build would be reserved permanently for homeless and low-income families at affordable rents.

The innovative model upon which Youthbuild is based has proven successful wherever it has been tried. It has been carefully developed in East Harlem by the Youth Action Program since 1978. The Banana Kelly Community Improvement Association has successfully replicated it in the South Bronx since 1984. Public/Private Ventures has implemented the model in 12 cities. Youthbuild programs are now being developed by community groups in Minneapolis, Salt Lake City, San Francisco, Cleveland, Youngstown, Boston Chicago, Dallas, Los Angeles, Newark, and in many other locations, but they are struggling without an adequate and stable source of funding.

The Youthbuild Program has proven to be particularly attractive to and beneficial for young minority males and comprises an important part of the response we must make to the terrible crisis facing these young people. The average earnings of all young men have fallen since the early 1970's, but the earnings losses of young black and Hispanic men have been particularly severe. the average annual earnings of young black men fell by 36.7 percent between 1973 and 1987. Young Hispanic men lost 26.7 percent and young white men lost 21.5 percent. Black male dropouts have been hardest hit by changes in the economy. In 1987, young black male dropouts earned an average of only $2,986, compared to $8,496 in 1973—a drop of 64.8 percent. This is twice the size of earnings losses experienced by white and Hispanic male dropouts.

A devastatingly high proportion of young black and Hispanic men are in prison, in jail, or on probation or parole. In 1989, nearly one in four black men between the ages of 20 and 29 were under the control of the criminal justice system—either in prison, in jail, or on parole—on any given day. The proportion was 1 in 10 for young Hispanic men and 1 in 16 for young white men. Young black and Hispanic men are also disproportionately the victims of violent crimes. For example, black men are seven times more likely to die from homicide than their white peers.

Despite the magnitude of this crisis, precious little is being done at the Federal, State, and local levels to arrest and reverse this horrible waste of human potential. There are few programs available to meet the needs of young men in the inner city. As the founder of Youthbuild, Dorothy Stoneman, put it in testimony before our committee, "the only active recruitment of low-income minority men is for them to become drug dealers." By providing support for the replication of the Youthbuild model in communities across the Nation, H.R. 4330 will help to remedy this paucity of meaningful alternatives for young minority males. During consideration of H.R. 4330, our committee heard testimony from Mr. Ventura Santiago, a Youthbuild graduate from East Harlem who obtained his GED through the program and learned construction skills which helped him to obtain a good job paying over $23 per hour. Mr. Santiago spoke eloquently about what Youthbuild meant for him and what it could mean to other young people:

It is not easy growing up in East Harlem. Especially nowadays everybody thinks everybody is on crack or selling drugs or something. A lot of young guys are dropping out at early ages. It's just a shame. Most of them drop out because they really don't have anything to do. You've got to give people something to look forward to, like this training, something to look forward to that they could use in the future. If it wasn't for this training, I don't know where I'd be today. I really don't.

Through Youthbuild, H.R. 4330 will provide many more opportunities for young men like Mr. Santiago. I urge my colleagues to support this legislation without crippling amendments.

Ms. SCHNEIDER. Mr. Chairman, I rise today to speak in favor of H.R. 4330, the National Service Act. It encourages the spirit of voluntarism and community spirit, while addressing unmet social needs. I'd say that's a winning combination.

The National Service Act will help young Americans gain a sense of accomplishment and civic participation. The rewards of instilling this personal sense of commitment to community in our youth will go a long way. It will help prepare our young people to be the workers and citizens we will need in our global economy as we approach the 21st century.

This critical legislation will promote National Service by providing support for a variety of school-based and extracurricular service programs for young people. In addition, this bill will provide Federal assistance to programs for conservation, rehabilitation of wildlife habitats, historical and cultural preservation, and other environmental projects.

I recently enjoyed a visit to Brown University and met with President Vartan Gregorian, and a group of committed youth service leaders. Brown has a proud history of promoting National Service. In February 1988, Brown and Youth Service America sponsored a "Youth Service Leadership Conference" which attracted a number of senior Government representatives. I am proud to represent an institution which has shown such leadership in preparing our young people to understand their responsibilities as citizens in a democracy.

Mrs. LOWEY of New York. Mr. Chairman, I rise in strong support of H.R. 4330, a bill that is designed to ignite all 1,000 of President Bush's famous points of light.

This bill is about emphasizing the importance of giving something back to this great Nation—about meeting the enormous needs of our communities through the great American tradition of voluntarism.

The programs created by this bill have the potential to make a real difference in our schools and communities. Half of the funding is provided for service programs in our Nation's schools, with a significant portion devoted to encouraging the concept of service learning, a tool which combines community service with academics and is used by teachers to energize themselves and their students. This program is going to improve the quality of education in this country.

In addition, half of the bill's funding is devoted to the creation of the American Conservation Corps and the Youth Service Corps, which are designed to conserve our resources and to meet urgent human needs in our communities.

As I meet with young people around my district, I have sensed an increasing desire to help solve local problems—a real yearning to serve the community and the Nation. This bill will help local students realize these objectives.

The bill builds on a long tradition of voluntarism in American society. It simply seeks to encourage the instinct of many Americans to serve those around them who need our help and assistance.

President Bush has talked about "a thousand points of light." However, if we look around our Nation today, we realize that many of those points of light are not visible or are flickering and on the verge of going out. This legislation will help ignite those points of light—particularly among our young people, many of whom are searching for ways to contribute.

This bill will help increase participation across the Nation and help encourage better citizenship across the country. It deserves our strong support, and I hope that all Members will join in approving this valuable legislation.

Mr. OWENS of Utah. Mr. Chairman, everyday on this floor, Americans from every corner of our Nation discuss and debate the great ills facing our society. Crime, substance abuse, homelessness, economic destitution, illiteracy. Today, Congress has an opportunity to address all these concerns in a substantive and progressive way. Some call it preventative maintenance, but I prefer to call it common sense.

I am referring to the National Services Act, a bill that promotes community service at all school levels and establishes youth service programs. As legislators, we should resist looking upon the notion of voluntarism as just a way of providing services to our communities, but as an avenue through which the volunteer can become a productive participant in our society. That's the motivation behind this bill and it is sound.

H.R. 4330 will provide funding, with language for matching funds from State and local government, to create youth corps around the country. The work performed by these young men and women, most of whom have poor educations and few work skills, will have wide-ranging impact. What communities nationwide will receive are low-cost, quality services in the form of housing rehabilitation, day-care help, tutoring of young children, and conservation maintenance of parks and highways. Our disadvantaged and disenfranchised youth will get hands-on experience that will lead to real job skills, no wages but in some cases small stipends to help make ends meet, and oppor-

tunity to receive their GED's or college scholarships. And as importantly, they will receive an understanding of how their lives can have a significant effect on the people around them, an education they could never receive in a classroom.

What our society as a whole gets is something less tangible, but more substantive. Instead of embittered, unemployed and unemployable youths, our cities, towns and county's get productive, useful, caring citizens. Instead of drug usage and delinquent activities, the recourse for many who feel shunted from the mainstream, we will have willing and enthusiastic participants in our businesses, schools and churches, and the foundation of a competitive, global economy to take us into the next century.

It is not an oversight process. We will not wake up tomorrow from passing this bill and see the change. But like the violent crime, school dropout, and drug problems that develop over a number of years, it's a gradual process. However, it will happen if we give ideas like H.R. 4330 a chance.

For those in school, the National Service Act will expand their education in ways not possible without impetus from the Federal Government. Instead of just attending social studies classes, students could set up voter registration drives. Instead of attending science classes, kids could help the Red Cross in setting up blood drives. There are many applications and all of them positive because they reinforce that what our children learn in the classrooms is not all boring theory out of textbooks, but can have real and exciting implications in their daily lives. That is enriching and the full measure of what education is all about.

For some schools, these are extracurricular activities, but I would like to see these programs become part of the curriculum. For educators and parents who are worried about providing basic reading and writing skill for students, I think youth service programs reinforce those skills and will make our kids realize the value of having a solid foundation in the basic education fundamentals. It will teach kids how to learn, something they will need the rest of their lives as jobs change and become obsolete.

It is the hope for many supporters of H.R. 4330, that the Federal Government will provide the impetus for State legislatures to create programs within their jurisdiction. A number of States already have programs, and many more have legislation that would establish youth corps. Among them, I am pleased to note, is Utah, which this past session passed a measure to create a Youth Conservation Corps. This new youth corps program will assist Utah in maintaining its highways, hiking trails, and rural areas.

America's business and civic leaders have already recognized that there are plenty of high skill positions available in our current job market, but there are not enough students who have received the education and job skills training needed to take on those jobs. More and more, corporate America is willing to make an investment in its future. Congress should too.

The funding level this legislation authorizes is $180 million, not a significant sum to ask for with regard to the future of thousands of young Americans. And as I mentioned before, this legislation will act as motivation for States and localities to create youth services programs that one day they will have the principal responsibility in funding.

In closing, let me once again encourage your support for the National Services Act, legislation that I believe will have beneficial ramifications we have not even envisioned yet.

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

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

The CHAIRMAN pro tempore (Mr. MONTGOMERY). Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered by titles as an original bill for the purpose of amendment and each title shall be considered as read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Services Act of 1990".

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

Mr. Chairman, as was evident from my previous remarks, I am a little concerned about the fact that we are taking voluntarism and making it into kind of a bureaucratic entity rather than in the true spirit of voluntarism.

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

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

Mr. HAWKINS. Mr. Chairman, would the gentleman specify what bureaucracy is being created?

Mr. WALKER. Well, I have a couple questions of the gentleman just to try to clarify that.

Mr. HAWKINS. Well, would the gentleman answer mine, please, as a matter of courtesy?

Mr. WALKER. Excuse me?

Mr. HAWKINS. I asked whether or not the gentleman will specify what bureaucracies are being created.

Mr. WALKER. Well, for example, I think that we may involve the bureaucracy of the IRS in all this. Can the gentleman tell me what the situation is with regard to the loan forgiveness? Is that regarded as income to the individual involved? What is the status of that particular item? Are we not going to get the IRS involved in this?

Mr. HAWKINS. Mr. Chairman, if the gentleman will yield further, the gentleman should understand the IRS is already created. Is the gentleman saying that is a bureaucracy that we are going to create? The gentleman is saying the IRS will be involved in the creation of another new bureaucracy?

Mr. WALKER. Mr. Chairman, if the gentleman will listen to what I said, I said we are going to make these people into tools of Federal bureaucrats. That is what I said, and tools of Federal bureaucrats means that, for example, the IRS, it looks to me they get involved here unless there is some solution within this bill.

Mr. HAWKINS. Well, perhaps the gentleman, if he will yield further, does not realize that they are already involved. We are not asking for their involvement.

Mr. WALKER. The gentleman is creating in his bill a whole host of new loan forgiveness.

My first question is, is that going to count as income for the individuals involved?

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

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

Mr. WILLIAMS. Mr. Chairman, there is no change in the relationship between the IRS regulations, laws and bureaucracy, as currently exists. There is cancellation in the law now. The IRS would treat the cancellations and deferments envisioned by this act exactly as it now treats other cancellation and deferments.

Mr. WALKER. And can the gentleman tell me, does that count as income to the individuals involved?

Mr. WILLIAMS. It is not income.

Mr. WALKER. It is not income to the individuals involved, so in this case the IRS will not count this forgiveness as income to the individuals involved, if I understand the gentleman.

Then I look at page 49 of the bill and I find a term called a full-time volunteer in service comparable to service referred to in subparagraph (E) and so on, but I do not see any definition in the bill of full-time volunteer. That is an interesting concept. This is somebody who is full time. What does that mean in terms of hours? Who is a full-time volunteer that is going to be eligible here? Is that somebody who works 40 hours a week as a volunteer? Who are these full-time volunteers?

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

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

Mr. HAWKINS. Mr. Chairman, that is already in the code. The definition would follow what is already in the code. We do not change the definition.

Mr. WALKER. Well, what is the definition of a full-time volunteer?

Mr. HAWKINS. It is 40 hours.

Mr. WALKER. It is 40 hours, so it is someone who works at voluntarism for 40 hours.

Then it goes on to say that this person must not receive compensation for services in excess of the Fair Labor Standards Act.

In other words, we have now created a new title for minimum wage workers called a full-time volunteer. Is that what we are doing here in this language?

Mr. HAWKINS. The gentleman is referring to categories that already exist.

Now, I understand the gentleman is opposed to the bill and obviously he is trying to obfuscate the issues to protect his position.

Mr. WALKER. I am not trying to obfuscate anything, and I resent the chairman saying that. I am trying to find out what the gentleman's bill means.

Mr. HAWKINS. I tried to indicate to the gentleman that these are not new definitions. These are definitions already in existence.

Mr. WALKER. Well, I thank the gentleman for that, but the problem is, that the gentleman is including under a loan cancellation authorization which is making a brandnew entitlement program. The gentleman is creating a brandnew entitlement program here and I am trying to find out what all this terminology means. I am telling the gentleman, I am not trying to obfuscate. I am trying to find out where the obfuscation is in the bill that the gentleman brings before us, because I will say that it sounds to me as though full-time volunteer is just another fancy word for minimum wage worker, if we go by the language which is in the gentleman's bill.

I also have another problem. When we go over to page 50, we find out over there that we are talking about cancellation of loans not to volunteers in this bill, but under the gentleman's——

The CHAIRMAN pro tempore (Mr. MONTGOMERY). The time of the gentleman from Pennsylvania has expired.

(By unanimous consent, Mr. WALKER was allowed to proceed for 3 additional minutes.)

Mr. WALKER. Over on page 50 of the bill we find it is not volunteers that we are dealing with. Then we begin dealing with full-time professionals.

Now, down in the bill here it says "as a full-time professional employee engaged in drug counseling, prevention, intervention, treatment, or education and employed by a public or nonprofit private agency or organization."

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Now all of a sudden we have gotten out of the business of canceling loans for volunteers. Now we are in the business of canceling loans in this bill for full-time professional employees.

How did that get in there if this is a volunteer bill? Where did that one come from?

I would be glad to yield to someone.

The question is how did we end up with a volunteer bill with full-time professional employees getting the cancellation? Why not doctors? I have got people who are serving the poor, doctors who are full-time professional employees. Why not cancel some of their loans in the bill as well? Why do we pick out one category? Why are we dealing with full-time professional employees and not volunteers?

Well, I do not get an answer.

I mean that is a problem. You have a series of bureaucratic decisions that are going to be made here about this bill, and these people are literally going to be tools of the Federal bureaucrats.

I will tell you this bill has got problems. They are problems that are not being resolved. Good heavens, we cannot even get answers. I could not get an answer earlier as to how many volunteers this was going to create. I suppose there is no answer to that. I cannot get an answer about what we mean by a "full-time volunteer." I cannot find out why we are including full-time professionals in the bill.

I got to tell you I am a little bit concerned that this is a major intrusion into what has been a working system in this country. Voluntarism in this country has worked.

For Congress to get involved in ways that we do not even pretend to understand on the House floor is wrong. It makes a mockery of the title of this bill that suggests that we are doing something to help voluntary organizations, or people participating, contributing their skills in meaningful ways in our society.

I think we ought to reject this bill.

The CHAIRMAN pro tempore (Mr. MONTGOMERY). Are there any amendments to section 1? If not, the Clerk will designate title I.

The text of title I is as follows:

TITLE I—SCHOOL-BASED AND HIGHER EDUCATION COMMUNITY SERVICE

PART A—SCHOOL-BASED COMMUNITY SERVICE

SEC. 101. SHORT TITLE.

This part may be cited as the "Schools and Service-Learning Act of 1990".

Subpart 1—School-Based Service Learning

SEC. 106. SCHOOL-BASED SERVICE LEARNING PROGRAM.

The Secretary of Education is authorized, in accordance with the provisions of this subpart, to make grants to States through their State educational agencies for—

(1) planning and building State capacity for implementing statewide, school-based, service-learning programs, including—

(A) preservice and in-service training for teachers, supervisors, and personnel from community organizations in which service opportunities will be provided;

(B) developing service-learning curricula, including age-appropriate learning components for students to analyze and apply their service experiences;

(C) forming local partnerships to develop school-based community service programs in accordance with this subpart;

(D) devising appropriate methods for research and evaluation of the educational value of youth service opportunities and the effect of youth service programs on communities;

(E) establishing effective outreach and dissemination to ensure the broadest possible involvement of nonprofit community-based organizations and youth-service agencies with demonstrated effectiveness in their communities; and

(F) integration of service-learning into academic curricula; and

(2) the implementation, operation, or expansion of statewide, school-based, service-learning programs through State distribution of not less than 80 percent of Federal funds made available under this subpart to projects and activities coordinated and operated by local partnerships of local educational agencies and other agencies and organizations in accordance with this subpart.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS; ALLOTMENTS TO STATES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purpose of carrying out the provisions of this subpart $35,000,000 for the fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

(b) RESERVATIONS.—Of the sums appropriated to carry out this subpart for any fiscal year, the Secretary shall reserve not more than 1 percent for payments to Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands, to be allotted in accordance with their respective needs.

(c) ALLOTMENT.—The remainder of such sums shall be allotted among the States as follows:

(1) From 50 percent of such remainder the Secretary shall allot to each State an amount which bears the same ratio to 50 percent of such remainder as the school-age population of the State bears to the school-age population of all States.

(2) From 50 percent of such remainder the Secretary shall allot to each State an amount which bears the same ratio to 50 percent of such remainder as allocations to the State for the previous fiscal year under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 bear to such allocations to all States.

(d) LIMITATION.—For any period during which a State is carrying out planning activities under section 106(1) prior to implementation under section 106(2), a State may be paid not more than 25 percent of its allotment under this subpart.

(e) REALLOTMENT.—The amount of any State's allotment for any fiscal year to carry out this subpart which the Secretary determines will not be required for that fiscal year shall be available for reallotment to other States as the Secretary may determine.

(f) DEFINITIONS.—For purposes of this section:

(1) The term "school-age population" means the population aged 5 through 17, inclusive.

(2) The term "State" includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 108. ASSISTANCE TO LOCAL PARTNERSHIPS.

(a) ASSISTANCE TO LOCAL PARTNERSHIPS.—From the sum made available under section 107 to a State educational agency for each fiscal year, such agency shall, through grants or contracts, provide not more than the Federal share of financial assistance to local partnerships for school-based service projects (in this subpart referred to as "partnerships") for the purpose of carrying out

the projects and activities authorized by this subpart.

(b) LOCAL PARTNERSHIPS.—

(1) Each partnership shall consist of at least 1 local educational agency and at least 1—

(A) local government agency;

(B) community-based organization;

(C) institution of higher education; or

(D) private nonprofit organization.

(2) A partnership may include representation by private for-profit business organizations and private elementary and secondary schools.

(c) PRIORITY.—In providing financial assistance pursuant to this subpart, State educational agencies shall give priority consideration to proposals for projects that—

(1) are in greatest need of assistance, such as projects serving low-income areas;

(2) involve participants in the design and operation of the program, where appropriate;

(3) involve students from both public and private elementary and secondary schools and individuals of different ages, races, sexes, ethnic groups, and economic backgrounds serving together;

(4) involve adults, particularly older individuals, as mentors and in other capacities that provide significant interaction with youth performing community service in a school-based setting, including at-risk youth;

(5) involve a partnership which includes private sector employees with talents and skills in short supply in the schools; and

(6) focus on drug and alcohol abuse prevention, school drop-out prevention, or nutrition and health education.

SEC. 109. STATE APPLICATIONS.

(a) APPLICATION REQUIREMENTS.—A State educational agency which desires to receive its allotment under this subpart shall submit to the Secretary an application at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

(1) evidence of substantial cooperative efforts among local educational agencies, local government agencies, community-based organizations, the private sector, and State agencies to develop service-learning opportunities;

(2) an assurance that participation of economically and educationally disadvantaged youths, including youths in foster care who are becoming too old for foster care, youths of limited English proficiency, and youths with disabilities, will participate in service opportunities;

(3) provision for the coordination of service opportunities with other federally assisted education programs, training programs, social service programs, and other appropriate programs that serve youth;

(4) an assurance that urban, rural, and tribal areas will be served;

(5) an assurance that the State will give special consideration to providing assistance to projects that will provide academic credit to participants;

(6) an assurance that the State will keep such records and provide such information to the Secretary as may be required for fiscal audits and program evaluation; and

(7) an assurance that the State will comply with the specific requirements of this subpart.

(b) DIRECT GRANTS.—In any fiscal year in which a State does not participate in programs under this subpart, the Secretary may use the State's allotment to make direct grants for school-based service-learning projects to local applicants in that State.

(c) PARTICIPATION OF CHILDREN AND TEACHERS FROM PRIVATE SCHOOLS.—

(1) To the extent consistent with the number of children in the State or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary and secondary schools, such State or agency shall (after consultation with appropriate private school representatives) make provision—

(A) for including services and arrangements for the benefit of such children as will assure the equitable participation of such children in the purposes and benefits of this subpart; and

(B) for such training for the benefit of teachers of such children as will assure equitable participation of such teachers in the purposes and benefits of this subpart.

(2) If by reason of any provision of law, a State or local educational agency or institution of higher education is prohibited from providing for the participation of children or teachers from private nonprofit schools as required by paragraph (1), or if the Secretary determines that a State or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Secretary shall waive such requirements and shall arrange for the provision of services to such children and teachers. Such waivers shall be subject to consultation, withholding, notice, and judicial review requirements in accordance with section 1017 of the Elementary and Secondary Education Act of 1965.

SEC. 110. LOCAL PROGRAM PROPOSAL.

(a) PROPOSAL REQUIREMENT.—A partnership that desires to receive financial assistance pursuant to this subpart shall submit to the State educational agency of the State in which it is located a proposal which meets the requirements of this section. Such proposal shall be submitted at such time and in such manner as the State educational agency may reasonably require.

(b) PROPOSAL REQUIREMENTS.—Each proposal submitted under subsection (a) shall—

(1) contain a written agreement among the partners, including the entities with which students or school volunteers are affiliated, community representatives, and the local educational agency where service opportunities will be provided, which states that the program was developed by all the partners and that the program will be jointly operated by the partnership;

(2) provide for the establishment of an advisory committee consisting of representatives of community agencies, services recipients, youth serving agencies, students, parents, teachers, administrators, school board members, labor, and business, and describe the membership and role of such committee;

(3) describe the goals of the program, including goals that are quantifiable, measurable, and demonstrate benefits to both the students or school volunteers and the community;

(4) describe the service opportunities to be provided;

(5) describe how the students or school volunteers will be recruited, including special efforts to recruit school dropouts with the assistance of community-based organizations;

(6) describe how students or school volunteers were or will be involved in the design and operation of the program;

(7) state the responsibilities and qualifications of the coordinator of any program assisted under this subpart;

(8) describe preservice and in-service training to be provided to supervisors and students or school volunteers;

(9) describe potential resources that will permit continuation of the program, if necessary, upon the expiration of Federal funding;

(10) describe an age-appropriate learning component for students that includes, at a minimum, a chance for students to analyze and apply their service experiences and expected learning outcomes;

(11) indicate whether students will receive academic credit for participation;

(12) establish target numbers for—

(A) students who will participate in the program assisted under this subpart; and

(B) hours of service such students will provide individually and as a group;

(13) describe the proportion of students expected to participate who are educationally or economically disadvantaged, including students with disabilities;

(14) describe the ages and grade levels of students who are expected to participate;

(15) include other relevant demographic information about students who are expected to participate; and

(16) provide assurances that students will be provided with information (including information relating to student loan deferment and forgiveness provisions) concerning the Volunteers in Service to America program, the Peace Corps, full-time Youth Service Corps programs funded under this Act, and other appropriate civilian and military service options.

SEC. 111. FEDERAL SHARE.

(a) STATE SHARE.—

(1) The Federal share of the cost of planning and capacity building under section 106(1) may not exceed 90 percent of the total cost of such planning and capacity building.

(2) The State share of the cost of such planning and capacity building shall be in cash. The State share shall be provided through public or private non-Federal sources and may not be provided by any local public agency.

(b) LOCAL SHARE.—

(1) The Federal share of a grant or contract for a project under this subpart may not exceed—

(A) 90 percent of the total cost of a project for the first year for which the project receives assistance under this subpart;

(B) 80 percent of the total cost of a project for the second year for which the project receives assistance under this subpart;

(C) 70 percent of the total cost of a project for the third year for which the project receives assistance under this subpart; and

(D) 50 percent of the total cost of a project for the fourth year and each succeeding year for which the project receives assistance under this subpart.

(2) The State and local share of the costs of a project may be in cash or in kind fairly evaluated, including facilities, equipment, or services.

(c) WAIVER.—The Secretary may waive the requirements of subsection (b) with respect to any project in any fiscal year if the Secretary determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

SEC. 112. USES OF FUNDS; LIMITATIONS.

(a) STATE USES OF FUNDS.—The State educational agency may reserve, from funds made available to such agency under this subpart—

(1) not more than 5 percent of such funds for administrative costs for any fiscal year; and

(2) to build capacity through training, technical assistance, curriculum development, and coordination activities, not more than—

(A) 15 percent of such funds in the first year in which a State operates a program under this subpart;

(B) 10 percent of such funds in each of the second and third years in which a State operates a program under this subpart; and

(C) 5 percent in the fourth year and each succeeding year in which a State operates a program under this subpart.

(b) AUTHORIZED ACTIVITIES FOR LOCAL PROJECTS.—

(1) Local projects may use funds made available under this subpart for supervision of participating students, program administration, training, reasonable transportation costs, insurance, and other reasonable expenses.

(2) Funds made available under this subpart may not be used to pay any stipend, allowance, or other financial support to any participant, except reimbursement for transportation, meals, and other reasonable out-of-pocket expenses directly related to participation in a program assisted under this subpart.

Subpart 2—Youthbuild Projects

SEC. 116. STATEMENT OF PURPOSE.

It is the purpose of this subpart—

(1) to provide economically disadvantaged young adults with opportunities for meaningful service to their communities in helping to meet the housing needs of homeless individuals and low-income families; and

(2) to enable economically disadvantaged young adults to obtain the education and employment skills necessary to achieve economic self-sufficiency.

SEC. 117. AUTHORIZATION OF PROGRAM.

(a) FINANCIAL ASSISTANCE.—The Director of the ACTION Agency, in consultation with the Secretary of Labor, may provide grants to pay the Federal share of the cost of carrying out Youthbuild projects in accordance with this subpart.

(b) FEDERAL SHARE.—The Federal share under subsection (a) for each fiscal year shall not exceed 90 percent.

SEC. 118. SERVICE IN CONSTRUCTION AND REHABILITATION PROJECTS.

(a) CONSTRUCTION AND REHABILITATION PROJECTS.—Eligible participants serving in Youthbuild projects receiving assistance under this subpart shall be employed in the construction, rehabilitation, or improvement of real property to be used for purposes of providing—

(1) residential rental housing that is occupied solely by, or available for occupancy solely by, homeless individuals and low-income families;

(2) transitional housing for homeless individuals;

(3) facilities for the provision of health, education, and other social services to low-income families, including—

(A) senior citizen centers;

(B) youth recreation centers;

(C) Head Start or child care centers; and

(D) community health centers.

(b) REQUIREMENTS FOR COMMUNITY FACILITIES.—No assistance may be provided under this subpart to support the construction, rehabilitation, or improvement of real property to be used to provide facilities described in subsection (a) unless the property—

(1) is used principally by or for the benefit of low-income families;

(2) is owned and occupied solely by public or private nonprofit entities; and

(3) is located in census tracts, or identifiable neighborhoods within census tracts, in which the median family income is not more than 80 percent of the median family income of the area in which the facility is located, as such median family income and area are determined for the purposes of assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(c) RESTRICTION OF USE.—Participants under this subpart may not be employed in the construction, operation, or maintenance of any facility used for sectarian instruction or religious worship.

SEC. 119. EDUCATION AND JOB TRAINING SERVICES.

(a) IN GENERAL.—Assistance provided under this part shall be used by each Youthbuild project to provide to participants the following:

(1) SERVICE OPPORTUNITIES.—Service opportunities in the construction or rehabilitation projects described in section 118, which shall be integrated with appropriate skills training and coordinated with, to the extent feasible, preapprenticeship and apprenticeship programs.

(2) EDUCATIONAL SERVICES.—Services and activities designed to meet the educational needs of participants, including—

(A) basic skills instruction and remedial education;

(B) bilingual education for individuals with limited English proficiency; and

(C) secondary education services and activities designed to lead to the attainment of a high school diploma or its equivalent.

(3) PERSONAL AND PEER SUPPORTS.—Counseling services and other activities designed to—

(A) ensure that participants overcome personal problems that would interfere with their successful participation; and

(B) develop a strong, mutually supportive peer context in which values, goals, cultural heritage, and life skills can be explored and strengthened.

(4) LEADERSHIP DEVELOPMENT.—Opportunities to develop the decision-making, speaking, negotiating, and other leadership skills of participants, such as the establishment and operation of a youth council with meaningful decision-making authority over aspects of the project.

(5) PREPARATION FOR AND PLACEMENT IN UNSUBSIDIZED EMPLOYMENT.—Activities designed to maximize the value of participants as future employees and to prepare participants for seeking, obtaining, and retaining unsubsidized employment.

(6) NECESSARY SUPPORT SERVICES.—To provide support services and need-based stipends necessary to enable individuals to participate in the program and, for a period not to exceed 6 months after completion of training, to assist participants through support services in retaining employment.

(b) CONDITIONS.—The provision of service opportunities to participants in Youthbuild projects shall be made conditional upon attendance and participation by such individuals in the educational services and activities described in subsection (a). The duration of participation for each individual in educational services and activities shall be at least equal to the total number of hours for which a participant serves and is paid wages by a Youthbuild project.

SEC. 120. USES OF FUNDS.

(a) FUNDS.—Funds provided under this subpart may be used only for activities that are in addition to activities that would otherwise be available in the absence of such funds.

(b) ASSISTANCE CRITERIA.—Assistance provided to each Youthbuild project under this part shall be used only for—

(1) education and job training services and activities described in paragraphs (2), (3), (4), (5), and (6) of section 119(a);

(2) wages and benefits paid to participants in accordance with sections 119(a) and 122; and

(3) administrative expenses incurred by the project, in an amount not to exceed 15 percent of the total cost of the project.

SEC. 121. ELIGIBLE PARTICIPANTS.

(a) IN GENERAL.—An individual shall be eligible to participate in a Youthbuild project receiving assistance under this subpart if such individual is—

(1) 16 to 24 years of age, inclusive;

(2) economically disadvantaged; and

(3) except as is provided in subsection (b), an individual who has dropped out of high school whose reading and mathematics skills are at or below the 8th grade level.

(b) EXCEPTIONS.—Not more than 25 percent of the participants in a Youthbuild project receiving assistance under this subpart may be individuals who do not meet the requirements of subsection (a)(3) if such individuals—

(1) have not attained a high school diploma or its equivalent; or

(2) have educational needs despite the attainment of a high school diploma or its equivalent.

(c) PARTICIPATION LIMITATION.—Any eligible individual selected for full-time participation in a Youthbuild project may participate full-time for a period of not less than 6 months and not more than 18 months.

SEC. 122. WAGES, LABOR STANDARDS, AND NONDISCRIMINATION.

(a) WAGES AND LABOR STANDARDS.—To the extent consistent with the provisions of this subpart, sections 142 and 143 of the Job Training Partnership Act (29 U.S.C. 1552, 1553, and 1577), relating to wages and benefits and labor standards, shall apply to the projects conducted under this subpart as if such projects were conducted under the Job Training Partnership Act (29 U.S.C. 1501 et seq.).

(b) NONDISCRIMINATION.—(1) Except as provided in paragraph (2), an individual with responsibility for the operation of a Youthbuild project shall not discriminate on the basis of religion against a participant or a member of the project staff who is paid with funds under this title.

(2) Paragraph (1) shall not apply to the employment, with funds provided under this title, of any member of the staff of a Youthbuild project who was employed with the organization operating the project on the date the grant funded under this title was awarded.

SEC. 123. CONTRACTS.

Each Youthbuild project shall carry out the services and activities under this subpart directly or through arrangements or under contracts with administrative entities designated under section 103(b)(1)(B) of the Job Training Partnership Act (29 U.S.C. 1501(b)(1)(B)), with State and local educational agencies, institutions of higher education, State and local housing development agencies, and with other public agencies and private organizations.

SEC. 124. PERFORMANCE STANDARDS.

(a) IN GENERAL.—The Director, in consultation with the Secretary of Labor, shall prescribe standards for evaluating the performance of Youthbuild projects receiving assist-

ance under this subpart, including the following factors:

(1) Placement in unsubsidized employment.

(2) Retention in unsubsidized employment.

(3) An increase in earnings.

(4) Improvement of reading and other basic skills.

(5) Attainment of a high school diploma or its equivalent.

(b) VARIATIONS.—The Director shall prescribe variations to the standards determined under subsection (a) by taking into account the economic conditions of the areas in which Youthbuild projects are located and appropriate special characteristics, such as the extent of English language proficiency and offender status of Youthbuild participants.

SEC. 125. APPLICATIONS.

(a) SUBMISSION.—To apply for a grant under this subpart, an eligible entity shall submit an application to the Director in accordance with procedures established by the Director.

(b) CRITERIA.—Each such application shall—

(1) describe the educational services, job training, supportive services, service opportunities, and other services and activities that will be provided to participants;

(2) describe the proposed construction of rehabilitation activities to be undertaken and the anticipated schedule for carrying out such activities;

(3) describe the manner in which eligible youths will be recruited and selected, including a description of arrangements which will be made with community-based organizations, State and local educational agencies, public assistance agencies, the courts of jurisdiction for status and youth offenders, homeless shelters and other agencies that serve homeless youth, foster care agencies, and other appropriate public and private agencies;

(4) describe the special outreach efforts that will be undertaken to recruit eligible young women (including young women with dependent children);

(5) describe how the proposed project will be coordinated with other Federal, State, and local activities, including vocational, adult and bilingual education programs, job training supported by funds available under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) and the Family Support Act of 1988, housing and economic development, and programs that receive assistance under section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306);

(6) provide assurances that there will be a sufficient number of supervisory personnel on the project and that the supervisory personnel are trained in the skills needed to carry out the project;

(7) describe activities that will be undertaken to develop the leadership skills of participants;

(8) set forth a detailed budget and describe the system of fiscal controls and auditing and accountability procedures that will be used to ensure fiscal soundness; and

(9) set forth assurances, arrangements, and conditions the Director determines are necessary to carry out this subpart.

SEC. 126. SELECTION OF PROJECTS.

In approving applications for assistance under this subpart, the Director shall give priority to applicants that demonstrate the following:

(1) POTENTIAL FOR SUCCESS.—The greatest likelihood of success, as indicated by such factors as the past experience of an applicant with housing rehabilitation or construction, youth and youth education and employment training programs, management capacity, fiscal reliability, and community support.

(2) NEED.—Have the greatest need for assistance, as determined by factors such as—

(A) the degree of economic distress of the community from which participants would be recruited, including—

(i) the extent of poverty;

(ii) the extent of youth unemployment; and

(iii) the number of individuals who have dropped out of high school; and

(B) the degree of economic distress of the locality in which the housing would be rehabilitated or constructed, including—

(i) objective measures of the incidence of homelessness;

(ii) the relation between the supply of affordable housing for low-income families and the number of such families in the locality;

(iii) the extent of housing overcrowding; and

(iv) the extent of poverty.

SEC. 127. MANAGEMENT AND TECHNICAL ASSISTANCE.

(a) DIRECTOR ASSISTANCE.—The Director may enter into contracts with a qualified public or private nonprofit agency to provide assistance to the Director in the management, supervision, and coordination of Youthbuild projects receiving assistance under this subpart.

(b) SPONSOR ASSISTANCE.—The Director shall enter into contracts with a qualified public or private nonprofit agency to provide appropriate training, information, and technical assistance to sponsors of projects assisted under this subpart.

(c) APPLICATION PREPARATION.—Technical assistance may also be provided in the development of project proposals and the preparation of applications for assistance under this subpart to eligible entities which intend or desire to submit such applications. Community-based organizations shall be given first priority in the provision of such assistance.

(d) RESERVATION OF FUNDS.—The Director shall reserve 5 percent of the amounts available in each fiscal year under section 130 to carry out subsections (b) and (c) of this section.

SEC. 128. DEFINITIONS.

For purposes of this subpart:

(1) COMMUNITY-BASED ORGANIZATIONS.—The term "community-based organizations" has the meaning given the term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).

(2) DIRECTOR.—The term "Director" means the Director of the ACTION agency.

(3) DROPPED OUT OF HIGH SCHOOL.—The term "individual who has dropped out of high school" means an individual who is neither attending any school nor subject to a compulsory attendance law and who has not received a secondary school diploma or a certificate of equivalency for such diploma, but does not include any individual who has attended secondary school at any time during the preceding 6 months.

(4) ECONOMICALLY DISADVANTAGED.—The term "economically disadvantaged" has the meaning given the term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).

(5) ELIGIBLE ENTITY.—The term "eligible entity" means a public or private nonprofit agency, such as—

(A) community-based organizations;

(B) administrative entities designated under section 103(b)(1)(B) of the Job Training Partnership Act (29 U.S.C. 1501(b)(1)(B));

(C) community action agencies;

(D) State and local housing development agencies;

(E) State and local youth service and conservation corps; and

(F) any other entity that is eligible to provide education and employment training under other Federal employment training programs.

(6) HOMELESS INDIVIDUAL.—The term "homeless individual" has the meaning given the term in section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302).

(7) HOUSING DEVELOPMENT AGENCY.—The term "housing development agency" means any agency of a State or local government, or any private nonprofit organization that is engaged in providing housing for the homeless or low-income families.

(8) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(9) LIMITED ENGLISH PROFICIENCY.—The term "limited English proficiency" has the meaning given the term in section 7003 of the Bilingual Education Act (20 U.S.C. 3223).

(10) LOW-INCOME FAMILY.—The term "low-income family" has the meaning given the term "lower income families" in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(11) OFFENDER.—The term "offender" means any adult or juvenile with a record of arrest or conviction for a criminal offense.

(12) QUALIFIED NONPROFIT AGENCY.—The term "qualified public or private nonprofit agency" means any nonprofit agency that has significant prior experience in the operation of projects similar to the Youthbuild program authorized under this subpart and that has the capacity to provide effective technical assistance under this section.

(13) RESIDENTIAL RENTAL PURPOSES.—The term "residential rental purposes" includes a cooperative or mutual housing facility that has a resale structure that enables the cooperative to maintain affordability for low-income individuals and families.

(14) SERVICE OPPORTUNITY.—The term "service opportunity" means the opportunity to perform work in return for wages and benefits in the construction or rehabilitation of real property in accordance with this subpart.

(15) STATE.—The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Somoa, the Trust Territories of the Pacific Islands, or any other territory or possession of the United States.

(16) TRANSITIONAL HOUSING.—The term "transitional housing" means a project that has as its purpose facilitating the movement of homeless individuals and families to independent living within a reasonable amount of time. Transitional housing includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals with mental or physical disabilities and homeless families with children.

(17) YOUTHBUILD PROJECT.—The term "Youthbuild project" means any project that

receives assistance under this subpart and provides disadvantaged youth with opportunities for service, education, and training in the construction or rehabilitation of housing for homeless and other low-income individuals.

SEC. 129. REGULATIONS.

The Secretary shall issue any regulations necessary to carry out this subpart.

SEC. 130. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the provisions of this subpart $10,000,000 for fiscal year 1991 and such sums as may be necessary for each of the 3 succeeding fiscal years. Amounts appropriated under this section shall remain available until expended.

Subpart 3—Other Federal Volunteer Service Programs

SEC. 131. RURAL YOUTH SERVICE DEMONSTRATION PROJECT.

(a) IN GENERAL.—The Secretary is authorized, in accordance with the provisions of this subpart, to make grants and enter into contracts for demonstration projects in rural areas. Such projects may include volunteer service involving the elderly and assisted-living services performed by students, school dropouts, and out-of-school youth.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $2,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

SEC. 132. GOVERNORS' VOLUNTARY SERVICE PROGRAM.

(a) IN GENERAL.—The Director of the ACTION agency (in this section referred to as the "Director") is authorized to make grants to the chief executive officer of each State for initiatives involving non-school-based voluntary service projects in the State.

(b) AUTHORIZED ACTIVITIES.—Grants under this section may be used for—

(1) enhancing State volunteer service programs;

(2) volunteer service demonstration programs;

(3) research concerning, assessment of, and evaluation of volunteer service programs;

(4) State coordination of volunteer service programs;

(5) technical assistance;

(6) training and staff development; and

(7) collection and dissemination of information concerning volunteer service programs.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $3,000,000 for each of the fiscal years 1991, 1992, 1993, and 1994.

(d) ALLOTMENTS.—

(1) Subject to paragraph (2), the Director shall allot to the chief executive officer of each State an amount which bears the same ratio to the amount appropriated under subsection (b) as the school-age population of the State bears to the school-age population of all States.

(2) Subject to the availability of appropriations, the chief executive officer of each State shall receive at least $30,000 for each fiscal year for purposes of carrying out an initiative under this section.

(e) DEFINITION.—For purposes of this section the term "State" includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 133. MODEL SERVICE-LEARNING PROGRAM.

(a) PROGRAM AUTHORIZED.—The Secretary is authorized, in accordance with the provisions of this subpart, to make grants to, and enter into contracts with, States, local educational agencies, local government agencies, and community-based organizations for innovative community service and service-learning programs and curricula that can serve as national models.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $5,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

SEC. 134. MODEL SERVICE PROGRAMS FOR DROPOUTS AND OUT-OF-SCHOOL YOUTH.

(a) PROGRAM AUTHORIZED.—The Secretary is authorized, in accordance with the provisions of this subpart, to make grants to, or enter into contracts with, State educational agencies, local educational agencies, institutions of higher education, local government agencies, community-based organizations, and other public or private nonprofit organizations to develop plans for model programs to enhance the capacity of educational institutions and community-based organizations to administer service-learning programs for school dropouts and out-of-school youth.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $10,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

SEC. 135. ASSISTANCE FOR HEAD START.

Section 502(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5082(b)) is amended—

(1) by inserting "(1)" after "(b)", and

(2) by adding at the end the following:

"(2) There are authorized to be appropriated $5,000,000 for fiscal year 1991 and such sums as may be necessary for each of the three subsequent fiscal years for the purpose of increasing the number of low-income individuals who provide services under part B of title II of this Act to children who participate in Head Start programs.".

Subpart 4—Activities of the Secretary of Education

SEC. 141. DISSEMINATION OF INFORMATION.

The Secretary shall widely disseminate information about programs under this part.

SEC. 142. CLEARINGHOUSES ON VOLUNTEER SERVICE.

(a) IN GENERAL.—The Secretary is authorized to make grants to or enter into contracts with public and private nonprofit agencies with extensive experience in student community service and school volunteer and partnership programs for the establishment and operation of national or regional clearinghouses for information on volunteer service.

(b) DUTIES.—National or regional clearinghouses established or operated with assistance provided under this section shall provide information, curriculum materials, technical assistance, and training to States and local entities participating in programs under subpart 1.

SEC. 143. EVALUATION.

(a) EVALUATION.—The Secretary shall provide, through grants or contracts, for the continuing evaluation of programs assisted under this part in order to determine program effectiveness in achieving stated goals in general and in relation to cost, the effect on related cost-saving programs, and the structure and mechanism for delivery. Such evaluation shall measure the effects of programs authorized by this part, including, where appropriate, comparisons with appropriate control groups composed of individuals who have not participated in such programs. Evaluations shall be conducted by individuals not directly involved in the administration of the program evaluated.

(b) STANDARDS.—The Secretary shall develop and publish general standards for evaluation of program effectiveness in achieving the objectives of this part.

(c) COMMUNITY PARTICIPATION.—In evaluating a program receiving assistance under this part, the Secretary shall consider the opinions of participating students, dropouts, out-of-school youth, and members of the communities where services are delivered concerning the strengths and weaknesses of such program.

(d) REPORTING REQUIREMENTS.—The results of evaluations conducted under this section, including opinions obtained under subsection (c), shall be made available to the public.

(e) REPORT TO CONGRESS.—The results of evaluations conducted under this section shall be analyzed and submitted to the appropriate committees of the Congress with the annual report of the Secretary.

SEC. 144. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for purposes of carrying out the provisions of this subpart $2,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

Subpart 5—Volunteer Service Activities of the President

SEC. 151. PRESIDENTIAL VOLUNTEER SERVICE AWARDS.

(a) PRESIDENTIAL AWARD FOR SCHOOL-BASED SERVICE.—The President is authorized to make Presidential Awards for School-Based Service recognizing excellence in school-based service programs.

(b) CATEGORIES OF AWARDS.—Each year the President is authorized to make 1 award to an individual in each State in each of the following categories:

(1) Excellence in a service program in kindergarten through grade 6.

(2) Excellence in a service program in grade 7 through grade 12.

(3) Excellence in a service program for dropouts and out-of-school youth.

(4) Excellence in teaching to a teacher in kindergarten through grade 6 who has demonstrated outstanding teaching ability in the area of volunteer service.

(5) Excellence in teaching to a teacher in grade 7 through grade 12 who has demonstrated outstanding teaching ability in the area of volunteer service.

(6) Excellence in teaching to a teacher in a service program for dropouts and out-of-school youth who has demonstrated outstanding teaching ability in the area of volunteer service.

(c) PRESIDENT'S SERVICE LEARNING TASK FORCE.—The President is authorized to create an interagency task force chaired either by the President or the Vice President, whose purpose shall be—

(1) the creation and monitoring of effective measures for coordinating the various parts of this Act; and

(2) design of a comprehensive Federal service strategy which shall include—

(A) review of existing programs to identify and expand opportunities for service, especially by students and out-of-school youth;

(B) designation of a senior official in each Federal agency who will be responsible for developing youth service opportunities in existing programs nationwide;

(C) establishment of service projects in each Federal agency;

(D) encouragement of participation of Federal employees in service projects;

(E) designation of a senior executive branch official or group of officials to coordinate the Federal service strategy;

(F) annual recognition of outstanding service programs operated by Federal agencies; and

(G) encouragement of businesses and professional firms to include community service among the factors considered in making hiring, compensation, and promotion decisions.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $1,000,000 for each of the fiscal years 1991, 1992, 1993, and 1994.

Subpart 6—General Provisions

SEC. 156. DEFINITIONS.

(a) IN GENERAL.—Except as otherwise provided, the terms used in this part shall have the meanings provided for such terms in section 1471 of the Elementary and Secondary Education Act of 1965.

(b) OTHER DEFINITIONS.—For purposes of this part the term "service-learning" means a method—

(1) under which students learn and develop through active participation in thoughtfully organized service experiences that meet actual community needs and that are coordinated in collaboration with the school and community;

(2) that is integrated into the students' academic curriculum and provides structured time for a student to think, talk, or write about what the student did and saw during the actual service activity;

(3) that provides students with opportunities to use newly acquired skills and knowledge in real-life situations in their own communities; and

(4) that enhances what is taught in school by extending student learning beyond the classroom and into the community and helps to foster the development of a sense of caring for others.

SEC. 157. LIMITATION.

(a) PROHIBITED USES.—No grant under this part shall be used to provide religious instruction, conduct worship services, or engage in any form of proselytization.

(b) PARTICIPANTS.—Participants and project staff funded under this part shall not give religious instruction, conduct worship services, or engage in any form of proselytization as part of their duties.

SEC. 158. APPLICATION OF GENERAL EDUCATION PROVISIONS ACT.

Except as otherwise provided, the General Education Provisions Act shall apply to the programs authorized by this part.

PART B—HIGHER EDUCATION COMMUNITY SERVICE

Subpart 1—Innovative Projects for Community Service

SEC. 161. STATEMENT OF PURPOSE.

It is the purpose of this part to support innovative projects to determine the feasibility of encouraging students to participate in community service activities while such students are attending institutions of higher education.

SEC. 162. INNOVATIVE PROJECTS FOR COMMUNITY SERVICE.

(a) GENERAL AUTHORITY.—The Secretary is authorized, in accordance with the provisions of this part, to make grants to, and contracts with, institutions of higher education (including combination of such institutions), and other public agencies and nonprofit organizations working in partnership with institutions of higher education—

(1) to enable the institution to create or expand community service activities for students attending that institution;

(2) to encourage student-initiated and student-designed community service projects; and

(3) to facilitate the integration of community service into academic curricula, so that students can obtain credit for their community service activities.

(b) TRAINING AUTHORITY.—The Secretary shall make grants to college and universities and other nonprofit organizations to provide for the training of teachers, related education personnel, and community leaders in the skills necessary to develop, supervise, and organize community service activities. Assistance under this section may be provided to individuals planning to undertake a career in teaching, as well as existing teachers. In awarding such grants, the Secretary shall take into consideration the particular needs of a community and the ability of the grantee to actively involve a major part of the community in, and substantially benefit the community by, the proposed community service activities.

(c) FEDERAL SHARE.—The Federal share of all grants under subsections (a) and (b) shall not exceed 50 percent of the cost of the community service activities.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subpart, $10,000,000 for fiscal year 1991 and such sums as may be necessary for each of the three succeeding fiscal years.

(e) INSTITUTION OF HIGHER EDUCATION DEFINED.—For purposes of this subpart, the term "institution of higher education" has the meaning given to such term in section 1201(a) of the Higher Education Act of 1965.

Subpart 2—Campus-Based Community Work Learning Jobs

SEC. 166. ADDITIONAL RESERVATION FOR CAMPUS-BASED COMMUNITY WORK LEARNING STUDY JOBS.

Section 415B(a) of the Higher Education Act of 1965 is amended by inserting the following new paragraph at the end thereof:

"(3)(A) In the event the appropriation for this subpart exceeds $75,000,000, the Secretary shall, notwithstanding the provisions of section 415C(b)(3)(A), allot 50 percent of such excess to the States for the purpose described in section 415C(b)(2)(B).

"(B) The Secretary shall make the allotment required under subparagraph (A) on the basis of the number of students participating in programs assisted under section 415C(b)(2) of this subpart in each State as compared to the total number of students participating in such jobs in all States.".

SEC. 167. WORK STUDY PROGRAMS.

Section 441(b) of the Higher Education Act of 1965 is amended—

(1) by striking "$656,000,000" and inserting "$675,000,000"; and

(2) by adding at the end thereof the following: "In the event that appropriations for this part exceed $625,000,000, such additional amounts shall be used in accordance with section 447. The Secretary shall allocate the additional amounts to institutions which demonstrate a capacity to use these funds in accordance with section 447.".

Subpart 3—Guaranteed Student Loans

SEC. 171. LOAN DEFERMENT FOR VOLUNTEER SERVICE AUTHORIZED.

(a) GSL PROGRAM.—Section 428(b)(1)(M) of the Higher Education Act of 1965 is amended—

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

(2) by striking the period at the end of clause (ix) and inserting a semicolon; and

(3) by adding at the end thereof the following new clause:

"(xii) not in excess of 3 years during which the borrower is in service as a full-time volunteer in service comparable to the service referred to in clauses (iii) and (iv) for an organization which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 and does not receive compensation at a rate in excess of the rate prescribed by section 6 of the Fair Labor Standards Act of 1938;".

(b) FISL PROGRAM.—Section 427(a)(2)(C) of the Higher Education Act of 1965 is amended—

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

(2) by adding at the end thereof the following new clause:

"(xii) not in excess of 3 years during which the borrower is in service as a full-time volunteer in service comparable to the service referred to in clauses (iii) and (iv) for an organization which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 and does not receive compensation at a rate in excess of the rate prescribed by section 6 of the Fair Labor Standards Act of 1938;".

SEC. 172. LOAN DEFERMENT FOR SERVICE IN DRUG COUNSELING AND PREVENTION.

(a) DEFERMENT OF GUARANTEED STUDENT LOANS.—Section 428(b)(1)(M) of the Higher Education Act of 1965 (as amended by section 171 of this Act) is further amended by inserting after clause (xii) the following new clause:

"(xiii) not in excess of 3 years during which the borrower is employed full-time as a professional in drug counseling, prevention, intervention, treatment, or education by a public or nonprofit private agency or organization; and".

(b) INSURED STUDENT LOANS.—Section 427(a)(2)(C) of the Higher Education Act of 1965 (as amended by section 171 of this Act) is further amended by inserting after clause (xii) the following new clause:

"(xiii) not in excess of 3 years during which the borrower is employed full-time as a professional in drug counseling, prevention, intervention, treatment, or education by a public or nonprofit private agency or organization; and".

SEC. 173. LOAN DEFERMENT FOR VOLUNTEERS PROVIDING INDIAN HEALTH SERVICES.

(a) DEFERMENT OF GUARANTEED STUDENT LOANS.—Section 428(b)(1)(M) of the Higher Education Act of 1965 (as amended by sections 171 and 172 of this Act) is further amended by inserting after clause (xiii) the following new clause:

"(xiv) not in excess of 3 years during which the borrower is in service as a full-time volunteer providing health services to individuals who are eligible to receive services from the Secretary of the Interior under title I and section 4 of the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638);".

(b) INSURED STUDENT LOANS.—Section 427(a)(2)(C) of the Higher Education Act of 1965 (as amended by section 171 of this Act)

is further amended by inserting after clause (xiii) the following new clause:

"(xiv) not in excess of 3 years during which the borrower is in service as a full-time volunteer providing health services to individuals who are eligible to receive services from the Secretary of the Interior under title I and section 4 of the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638);".

SEC. 174. EFFECTIVE DATE.

The amendments made by this subpart shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this Act to individuals who are new borrowers on that date.

Subpart 4—Direct Loans to Students in Institutions of Higher Education

SEC. 176. LOAN CANCELLATION AUTHORIZED.

(a) CANCELLATION FOR VOLUNTEER SERVICE.—

(1) QUALIFICATION FOR CANCELLATION.—Section 465(a)(2) of the Higher Education Act of 1965 is amended—

(A) by striking out "or" at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting a semicolon; and

(C) by adding at the end thereof the following new subparagraph:

"(F) as a full-time volunteer in service comparable to service referred to in subparagraph (E) for an organization which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986;"; and

(C) by adding at the end thereof the following new sentence: "An individual shall not be eligible as a volunteer under subparagraph (F) if such individual receives compensation for services at a rate in excess of the rate prescribed by section 6 of the Fair Labor Standards Act of 1938.".

(2) RATE OF CANCELLATION.—Section 465(a)(3)(A) of the Higher Education Act of 1965 is amended—

(A) by striking out "or" at the end of clause (iii);

(B) by striking the period at the end of clause (iv) and inserting a semicolon; and

(C) by adding at the end thereof the following new clause:

"(v) in the case of service described in subparagraph (F) of paragraph (2) at the rate of 15 percent for the first or second year of such service and 20 percent of the third or fourth year of such service;".

(b) CANCELLATION FOR DRUG COUNSELING AND TREATMENT.—

(1) QUALIFICATION FOR CANCELLATION.—Section 465(a)(2) of the Higher Education Act of 1965 (as amended by subsection (a)) is further amended by inserting after subparagraph (F) the following new subparagraph:

"(G) as a full-time professional employee engaged in drug counseling, prevention, intervention, treatment, or education and employed by a public or nonprofit private agency or organization; or".

(2) RATE OF CANCELLATION.—Section 465(a)(3)(A) of the Higher Education Act of 1965 (as amended by subsection (a)) is further amended by inserting after clause (v) the following new clause:

"(vi) in the case of service described in subparagraph (F) of paragraph (2), at the rate of 15 percent for the first or second year of such service and 20 percent for the third or fourth year of such service; or".

(c) CANCELLATION FOR VOLUNTEERS PROVIDING INDIAN HEALTH SERVICES.—

(1) QUALIFICATION FOR CANCELLATION.—Section 465(a)(2) of the Higher Education Act of 1965 (as amended by subsections (a) and (b)) is further amended by inserting after subparagraph (G) the following new subparagraph:

"(H) as a full-time volunteer providing health services to individuals who are eligible to receive services from the Secretary of the Interior under title I and section 4 of the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638).".

(2) RATE OF CANCELLATION.—Section 465(a)(3)(A) of the Higher Education Act of 1965 (as amended by subsections (a) and (b)) is further amended by inserting after clause (vi) the following new clause:

"(vii) in the case of service described in subparagraph (H) of paragraph (2) at the rate of 15 percent for the first or second year of such service and 20 percent of the third or fourth year of such service.".

SEC. 177. LOAN DEFERMENT AUTHORIZED.

(a) VOLUNTEER SERVICES.—Section 464(c)(2)(A) of the Higher Education Act of 1965 is amended—

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

(2) by adding at the end thereof the following new clause:

"(x) is in service as a full-time volunteer in service comparable to the service referred to in clauses (iii) and (iv) for an organization which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 and does not receive compensation at a rate in excess of the rate prescribed by section 6 of the Fair Labor Standards Act of 1938;".

(b) DRUG COUNSELING AND TREATMENT.—Section 464(c)(2)(A) of such Act (as amended by subsection (a)) is further amended by inserting after clause (x) the following new clause:

"(xi) is employed full-time as a professional in drug counseling, prevention, intervention, treatment, or education by a public or nonprofit private agency or organization; or".

(c) VOLUNTEERS PROVIDING INDIAN HEALTH SERVICES.—Section 464(c)(2)(A) of such Act (as amended by subsections (a) and (b)) is further amended by inserting after clause (xi) the following new clause:

"(xii) is in service as a full-time volunteer providing health services to individuals who are eligible to receive services from the Secretary of the Interior under title I and section 4 of the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638).".

(d) DURATION OF DEFERMENTS.—The second sentence of section 464(c)(2)(A) of such Act is amended by striking "(v), or (vii)" and inserting "(v), (vii), (x), (xi), or (xii)".

SEC. 178. EFFECTIVE DATE.

The amendments made by sections 176 and 177 of this subpart shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this part to individuals who are new borrowers on that date.

Subpart 5—Publication

SEC. 181. INFORMATION FOR STUDENTS.

Section 485(a)(1) of the Higher Education Act of 1965 (hereafter in this part referred to as the "Act") is amended—

(1) by striking out "and" at the end of subparagraph (J);

(2) by striking out the period at the end of subparagraph (K) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following:

"(L) the terms and conditions under which students receiving loans under part B or E of this title, or both, may—

"(i) obtain deferral of the repayment of the principal and interest for service under the Peace Corps Act or under the Domestic Volunteer Service Act of 1973, or for comparable full-time service as a volunteer for a tax-exempt organization, and

"(ii) obtain partial cancellation of the student loan for service under the Peace Corps Act or under the Domestic Volunteer Service Act of 1973, or for comparable full-time service as a volunteer for a tax-exempt organization.".

SEC. 182. EXIT COUNSELING FOR BORROWERS.

Section 485(b) of the Act is amended—

(1) by striking "and" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding the following new paragraph after paragraph (2):

"(3) the terms and conditions under which the student may obtain partial cancellation or defer repayment of the principal and interest for service under the Peace Corps Act or under the Domestic Volunteer Service Act of 1973 or for comparable full-time service as a volunteer for a tax-exempt organization.".

SEC. 183. DEPARTMENT INFORMATION ON DEFERMENTS AND CANCELLATIONS.

Section 485(d) of the Act is amended by inserting the following before the last full sentence: "The Secretary shall provide information on the specific terms and conditions under which students may obtain partial cancellation or defer repayment of loans for service under the Peace Corps Act and Domestic Volunteer Service Act of 1973 or for eligible comparable full-time service as a volunteer with a tax-exempt organization, and shall explicitly state that students may qualify for such partial cancellations or deferments when they serve as a paid employee of a tax-exempt organization.".

Subpart 6—Student Literacy Corps

SEC. 186. AMENDMENTS TO STUDENT LITERACY CORPS PROVISIONS.

(a) PRIORITY FOR SINGLE PARENTS OF DISADVANTAGED CHILDREN.—Section 144(b)(2)(D) of the Higher Education Act of 1965 is amended by inserting before the semicolon the following: "and will give priority in providing tutoring services to illiterate parents of educationally or economically disadvantaged elementary school students, with special emphasis on single-parent households".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 146 of the Higher Education Act of 1965 is amended to read as follows:

"SEC. 146. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part $15,000,000 for fiscal year 1991 and such sums as may be necessary for each of the three succeeding fiscal years.".

Subpart 7—Student Tutorial Corps Initiative

SEC. 188. AMENDMENT.

Title I of the Higher Education Act of 1965 is further amended by adding at the end thereof the following new part:

"PART E—STUDENT TUTORIAL CORPS

"SEC. 151. PURPOSE.

"It is the purpose of this part to authorize a demonstration program to encourage col-

lege students to tutor disadvantaged students receiving services under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (hereinafter in this part referred to as 'chapter 1').

"SEC. 152. GRANTS AUTHORIZED.

"The Secretary is authorized to make demonstration grants in accordance with the purposes and requirements of this part to institutions of higher education submitting applications that meet the requirements of section 153, in order to assist such institutions to establish and conduct student tutorial programs that—

"(1) encourage students enrolled in that institution to provide tutoring to educationally disadvantaged students receiving services under chapter 1;

"(2) are conducted at the request, and with the direction, of personnel providing services under chapter 1, to assist them in the education of such children; and

"(3) that do not displace any of such personnel.

"SEC. 153. APPLICATION.

"To receive a grant under this part, an institution of higher education shall submit an application that—

"(1)(A) specifies that such students will be compensated at rates consistent with the rates paid under part C of title IV of this Act; or

"(B) specifies the rate at which the student will obtain academic credit for tutorial services; and

"(2) demonstrate the active interest of the local educational agency (for the students receiving services under chapter 1) in establishing the program; and

"(3) contain or be accompanied by such other information of assurances as the Secretary may require to carry out the purposes of this part.

"SEC. 154. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part, $10,000,000 for fiscal year 1991 and such sums as may be necessary for each of the three succeeding fiscal years.".

PART C—PEACE CORPS

SEC. 191. SHORT TITLE.

This part may be cited as the "Peace Corps Volunteer Education Demonstration Program Act".

SEC. 192. PROGRAM AUTHORIZED.

(a) GENERAL AUTHORITY.—The Director of the Peace Corps is authorized to carry out a training and educational benefits demonstration program in accordance with this part.

(b) CONTRACT AUTHORITY.—The Director is authorized, either directly or by way of grant, contract, or other arrangement, to carry out the provisions of this part. The authority to enter into contracts under this part shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriations Acts.

SEC. 193. ELIGIBILITY.

Any individual who—

(1) has completed at least 2 years of satisfactory study at an institution of higher education, is enrolled in an educational program of at least 4 years at an institution of higher education for which such institution awards a bachelor's degree, and will complete such program within 2 years,

(2) enters into an agreement with the Director to serve at least 3 years as a volunteer in the Peace Corps, and

(3) is selected pursuant to the competitive process established under section 194, is eligible to participate in the demonstration program authorized by this part.

SEC. 194. SELECTION PROCEDURES.

The Director of the Peace Corps shall establish uniform criteria for the selection on a competitive basis of individuals to participate in the training program established under section 195 and to receive educational benefits under section 196. The selection procedures established under this section shall give special consideration to students from groups traditionally underrepresented in the Peace Corps and to students who will specialize in courses of instruction for which there is a special need in the Peace Corps.

SEC. 195. TRAINING PROGRAM.

The Director of the Peace Corps shall establish and carry out a training program under which each individual selected under section 194, as part of the course of study which the individual is pursuing at his or her institution of higher education, receives appropriate training for the work he or she will perform in the Peace Corps.

SEC. 196. EDUCATIONAL BENEFITS.

(a) BENEFITS PROVIDED.—Each individual who has been selected under section 194 shall be eligible to receive educational benefits in an amount not to exceed the costs of tuition, room and board, and books and fees, that the individual incurs in attending his or her institution of higher education during the remaining 2 years of the educational program in which the individual is enrolled.

(b) FORM OF BENEFITS.—The educational benefits provided to an individual under subsection (a) shall be in the form of grants, remissions of expenses, or such other form as the Director considers appropriate.

(c) REPAYMENT OF BENEFITS.—An individual provided benefits under subsection (a) shall repay the amount of the benefits so provided, plus interest—

(1) if the individual fails to complete his or her educational program within the 2-year period specified in section 193(1), or

(2) if the individual fails to serve 3 years as a volunteer in the Peace Corps upon completing his or her educational program.

The Director may waive the repayment requirement if exceptional circumstances, such as illness or death, prevent an individual from meeting such 2-year or 3-year requirement.

(d) COLLECTION BY SECRETARY OF EDUCATION.—The Secretary of Education shall have the authority to collect amounts owed by an individual under subsection (c). The Secretary may, for the purpose of collecting such amounts, exercise the authorities conferred on the Secretary by sections 467 and 468 of the Higher Education Act of 1965 (20 U.S.C. 1087gg and 1087hh) with respect to the collection of defaulted loans under part E of title IV of that Act. Amounts collected under this subsection shall be deposited in the general fund of the Treasury.

SEC. 197. EVALUATION AND REPORT.

The Director and the Secretary of Education shall jointly conduct an evaluation of the demonstration program authorized by this part and shall prepare and submit to the President and the Congress—

(1) not later than October 31, 1993, an interim report on such evaluation, and

(2) not later than October 31, 1995, a final report on such evaluation, together with such recommendations, including recommendations for legislation, as the Director and the Secretary consider appropriate.

SEC. 198. DEFINITIONS.

As used in this part—

(1) the term "Director" means the Director of the Peace Corps, and

(2) the term "institution of higher education" has the meaning given that term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

SEC. 199. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Peace Corps to carry out this part $2,000,000 for the fiscal year 1991 and such sums as may be necessary for each succeeding fiscal year ending before October 1, 1994. Amounts appropriated under this section are authorized to remain available until expended.

PART D—COMMUNITY ACTION AGENCIES

For purposes of this title and the amendments made by this title, the term "community-based organization" includes a community action agency.

The CHAIRMAN pro tempore. Are there amendments to title I?

AMENDMENT OFFERED BY MR. GOODLING

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

The Clerk read as follows:

Amendment offered by Mr. GOODLING: On page 49, strike line 3 and all the follows through line 7 on page 52.

Redesignate sections accordingly.

Mr. GOODLING. Mr. Chairman, I offer this amendment for several reasons. One of them is that I think if we could pass this amendment the bill may be more palatable to the administration. But I offer it for other reasons. It strikes section 176, which provides for cancellation of loans held by persons working as full-time volunteers. I think that erodes the concept of voluntarism.

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

Mr. GOODLING. I yield to the gentleman.

Mr. HAWKINS. I thank the gentleman for yielding.

Mr. Chairman, if I may be forgiven, I would like to ask my distinguished friend: Do I understand the gentleman is presenting an amendment?

Mr. GOODLING. I am.

The Clerk read the amendment.

Mr. HAWKINS. Could we have a copy of the amendment? I apologize for the interruption, but we did not really know what was being discussed.

Mr. GOODLING. Mr. Chairman, my amendment would strike section 176, which provides for cancellation of loans held by persons working as full-time volunteers.

As I indicated, I do it for several reasons. No. 1, it would certainly make the bill much more palatable to the administration, I would think.

Second, it does have an unknown fiscal impact. I do not know what the cumulative effect will be. I do have a concern that if you take money from the Perkins loan revolving fund, and the student does not have to pay it back into that revolving fund, do we then, as a government, put the money

in that they did not get back because the student did not have to pay it back because it was forgiven? Or does it mean that the college and the university no longer has that revolving fund money?

I think it probably would be quite ineffective in enabling persons to engage in community service who otherwise would not be able to do so. In fact, I think that is what CBO said in their statement, and that is how they calculated the costs.

Mr. COLEMAN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Missouri.

Mr. COLEMAN of Missouri. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the gentleman's amendment. I believe true voluntarism is just that. Attempts by the committee to include loan cancellation and deferment of payment on Perkins loans is really a backdoor way of trying to provide some sort of enticement, monetarily and financially, to people we ought to be encouraging and who ought to have the intention of volunteering on its own merits and for the reasons that all of us hope that people do indeed volunteer for various not-for-profit purposes.

The gentleman is absolutely right when he says and raises questions about the cost of having this section included in the bill. There are no estimates on how loan cancellations there will be. We do not know what the effect would be on individual colleges and universities, because this is not the guaranteed student loan we are talking about. It is the Perkins campus-based loan, from which each school has a limited amount of funds to utilize for this program. The loan is paid back by the students to the institution again. The revolving fund is there on campus for future students as well.

If the student is a volunteer and has part of his loan forgiven, is that university shorted or do they come back to the U.S. Treasury and ask for additional appropriations? I believe, in all fairness, they would have to come back to the Treasury to ask for additional appropriations.

The real concern I have, as the ranking Republican on the Subcommittee on Postsecondary Education, on this section—and why I support the gentleman's amendment—this is not the only legislative vehicle coming along this year which has indicated an inclination to try to utilize loan forgiveness as an incentive. I think it is very wrong to cheapen, if you will, the exemptions already on the books that we have now for loan forgiveness and deferrals. Yes, we know of VISTA volunteers, we know Peace Corps volunteers have, and other parts of the military, and so forth, have these exemptions and loan forgiveness provisions. But just because we have a societal ill, is it necessary for us to attract people to deal with it by forgiving them on loans, be they Perkins or Stafford loans? Or what have you? I think not.

I think it is the wrong direction to go. I think we have gotten this section off of other bills that have come to the floor. My sense of it is that the Congress is recognizing if we are going to have a voluntarism bill, we ought to have a voluntarism bill, we ought not to try to back-door the payments, if you will, to people so they can come in and volunteer for nothing or volunteer at a minimum wage when in fact we are paying their college tuition costs. That is not right. That is not what the purpose of the voluntarism is for. It certainly does danger and damage. It sets dangerous precedents to increase the already expanding roles of the Higher Education Act where we have exempted, for many students, their needs to pay back.

At a time when the major student loan program in this country is undergoing severe stress, losing almost $2 billion a year due to lack of paybacks, we are sending the wrong message to other students, that we recognize they would not have to pay back their loans either, just go to work for a nonprofit organization at a minimum wage and you too will not have an obligation.

The CHAIRMAN pro tempore. The time of the gentleman from Pennsylvania [Mr. GOODLING] has expired.

(By unanimous consent, Mr. GOODLING was allowed to proceed for 1 additional minute.)

Mr. GOODLING. I too would like to say that when the omnibus education bill came before us, there were those who wanted to dabble with loan forgiveness, who wanted to dabble with the higher education bill. We convinced them we should not do these kinds of things until we have a complete rewrite of that legislation.

That comes next year in the higher education bill. And I would think that without careful consideration of what we are doing here, which we have not had time to do, we would postpone this until we do have reauthorization of the higher education bill.

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

Mr. Chairman, I am at somewhat of a loss to understand all of the emotion that is emanating from the other side about not only this bill but this simple provision, tried and true. In the past 25 years of congressional history, this simple provision to provide the loan cancellation, we do this now for members of the Peace Corps, the exact same provision applies to members of the Peace Corps.

□ 1350

We do it now for those Americans who will volunteer, help out a little bit here at home their fellow citizens through VISTA. Exact same provision. We are only now saying, "Let's extend it as part of these thousand points of light to other young Americans who would agree to take a job temporarily at or below the minimum wage, at or below the minimum wage to help out their fellow citizens in which I think can easily be said to be a voluntary capacity."

As my colleagues know, we have students who are graduating from the colleges and universities and proprietary schools in America who are well educated, highly skilled, and they have a debt because of their loans of maybe up to $20,000. So we have said to those students, "If you'll come and join the Peace Corps, you'll come and join VISTA, we'll give you a partial or full cancellation of part or all of that debt," and it has worked.

And now we are simply saying, as part of this program envisioned by the President, that some of these same students who are without financial means, but want to become one of these new blinking points of light, can have the same opportunity that their roommate has because he decided, or she decided, to go join Peace Corps. We are saying to the other person, "If you want to come and volunteer in service for America through this new national service legislation, you could have exactly the same loan cancellation as your roommate is getting by going to the Peace Corps, VISTA."

If we listen to our colleagues on the other side of the aisle, we would think this is a radical new proposal that is going to cost hundreds of millions of dollars. The people who have accounted this for us say it is going to cost so little we cannot score it. We do not know how much it is going to cost, but we think it is going to cost very little.

So, let us now throw out all of these what I personally believe to be artificial questions and artificial hurdles in order to burden the passage of this legislation.

This, by the way, would only be a model loan cancellation program. Students could only apply for it in 1991. We would sign on the contract with those students, and then it would expire. No students after that would be eligible for it unless my colleagues in this Chamber and the others decided to reinstitute it.

So, it is in the tried and true American tradition with regard to encouraging voluntarism. We do it for Peace Corps, we do it for VISTA, it works. Let us do it for those who want to become involved in national service as well.

Mr. PETRI. Mr. Chairman, I rise in support of the amendment of the gentleman from Pennsylvania [Mr. GOODLING], and I yield to its author.

Mr. GOODLING. Mr. Chairman, I just want to take a second to thank

again the gentleman from Montana [Mr. WILLIAMS] for making my point very eloquently. He indicated we piecemeal, we piecemeal, we piecemeal. No planning. We do not know which will be next. We just continue it. Maybe drug enforcement officers. Who knows? But again I thank him for making the point.

Mr. PETRI. Mr. Chairman, I would like to make two points in support of the amendment and against provisions of the bill providing for broadening existing student loan forgiveness provisions in the Federal law which currently cover people who are selected by the armed services who are in specialties that are needed. They are sometimes attracted to serve, at the option of the military, by being granted student loans forgiveness. The same applies to volunteers in VISTA or in the Peace Corps who are, again, enlisting in a Federal agency. They are sometimes qualified for student loan forgiveness in exchange for that service. But this bill broadens that to cover service in voluntary, nonprofit organizations across the United States that are not run by the Federal Government. They are not Federal agencies. They are not the armed services of the United States. They are not the Peace Corps. They are not VISTA.

It seems to me that we are opening up the potential for a great deal of abuse. Not to say it will occur, but these are not going to be Federal agencies. Eligibility for student loan forgiveness is going to be determined by the local YMCA director or someone else, whoever happens to be running the volunteer, nonprofit program at which the person puts in the hours.

I just think that we ought to think this through carefully. If we try to go in and supervise the non-Federal organization, and prevent the abuse, we will raise the costs so much and the paperwork requirements so much that it really will be counterproductive. If we do not supervise it, we may end up having a lot of abuse—they will put their kids, or get their neighbors' kids or cousins on the volunteer minimum wage payroll and have 20,000 to 30,000 dollars' worth of student loans forgiven, that it would cost them twice as much in earned income to repay.

So, I think it will come back to haunt us if we were to actually enact this bill.

Second, Mr. Chairman, this loan forgiveness approach goes in exactly the opposite direction than the IRS is currently pursuing. During this break I had occasion to meet in office hours, as many of us do, with many of my constituents. Several came in who had sons or daughters in college today who are given educational grants, and, believe it or not, if the grant, even if it is a small grant, is in excess of the educational component of the education, if the grant covers room and board in addition to tuition and books, the IRS is attempting to tax young people on the portion that they call personal benefit, room and board, and meanwhile we are going to be giving loan forgiveness. So, what we are saying to young people is, "Take out loans, don't get a grant, then go and volunteer and have it forgiven. If you get a grant or are qualified for a grant, we're going to tax you while you're in school." So, that is disjunction, or an imperfection, or an unfairness that I think really ought to be addressed and is not.

Final thing—and I think it is a big flaw here—is that there is an unstated assumption in this legislation that somehow working for the minimum wage or for nothing in voluntary, nonprofit organizations is providing something of value and is helping other people, whereas working in the real world of work, whether it is building someone's house as a carpenter, or making a car or working on cancer research at the National Cancer Foundation or for some drug company is not, and I think that is a very narrow definition of community service, and it is wrong, and why someone working as a cancer researcher at the National Cancer Institute will not have loan forgiveness even if they come up with a cure for cancer, and someone working as a drug counsellor should have their loan forgiven is beyond me. It is just almost mindless tinkering with the Tax Code, and I regret this bill was not referred to the Committee on Ways and Means. It should have been.

Mr. Chairman, we are talking large amounts of money when we get into student loan forgiveness if they do not have to pay Social Security tax, do not have to pay various other payroll taxes on the amount that is forgiven. They would pay this later if they earned the money and then use what is left to repay the loan, so I urge my colleagues to support the amendment, avoid this thicket and clean up this bill.

Mrs. LOWEY of New York. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe that the loan forgiveness provisions of the bill are needed and should be preserved. The opponents of the loan forgiveness provisions of the bill want to have it both ways, and I do not think we can. It is argued that it is not effective, and then it is argued that it will cost too much.

However, Mr. Chairman, the fact is that if it is not effective, then not many people will take advantage of it, and the costs will not be that high.

I agree that we need more information about the effectiveness of loan forgiveness programs. However, I do not believe that these concerns warrant the elimination of all loan forgiveness provisions in the bill. Instead I feel strongly that we should join together to get additional information about loan forgiveness and then to assess the effectivenes of these programs. If it turns out that the program are not effective or too costly, we will have plenty of opportunity in the future to revisit these issues.

My own support, strong support, for the loan forgiveness provision of the bill is based on discussions with organizations and individuals who are involved in various community service programs in my district. Without exception these individuals have expressed strong support for these provisions and have indicated that they believe loan forgiveness is an effective tool in encouraging people to enter community service programs. It may not be the whole answer, but they feel that it will be an effective tool.

I am particularly concerned about the importance of providing loan forgiveness and deferment to those who work, for example, in the drug treatment field. Everyone is aware that we are facing a crisis in drug treatment. There is a huge shortage of available treatment slots, Moreover, there is a severe shortage of qualified personnel and an enormous turnover rate. Drug treatment professionals are paid a pittance and are subject to severe stress on the job. The result is a turnover of more than 50 percent a year throughout the field. This means that we do not have the continuity that is needed for effective treatment of addicts, and our efforts to fight what we are calling an effective war on drugs are hampered as a result.

Let me read to my colleagues a letter from the National Association of Alcoholism and Drug Abuse Counselors which said, and I quote:

□ 1400

> Alcoholism and drug abuse counselors are expected to put in long hours, be on call around the clock and throughout the week and to assist the rebuilding of human lives, for little recognition and compensation. We have seen a tremendous turnover in our profession, along with increased and acute shortages of adequately trained individuals. We need an incentive to recruit more, not fewer, individuals in the profession.

In addition, I received a letter from the director of the Renaissance project. This is an outstanding drug rehabilitation facility in my district. He said: "The system is put together with band aids and is carried on the backs of an underpaid work force." He has also indicated that additional incentives for the recruitment and retention of qualified personnel are urgently needed.

In addressing this issue, members of the committee should ask themselves the following question: "Is the problem of drugs and crime of sufficient importance in my community to justify providing an incentive to our stu-

dents to enter the field of drug treatment?"

I think the answer is a resounding "yes." Drugs and crime are destroying our communities, they are destroying our families and they are threatening the lives of innocent victims. Drug treatment is an effective method of ending the cycle of drug abuse, crime, and violence. But unless we have trained drug abuse treatment professionals, quality drug treatment programs will just remain a dream for many addicts who need help.

Let me also say a word about the cost of this program. CBO estimates the cost of this program to be negligible in the next several years and to rise to $5 million per year by 1988. In fact, the entire cost of all loan cancellations under the Perkins program was $22 million in fiscal year 1989.

The war against drugs in this Nation is urgent enough that we must take firm steps to get that battle won on all fronts. Drug treatment is one of the fronts that cannot be ignored, and the provisions before us today will help make quality drug treatment a reality around the Nation.

We have an opportunity now to assist in this all-important battle by rejecting this amendment and retaining these very important provisions for loan forgiveness.

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

Mr. Chairman, I rise in opposition to the amendment and in very, very strong support of the bill.

I will be brief. I think the gentleman from Wisconsin [Mr. PETRI] made some points that are good. On the other hand, as I was listening to him with respect to loan forgiveness in the Peace Corps and VISTA but not in the private sector, I recalled that President Reagan urged and I very strongly supported the increase in voluntarism and public service. Not necessarily through a Government program but through the private programs such as the Boys' and Girls' Clubs, such as the chamber of commerce, the Kiwanis Clubs, the Lions Clubs, volunteer fire departments, and other organizations in our communities that do such good work.

I understand the gentleman's point, but as the chairman of the committee and the distinguished gentlewoman from New York [Mrs. LOWEY] just reiterated, this is an encouragement. This is an encouragement for the private sector and a way we can involve people in very meaningful ways of the welfare of our communities yet have some incentive to encourage people in that end.

Mr. Chairman, one of the reasons I am so strongly in favor of this bill is that I think it is very important for America if we are going to reinvigorate our society, if we are going to bring young people out of the drug markets and into the public service markets, and if we are going to rekindle that spirit that John Kennedy kindled in America when he urged young people to bring their energy and their enthusiasm and their idealism into public service then we need national service. It was this kind of legislation that I think he had in mind. And I also think that this is the concept that President Reagan had in mind, and so many others have had in mind. We have seen in the last decade particularly in the latter part of the 1970's, a continuing focus on "me," a continuing focus on asking, "How is my life going to be better? How am I going to make more money?"

Quite frankly, I am in that crowd as well. I want everybody to know I am a very big fan of bettering one's self and being paid what one is worth. So I do not criticize any young person for wanting to maximize their income, maximize their ability to create for themselves and their families and provide good houses and a good standard of living. When John Kennedy said, "Ask not what your country can do for you but what you can do for your country," he was speaking to the very essence of what has made this country great.

This National Service Act of 1990 speaks to that objective. I frankly believe, as I am sure the chairman of the committee does, that perhaps there are other things we could do, but this is certainly a significant and an important step in this country, saying these things once again to young people, as we did when we adopted the Peace Corps. "Get involved in reaching out to peoples around the world," and as we did in 1965 when we adopted VISTA and said to young people, middle-aged and senior citizens, "Get involved and help your neighbors."

This is another way, another step, a timely step of saying, "Get involved. Help your neighbor, build your community, make America what we want it to be, the greatest Nation on the face of the Earth, a nation that cares about our communities."

I think we are going to win this drug war. We are not going to win it with all the rhetoric we hear on this floor, and we are not going to win it with all the billions of dollars that we appropriate. Those things may be important, but we are going to win it in the communities.

In one of my communities we have the Glen Arden apartments, and they have reclaimed those apartments because about 10 or 15 tenants every night are on the street, walking the sidewalks and walking the streets and saying, "Drug users, drug possessors, drug sellers are not welcome in our community."

Mr. Chairman, this bill says to our young people in particular, "Get involved." It is an important piece of legislation, it is a strong piece of legislation. I strongly support it, and I oppose the amendment.

Mr. Chairman, I rise today in very strong support of H.R. 4330, the National Service Act of 1990. I would like to thank and commend the chairman and ranking member of the Education and Labor Committee, Mr. HAWKINS and Mr. GOODLING for expeditiously bringing this important legislation to the floor.

I have been in support of national service programs for many years. I have long understood and recognized the value and benefit to the youth and older Americans who are given an opportunity they may not otherwise have, to perform community service and be compensated monetarily, educationally, and emotionally.

The National Service Act of 1990 is a comprehensive program which incorporates several areas of national service. It creates the Youth Service Corps which provides service in Government agencies, day care centers, nursing homes, and other nonprofit agencies with a need for service oriented skills.

The National Service Act would also create the American Conservation Corps. This Corps would perform services in the areas of park and recreational area improvement and urban revitalization. I am pleased to have recently had the opportunity to meet members of a conservation corps in my own State of Maryland.

These young people provide a full range of conservation services to the community and nonprofit organizations such as building bridges. In return, the corps members are paid an hourly wage, taught job skills, and are given a cash bonus or voucher to be used for higher education after completion of the program. I am very proud of the accomplishments that these corps members have made and I would like to see national and community service programs established throughout the country.

Mr. Chairman, the National Service is a program whose time has come. The most important aspect of National Service is that it encourages Americans to serve their country and their fellow man which leads to greater civic consciousness and personal responsibility.

It is for these reasons that I wholeheartedly support the National Service Act of 1990 and urge all of my colleagues to join with me in supporting this much needed legislation.

Mr. McMILLEN of Maryland. Mr. Chairman, I rise today in strong support of the National Service Act, of which I am a cosponsor.

The National Service Act will renew vigor in this Nation's volunteer efforts. This bill will promote school and college-based community service programs and establish an American Conservation Corps and Youth Service Corps.

Many people may not be aware that Maryland has been a leader in school-based community service. Maryland is the only State with a State board of education that, by law, requires local school systems to provide opportunities for students to earn academic credits by performing community service. I have seen the success of this program in my home State. In the past semester over 1,500 Maryland public school students earned credit

toward graduation by performing community service in activities as varied as helping to feed the homeless in soup kitchens and assisting to clean up the Chesapeake Bay.

Having had the opportunity to see the impact of school-based community service in Maryland, I am confident and enthusiastic about the potential for similar programs nationwide.

What I find especially positive about the National Service Act is that, in addition to addressing problems in given communities in an innovative manner, it also educates students through experience. How better to instill a sense of citizenship in America's youth than by directly involving them in their own communities?

Students learn that their individual efforts can make a difference in the real world. They also learn to value their own abilities and gain a new appreciation for the efforts of others.

Some of my colleagues have expressed concern over the financial aspects of this bill. They are concerned that it will not be cost efficient. I believe that nothing could be further from the truth. The money that is going into implementing this initiative is merely seed money. By providing funds for this program today, I believe we can anticipate savings in many other programs tomorrow. If this program does nothing else than help cleanup our environment then this will be money well spent. If it does nothing but encourage students to lend their time to feeding the hungry; then it has been money well spent. If this accomplishes no other task than to encourage students to volunteer as tutors, teaching english, reading and writing, I ask you, isn't that money well spent?

It is true that there is no absolute means for determining the value that will come out of this legislation. No one knows for sure how many new volunteers this bill will attract. But, from what I have seen in Maryland, I think this bill is a pretty good bet.

The bill that is before us today will not solve complex problems, such as homelessness or environmental pollution. The need for coordinated Federal action will still exist. However, it will help to activate grassroots support for national programs designed to tackle these problems. It will also help to create a generation of conscientious, active citizens.

I urge all of my colleagues to support this measure. It is an idea that deserves a chance to show its worth and I am fully behind it.

Mr. CONTE. Mr. Chairman, I rise to express my strong support for the National Service Act of 1990, H.R. 4330.

When the conference report was discussed early Thursday afternoon I was out at Andrews Air Force Base trying to get a budget agreement at the summit. Even though other responsibilities prevented me from speaking on behalf of the act I still wanted to voice my support.

H.R. 4330 blazes a new trail by stimulating civic mindedness via the act's two components: School and college-based community service programs and the American Conservation and Youth Service Corps. All these programs help fill a void in the plethora of Federal programs and fosters service and volunteerism throughout the land. It is a shot-in-the-arm for everyone who understands the importance of providing youngsters with opportunities to experience the joy of serving humankind and improving our world by giving of time, sweat and talents.

I am really excited about the American Conservation [ACC] and Youth Service Corps component [YSC] of this act because I have long championed the cause of resurrecting the Civil Conservation Corps, a successful service program of an earlier era. I believe we cannot go wrong by harnassing youthful energy to improve our environment, conserve our resources, and serve humankind.

And that is what ACC does, providing opportunities for youth to rehabilitate wildlife habitats and preserve historical sites. Thus providing valuable training for our youth, preserving our culture, and improving the world in which we live.

Another program, placed under the direction of ACTION, is the Youth Service Corps which will undertake projects that meet unmet social needs by working through Government agencies, nursing homes, day care centers, and other nonprofit organizations.

In the school-based component several terrific programs will be started. Grants will be made to States to implement innovative service oriented learning programs with up to $35 million provided for this purpose and 80 percent of that amount going to the localities.

Another program called Youthbuild will be started with grants from ACTION. The $10 million for Youthbuild will help disadvantaged youth construct or rehabilitate low-income housing. Additional funds in this component will go to numerous Federal Volunteer Service projects including rural youth demonstrations, nonschool based voluntary service projects, special service-learning projects, projects for out-of-school youth, and the foster grandparent program in Head Start.

In the post-secondary arena up to $25 million in grants will be available to post-secondary institutions for the creation or expansion of service related activities for students. Priority will be given to proposals for expanding the Student Literacy Corps and for demonstrating the Student Tutorial Corps.

Under the act the Peace Corps will carry out a training and education benefits program for which participants will repay the Peace Corps with 3 years of service.

I am delighted this act passed because it strengthens the Nation by investing in people who in turn will invest in people. My appreciation goes out to everyone who worked to develop and secure passage of this act.

Mr. OWENS of Utah, Mr. Speaker, every day on this floor, Americans from every corner of our Nation discuss and debate the great ills facing our society. Crime, substance abuse, homelessness, economic destitution, illiteracy. Today, Congress has an opportunity to address all these concerns in a substantive and progressive way. Some call it preventive maintenance, but I prefer to call it common sense.

I am referring to the National Services Act, a bill that promotes community service at all school levels, and establishes youth service programs. As legislators, we should resist looking upon the notion of voluntarism as just a way of providing services to our communities, but as an avenue through which the volunteer can become a productive participant in our society. That's the motivation behind this bill and it is sound.

H.R. 4330 will provide funding, with language for matching funds from State and local government, to create youth corps around the country. The work performed by these young men and women, most of whom have poor educations and few work skills, will have wide-ranging impact. What communities nationwide will receive are low-cost, quality services in the form of housing rehabilitation, day-care help, tutoring of young children and conservation maintenance of parks and highways. Our disadvantaged and disenfranchised youth will get hands-on experience that will lead to real job skills, no wages but in some cases small stipends to help make ends meet, and opportunity to receive their GED's or college scholarships. And as importantly, they will receive an understanding of how their lives can have a significant effect on the people around them, an education they could never receive in a classroom.

What our society as a whole gets is something less tangible, but more substantive. Instead of embittered, unemployed, and unemployable youths, our cities, towns, and county's get productive, useful, caring citizens. Instead of drug usage and delinquent activities, the recourse for many who feel shunted from the mainstream, we will have willing and enthusiastic participants in our businesses, schools, and churches and the foundation of a competitive, global economy to take us into the next century.

It is not an overnight process. We will not wake up tomorrow from passing this bill and see the change. But like the violent crime, school dropout, and drug problems, that develop over a number of years, it's a gradual process. However, it will happen if we give ideas like H.R. 4330 a chance.

For those in school, the National Service Act will expand their education in ways not possible without impetus from the Federal Government. Instead of just attending social studies classes, students could set up voter registration drives. Instead of attending science classes, kids could help the Red Cross in setting up blood drives. There are many applications, and all of them positive, because they reinforce that what our children learn in the classrooms is not all boring theory out of textbooks, but can have real and exciting implications in their daily lives. This is enriching and the full measure of what education is all about.

For some schools, these are extra-curricular activities, but I would like to see these programs become part of the curriculum. For educators and parents who are worried about providing basic reading and writing skills for students, I think youth service programs reinforce those skills, and will make our kids realize the value of having a solid foundation in the basic education fundamentals. It will teach kids how to learn, something they will need the rest of their lives, as jobs change and become obsolete.

It is the hope for many supporters of H.R. 4330, that the Federal Government will provide the impetus for State legislatures to create programs within their jurisdiction. A number of States already have programs, and

many more have legislation that would establish youth corps. Among them, I am pleased to note, is Utah, which this past session passed a measure to create a Youth Conservation Corps. This new youth corps program will assist Utah in maintaining its highways, hiking trails and rural areas.

America's business and civic leaders have already recognized that there are plenty of high skill positions available in our current job market, but there are not enough students who have received the education and job skills training needed to take on those jobs. More and more, corporate America is willing to make an investment in its future. Congress should too.

The funding level this legislation authorizes is $180 million, not a significant sum to ask for with regard to the future of thousands of young Americans. And as I mentioned before, this legislation will act as motivation for States and localities to create youth services programs that one day they will have the principle responsibility in funding.

In closing, let me once again encourage your support for the National Services Act, legislation that I believe will have beneficial ramifications we have not even envisioned yet.

The CHAIRMAN pro tempore (Mr. MONTGOMERY). The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING].

The question was taken; and on a division (demanded by Mr. HAWKINS) there were—ayes 10, noes 6.

Mr. HAWKINS. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Evidently a quorum is not present. Pursuant to the provisions of clause 2 of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 329]

ANSWERED "PRESENT"—406

Ackerman
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Armey
Aspin
Atkins
Baker
Ballenger
Bartlett
Barton
Bateman
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Bonior
Borski
Bosco
Boucher
Brennan
Brooks
Broomfield
Browder
Brown (CA)
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clarke
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Courter
Cox
Coyne
Craig
Crane
Crockett
Dannemeyer
Darden
Davis
de la Garza
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Douglas
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fields
Fish
Flake
Flippo
Foglietta
Ford (TN)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Grant
Gray
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hoagland
Hochbrueckner
Holloway
Hopkins
Horton
Houghton
Hoyer
Hubbard
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Laughlin
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken, Thomas
Lukens, Donald
Machtley
Madigan
Manton
Markey
Marlenee
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal (MA)
Neal (NC)
Nelson
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Parker
Parris
Pashayan
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Sangmeister
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schneider
Schroeder
Schuette
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (VT)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stangeland
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swift
Synar
Tallon
Tanner
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Thomas (WY)
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Walsh
Waxman
Weber
Weiss
Weldon
Wheat
Whittaker
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

□ 1429

The CHAIRMAN pro tempore (Mr. MONTGOMERY). Four hundred and six Members have answered to their names, a quorum is present, and the committee will resume its business.

(By unanimous consent, Mr. WALKER was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. WALKER. Mr. Chairman, I ask to proceed out of order for 1 minute to inquire of the gentleman from Maryland [Mr. HOYER] the nature of the schedule for tomorrow.

Mr. Chairman, I yield to the gentleman from Maryland [Mr. HOYER] for the purpose of telling the membership what the schedule for tomorrow may be.

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Chairman, I have a parliamentary inquiry.

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

Mr. HOYER. Mr. Chairman, before I proceed, may I raise the point that I understand that we had a quorum call, and that there was a pending 5-minute vote. I do not want to preclude that vote being taken.

The CHAIRMAN pro tempore. The Chair will recognize the gentleman. It will be brief, and the Chair will then move right ahead on the demand for a recorded vote.

Mr. HOYER. Mr. Chairman, I rise, and I thank the gentleman from Pennsylvania for yielding, to inform the House that the schedule previously announced has been modified. There will be a pro forma session only tomorrow. There will be no votes tomorrow.

The purpose of that, as all of us, I am sure, will understand, is to provide the best possible opportunity and time for the summiteers to reach conclusion as they labor in Prince Georges County, MD, at Andrews Air Force Base, thank you.

There will be two additional items on the schedule for the balance of the evening, but I think we expect to be able to get out of here by 6 o'clock.

We wanted to bring this to the attention of the Members early enough so that they could make arrangements for tomorrow, because it is a change in the schedule.

We will be meeting on Monday. There will be suspensions. We will go back to the defense bill. We expect to finish the defense bill on Monday, so expect a very late session or early morning session on Monday. We expect to finish the defense bill on Monday. There will, however, be no votes prior to 3 o'clock.

It may be a little later than that, but Members are held harmless, and there is agreement on both sides that there will be no votes before 3 o'clock.

So the balance of the day will be two additional pieces of legislation after this bill is completed, but no session on Friday.

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

RECORDED VOTE

The CHAIRMAN pro tempore. The pending business is the demand of the gentleman from California [Mr. HAWKINS] for a recorded vote. Five minutes will be allowed for the vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 200, noes 212, not voting 20, as follows:

[Roll No. 330]

AYES—200

Archer
Armey
Baker
Ballenger
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Borski
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Byron
Callahan
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Condit
Cooper
Coughlin
Courter
Cox
Craig
Crane
Dannemeyer
Davis
DeLay
DeWine
Dickinson
Dornan (CA)
Douglas
Dreier
Duncan
Edwards (OK)
Emerson
Fawell
Fields
Fish
Ford (TN)
Gallegly
Gallo
Gekas
Geren
Gillmor
Glickman
Goodling
Goss
Gradison
Grandy
Grant
Green
Guarini
Gunderson
Hall (TX)
Hammerschmidt
Hancock
Hansen
Hastert
Hayes (LA)
Hefley
Henry
Herger
Hiler
Hoagland
Holloway
Hopkins
Horton
Houghton
Hubbard
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Johnson (CT)
Johnston
Kasich
Kolbe
Kyl
Lagomarsino
Laughlin
Leach (IA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lowery (CA)
Lukens, Donald
Machtley
Madigan
Marlenee
Martin (NY)
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Miller (WA)
Molinari
Moorhead
Morrison (WA)
Myers
Neal (NC)
Nelson
Nielson
Olin
Oxley
Packard
Pallone
Parker
Parris
Pashayan
Paxon
Petri
Pickett
Porter
Pursell
Ravenel
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland (CT)
Saiki
Sarpalius
Saxton
Schaefer
Schiff
Schneider
Schuette
Schulze
Sensenbrenner
Shaw
Shays
Shumway
Shuster
Sisisky
Skeen
Skelton
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (VT)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Stallings
Stangeland
Stearns
Stenholm
Stump
Sundquist
Synar
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (WY)
Upton
Valentine
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Whittaker
Wilson
Wolf
Wylie
Young (AK)
Young (FL)

NOES—212

Ackerman
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
Barnard
Bates
Beilenson
Berman
Bevill
Bilbray
Boggs
Bonior
Bosco
Boucher
Brennan
Brooks
Browder
Brown (CA)
Bruce
Bryant
Bustamante
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clarke
Clay
Clement
Coleman (TX)
Collins
Conte
Conyers
Costello
Coyne
Crockett
Darden
de la Garza
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Flippo
Foglietta
Ford (MI)
Frank
Frost
Gaydos
Gejdenson
Gibbons
Gonzalez
Gordon
Gray
Hall (OH)
Hamilton
Harris
Hatcher
Hawkins
Hayes (IL)
Hefner
Hertel
Hochbrueckner
Hoyer
Jacobs
Jenkins
Johnson (SD)
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken, Thomas
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Moakley
Mollohan
Montgomery
Moody
Morella
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Nowak
Oakar
Oberstar
Obey
Ortiz
Owens (NY)
Owens (UT)
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Pickle
Poshard
Price
Quillen
Rahall
Rangel
Ray
Richardson
Roe
Rose
Rowland (GA)
Russo
Sabo
Sangmeister
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Skaggs
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Solarz
Spratt
Staggers
Stark
Stokes
Studds
Swift
Tanner
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Unsoeld
Vento
Visclosky
Volkmer
Walgren
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—20

AuCoin
Boxer
DeFazio
Frenzel
Gephardt
Gilman
Gingrich
Huckaby
Martin (IL)
Michel
Miller (OH)
Morrison (CT)
Panetta
Patterson
Rostenkowski
Roybal
Smith, Denny (OR)
Washington
Watkins
Whitten

□ 1444

Messrs. WALGREN, BATES, and UDALL changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PORTER

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

The Clerk read as follows:

Amendment offered by Mr. PORTER: Page 34, after line 13, insert the following new subsection (and redesignate subsequent subsections accordingly):

(e) PROTECTION FROM TORT LIABILITY.—

(1) REQUIREMENTS.—For fiscal year 1993 and subsequent fiscal years, the Director may not make a grant under subsection (a) unless the State involved provides assurances satisfactory to the Director that the State provides by law as follows:

(A) That, except as provided in subparagraph (B) and paragraph (2), a volunteer of a nonprofit organization or governmental entity does not incur any personal financial liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization or entity if—

(i) such individual was acting in good faith and within the scope of such individual's official functions and duties with the organization or entity; and

(ii) Such damage or injury was not caused by willful and wanton misconduct by such individual.

(B) That the law described in subparagraph (A) may not be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(C) That the law described in subparagraph (A) may not be construed to affect the liability of any nonprofit organization or governmental entity with respect to injury caused by any person.

(2) CONSIDERATION BY STATES OF AUTHORITY REGARDING LIMITATIONS ON PROTECTION.—For fiscal year 1993 and subsequent fiscal years, the Director may not make a grant under subsection (a) unless the State involved provides assurances satisfactory to the Director that, with respect to protection from liability, the State has adequately addressed whether the conditions and exceptions described in paragraph (3) should apply in the State.

(3) AUTHORIZED LIMITATIONS ON PROTECTION.—For purposes of paragraph (1), a State may impose one or more of the following conditions on and exceptions to the protection from liability provided by the law described in paragraph (1)(A):

(A) That the organization or entity must adhere to risk management procedures, including mandatory training of volunteers.

(B) That the organization or entity is liable for the acts or omissions of its volunteers to the same extent as an employer is liable, under the laws of that State, for the acts or omissions of its employees.

(C) That the protection from liability provided by the law described in paragraph (1)(A) does not apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's license is required.

(D) That the protection from liability provided by the law described in paragraph

(1)(A) does not apply in the case of a suit brought by an appropriate officer of a State or local government to enforce a Federal, State, or local law.

(E)(i) That the protection from liability provided by the law described in paragraph (1)(A) applies only if the organization or entity provides a financially secure source of recovery for individuals who suffer injury as a result of actions taken by a volunteer on behalf of the organization or entity.

(ii) For purposes of clause (i)—

(I) a financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the entity will be able to pay for losses up to a specified amount; and

(II) separate standards for different types of liability exposure may be specified.

Mr. PORTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. PORTER. Mr. Chairman, the amendment that I have offered addresses a serious problem in America, and that is the increasing unwillingness of volunteers to come forward and offer their services in the many ways that volunteers do in America today.

The amendment I am offering would take effect 2 years after the underlying legislation takes effect and would not allow the director to make a grant under subsection (a) unless the State involved provides assurances satisfactory to the Director that the State provides by its law that volunteers are immune from general negligence liability, and that the burden of negligent injury would fall directly upon the service organization and not upon the individual volunteer.

Mr. Chairman, this amendment is consistent with legislation that I have offered in this Congress and in the previous Congress, H.R. 911, the Volunteer Protection Act, that had in the previous Congress 254 cosponsors, and in this Congress 220 cosponsors, over half the House of Representatives, on a broad bipartisan basis. The act is also supported by over 250 national voluntary organizations representing tens of millions of volunteers across America. Mr. Chairman, these include U.S. Farm Bureau Federation, the American Heart Association, the American Red Cross, the Girl Scout Council of the United States, the General Federation of Women's Clubs, Little League, Salvation Army, National PTA, B'nai B'rith, Air Force Association, Navy League, and many, many, other nationally known organizations. Each of them is a supporter of the Volunteer Protection Act, which this amendment is modeled upon.

Mr. Chairman, voluntarism in America is a large endeavor. Eighty-five million Americans volunteer in some capacity or another every year. They provide 16.5 billion hours of service to the Nation that is valued in excess of $110 billion. However, Mr. Chairman, in 1986 when the American Society of Association Executives polled 8,000 national, State, and local voluntary associations, they found over 60 percent of those answering the poll say that fear of liability exposure, the fear of having to go to court, is damaging their efforts at volunteer recruitment.

□ 1450

It has affected organizations across America as large as the American Red Cross and the United Way. It is having a chilling effect upon voluntarism and ought to be addressed in this legislation.

Mr. Chairman, the amendment is quite simple. It allows the Director to make a determination as to whether States are in fact protecting volunteers, and many are, I might say. My own State of Illinois, the State of Montana and others have comprehensive laws already on the books protecting volunteers, but many others do not.

It would allow the Director to make a determination as to whether volunteers are being protected from simple negligence liability, not from liability, Mr. Chairman, outside the scope of their volunteer activities and not for liability when they act in a willful and wonton manner, but from everyday negligence liability, so they can come forward and offer their services free of the nagging fear that they might end up being a defendant in a court of law and have their assets, their homes, their farms, and their bank accounts subject to a judgment.

I would say, Mr. Chairman, that our concern about people who are injured through negligent actions of others are protected under the amendment because the liability of the organization is not effected and remains intact. It would only affect individual volunteers coming forward to offer their services.

I commend this amendment to the Members of the House, over half of whom are supporters of the concept through the Volunteer Protection Act, H.R. 911.

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

Mr. Chairman, I cannot say that I rise in opposition to the amendment. I believe it is a subject that obviously should be considered in connection with volunteer service. For that reason I commend the author of the amendment. It is a subject matter that is not within the jurisdiction of the Education and Labor Committee, and obviously was not considered in the context of the bill that is before us today.

On the other hand, I would certainly believe that the conference committee should in good conscience consider the subject. It is my understanding that the Judiciary Committee is doing so, and if this amendment is adopted I certainly would assume that they would also become conferees in the conference committee. For that reason, I see no harm that the amendment would do, but probably it would be relevant in a conference committee and for that reason I will not oppose the amendment and certainly believe that if adopted the amendment may be rightfully considered with the Judiciary conferees in the conference committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to title I?

AMENDMENT OFFERED BY MR. SOLOMON

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

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: Page 2, after line 5, insert the following:

SEC. 2. DRUG TESTING REQUIREMENT.

The head of each department and of each agency participating in programs assisted under title II of this Act or under amendments made by this Act shall establish and administer a program of random testing of individuals participating in such programs for the illegal use of drugs.

Mr. SOLOMON. Mr. Chairman, I will be as brief as I can.

The amendment is similar to those I have successfully offered to all reauthorization bills and to all new programs that have passed this House in recent years.

This amendment would require the random drug testing of individuals participating in programs under this act.

This bill envisions the Federal Government providing benefits to individuals who volunteer to assist in health care, who assist our youth in education and who care for those in this country with drug problems.

The bill provides for the cancellation of Federal student loans to persons who become engaged in drug counseling, drug prevention, and drug education. In other words, it waives the obligation to pay back those loans.

Clearly, it is appropriate for us to assure that individuals involved in the counseling of drugs are themselves drug free.

I would also point out that my amendment only involves persons who receive employment or some type of benefit from the Federal Government. If an individual receives tax dollars, whether in the form of employment or in the form of a student loan cancellation, it is not too much to require them to remain drug free during that

period of time. We cannot allow young people volunteering in education, health care, or drug counseling to be involved in drugs. Volunteers must be able to take care of themselves before they care for others.

Mr. Chairman, I would urge support for the amendment.

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

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

Mr. HAWKINS. As I have indicated to the gentleman in the well, Mr. Chairman, I am not personally supportive of the idea in most instances; however, it is the usual amendment that we have always accepted and I believe a majority of the Members of the House do accept and would on a vote approve. On that basis, I am willing to accept it.

Mr. SOLOMON. Well, I certainly thank the chairman for his understanding. The gentleman is an outstanding chairman and we have a great deal of respect for him.

Mr. WILLIAMS. Mr. Chairman, I move to strike the requisite numbers of words.

Mr. Chairman, I have reservations about the amendment of the gentleman in the well. I will not object or oppose the amendment, but just say that I believe the amendment lends itself to abuse and mischief. As the gentleman knows, I have had concern in the past about that. I will not object to the amendment at this point, at least, or ask for a vote on the amendment. I will agree to the chairmans desire to accept the amendment.

While I still have time remaining, I would like to being something to the attention of my colleagues. Two days ago on the Defense bill, the House accepted an amendment, correctly accepted it in my judgment, an amendment offered by the gentleman from Massachusetts [Mr. MAVROULES], as perfected by the gentleman from New York [Mr. GILMAN].

The vote on that amendment was 413 to 1, only 1 nay vote.

What that amendment did was provide student loan cancellations for people who will agree to accept certain jobs in the military under the Pentagon. Today when we had a vote nearly identical to cancel loans for students who would agree to go to work in the service of their country, not militarily, not in armed aggression, but domestically here at home, there were 200 votes against it. It makes one wonder where the priorities of the Members of this Congress really are.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PETRI

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

The Clerk read as follows:

Amendment offered by Mr. PETRI: On page 50, strike line 15 and all that follows through line 8 on page 51.

Redesignate subsections accordingly.

Mr. PETRI. Mr. Chairman, I will not take my full 5 minutes.

We have actually, I think, made some progress today in debating and discussing this bill. We had a very close vote on the student loan provisions. I think that was a signal by many in this House that will require considerable improvement if this bill does in fact go through the Senate and through the conference committee before we have workable loan forgiveness provisions.

□ 1500

But there was one particular small special loan provision feature which I thought was worth singling out and dealing with and drawing attention to. That is the purpose of this amendment. And that is the loan forgiveness provision of the bill which forgives loans not for volunteers, not for low-paid volunteer workers who are working at below the minimum wage, but instead for full-time professional employees. This is on page 50 of the bill, line 17 through the next page, line 8.

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

Mr. PETRI. I yield to the chairman.

Mr. HAWKINS. I thank the gentleman for yielding.

Mr. Chairman, we are trying to identify the amendment. Is it on page 50, strike line 15 and all through line 8 on page 51?

Mr. PETRI. The gentleman is correct.

Mr. HAWKINS. That is correct?

Mr. PETRI. It is not the broad one, it is the narrow amendment. What it does do is eliminate the section of the bill which singles out full-time professional drug treatment center counselors for student loan forgiveness.

It seems to me that it may or may not be appropriate to grant student loan forgiveness to this category of full-time paid professionals. But why we should do it willy-nilly, ignoring all kinds of other full-time paid professionals who are doing heroic service for the community in the police force, in medical research, in 101 nonprofit areas, plus all sorts of people who are doing great community service and things of benefit to others in the profitmaking private sector of the economy; why suddenly drug counselors and nonprofit—and, I assume, nonreligious nonprofit—programs should be given student loan forgiveness and not others is beyond me.

If you are a religious, I assume, a priest who is counseling someone for a drug problem, he would not qualify for loan forgiveness.

To single out this group of drug counselors and forgive their loans when they are full-time paid professional people seems to me is totally inappropriate and has nothing to do with voluntarism.

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

Mr. PETRI. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. I thank the gentleman for yielding.

Mr. Chairman, this portion would really allow an income of $50,000, $60,000, $70,000 to get loan forgiveness?

Mr. PETRI. Absolutely. We would be taxing people who are working, trying to pay off their student loan, working as policemen, working as auto mechanics, and so on, and so forth, they would be having to pay taxes and pay off their student loans, and meanwhile this highly paid professional person would have their loan forgiven, in effect, with their tax money.

Mr. GOODLING. I understand the amendment, and I support the gentleman.

Mr. PETRI. I urge acceptance of this amendment.

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

Mr. Chairman, I think the amendment is not fully understood. What the amendment would do would be to knock out the loan forgiveness, as I understand it, for those who are engaged in full-time professional—as full-time professional employees engaged in drug counseling, prevention, intervention, treatment, education, or employed by a public or nonprofit agency or organization.

The reason for the amendment is actually from a finding by the Committee on Education and Labor that there is, in this particular area in the war on drugs, a severe shortage, a serious shortage, and a very rapid turnover; to stabilize the number of individuals who are encouraged to go into this. Among all of the professions, this happens to be the situation, as a result of our finding.

Now, the amendment would eliminate that. It seems to me that it is unwise. The fact that other professions would be somewhat discriminated against, which is the argument used, is that all professionals in the various fields do not suffer from the same shortage and the very rapid turnover. It was for that reason that this amendment was thought to be one which we could include.

It was also subject to inclusion in the other educational programs that were contributed by the Committee on Education and Labor to the war on drugs in the legislation that has gone through the Committee on Education and Labor.

I think that loan forgiveness is highly justified. It has been so found in the hearings of the committee. I

think the removal of this would certainly be a mistake.

For that reason, I oppose the amendment.

Mrs. LOWEY of New York. Mr. Chairman, I move to strike the penultimate word.

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

As I travel around my district—and I visit drug treatment centers like Renaissance and Phoenix House—every single person will tell you there is a 50-percent turnover. It is very difficult to recruit people to this profession.

If we are really serious in this House and in this country and we want the support of the public, then how can we not provide some incentive for this war against drugs?

Do you realize that on Tuesday every single Member of the House except one voted for student loan repayments of $6,000 per year for any employee, with a total of $40,000, for any employee, for the training of people in essential defense occupations?

If we do not really wage an all-out war on drugs, and certainly encourage people to get into this field of treatment, then we are not taking care of the people right here at home. This is a critical part of our defense.

Loan forgiveness may not be the whole answer, but we have to do what we can to recruit people into this field to work on the treatment part of this war on drugs.

Now, what does this cost us? It would cost about $2 million annually by 1998. That is what CBO expects if the provision were to be implemented fully.

Compared to the other expenses, this is a pittance.

Mr. Chairman, I strongly oppose the amendment. We have to wage a real war on drugs and get people into this difficult field in order to help fight the battle, and this is the least we can do.

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

Mr. Chairman, the problem with this portion of the bill is that it does not belong in the bill. This part of the bill has nothing to do with voluntarism at all. That is what the bill is all about. This portion of the bill has nothing to do with voluntarism. So it does not belong in this piece of legislation. The bill deals with voluntarism; this portion of the bill has nothing to do with voluntarism.

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

Mr. Chairman and Members, I will not take the time, but I think it is necessary that everyone understand what we are doing with this particular amendment. If you will look at the legislation in front of you, what this section says is that anyone who is a full-time professional employee engaged in drug counseling, prevention, intervention, treatment or education, employed by a public or nonprofit private agency or organization shall have their loans, not deferred, canceled.

Now, understand this has nothing to do with voluntarism. This has nothing to do with voluntarism. This is a full-time professional.

Think for a second of the problems you are going to create. If you are a full-time professional in the police force and you happen to be the person in La Crosse, WI who has been named to handle the DARE Program—and bless their hearts, I have met them and they are great men and women doing a great job—but they get paid for it as professional policemen. Under this section, they have their loans cancelled. Every other policeman has to pay their loan.

If you are a nurse in a hospital and you happen to be working in the drug treatment section of the hospital, you are therefore a full-time professional in the treatment section and you have your loan canceled, while everybody else has to pay their loan.

□ 1510

Third, one of my colleagues just asked, "And how long do you have to work that year?"

The answer is, "Well, you've got to work at the police force, or you've got to work as a nurse, or you've got to work as a full-time professional long enough to get the paperwork done, and then you get 15 percent canceled. And you can go out and get another job. Go ahead. There's nothing in this bill that says you have to work a full year before you can get it."

It says that 15 percent in the first year will be eliminated as soon as they have been that professional and they have been certified.

We started this debate a couple of hours ago and said this is not going to be easy. We plead with our colleagues to get beyond the title of the bill and look at the specifics. The amendment by the gentleman from Wisconsin [Mr. PETRI] makes all the sense in the world.

I ask my colleagues, "How would you like to be the chief of the police department, the administrator of the hospital, who says, 'You, get your loan canceled by your assignment, but all the rest of you, you have got to pay yours off'?"

Mr. Chairman, that does not make any sense. It is not equitable. It has nothing to do with voluntarism and does not belong in this bill.

I support the amendment of the gentleman from Wisconsin [Mr. PETRI].

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

Mr. Chairman, a few minutes ago reference was made to only one vote being against the provision of ending guaranteed student loans or not getting guaranteed student loan forgiveness on defense matters. I was that one vote, and I did not like voting that way because I said at that time I did not think we could afford it there.

The question is whether or not we can afford all these nice things that we want to be able to do.

The gentlewoman from New York [Mrs. LOWEY] made a rather interesting statement here a minute ago. She talked about $2 million, and she said that is a pittance. In my district $2 million is a lot of money; $2 million represents every tax dollar paid by about 400 American families. That is a lot of money. It is not a pittance. We are talking about real money here, and we are talking about whether or not we can afford to do some of these things as a nation that we would like to do but cannot.

Now here is another one of those areas. What we have done here is we have carved out one exceptional area, and we are going to give a group of professionals, some of them very highly paid professionals, special treatment, and I am suggesting that that is not an appropriate action within this bill.

I earlier in the debate raised the question of why we had loan forgiveness for full-time professionals in the bill that was supposed to be a voluntary bill. I did not get a very good answer at that time.

Now we have a chance to strike that provision from the bill and at least keep the bill oriented toward volunteers rather than full-time professionals.

Mr. Chairman, I would urge a yes vote on the amendment of the gentleman from Wisconsin [Mr. PETRI]. It is a good amendment and should be passed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. PETRI].

The question was taken; and on a division (demanded by Mr. PETRI) there were—ayes 14, noes 17.

So the amendment was rejected.

The CHAIRMAN. Are there any other amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—TO ESTABLISH THE AMERICAN CONSERVATION AND YOUTH SERVICE CORPS

PART A—AMERICAN CONSERVATION CORPS

SEC. 201. ESTABLISHMENT.

(a) IN GENERAL.—There is established the American Conservation Corps to be administered by the Secretary of Agriculture and the Secretary of the Interior (individually referred to in this Act as the "administering Secretary") under subsection (b) and through a State grant component.

(b) FEDERAL COMPONENT.—

(1) The Secretary of the Interior and the Secretary of Agriculture shall establish the Federal component of the American Conservation Corps within their respective agencies to administer programs on Federal lands. Applications for participation in the Corps on Federal public lands shall be submitted to the administering Secretary in the manner described in part D and under regulations promulgated under subsection (e).

(2) Funds appropriated for purposes of this part to an administering Secretary shall be used to carry out projects on Federal lands and to provide for the Federal administrative costs of implementing this part.

(3) In using such funds, the Secretary of the Interior and the Secretary of Agriculture shall enter into contracts or other agreements with program agencies, local governments, and nonprofit organizations approved for participation under section 220(a).

(4) Participants shall contract with qualified existing youth corps programs in the regions or areas where Federal component activities will occur. In States where such corps programs do not exist, the Secretary shall encourage the chief executive officer of the State to establish a youth corps program. Only if a State has failed to establish a youth corps program shall the Secretary directly administer a program for the Federal component.

(c) STATE COMPONENT.—

(1) The Secretary of the Interior shall establish a program under which grants shall be made to States to administer the State component of the American Conservation Corps involving work on non-Federal public lands and waters within a given State. Each Governor shall designate a State program agency to administer the program within the State.

(2) If at the commencement of a fiscal year, such a program agency has not been so designated, any local government within such State may establish a program agency to carry out the State component within the political subdivision under the jurisdiction of such local government.

(3) Any program agency may apply for a grant under this title in the manner described in section 215.

(d) LOCAL GOVERNMENT PARTICIPATION.—

(1) Any local government program agency established under subsection (c)(2) shall be subject, in all respects, to the same requirements as a State program agency. Where more than one local government within a State has established a program agency under subsection (c)(2), the administering Secretary shall allocate funds between such agencies in such manner as the Secretary considers equitable.

(2) Any State carrying out a program under this part shall provide a mechanism under which local governments and nonprofit organizations within the State may participate in the American Conservation Corps.

(e) REGULATIONS AND ASSISTANCE.—

(1) Before the end of the 120-day period beginning on the date of the enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, after consultation with the Secretary of Labor, shall jointly promulgate regulations necessary to implement the American Conservation Corps established by subsection (a).

(2)(A) Before the end of the 30-day period beginning on the date of the enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall establish procedures to give program agencies and other interested parties (including the general public) adequate notice and opportunity to comment on and participate in the formulation of such regulations.

(B) The regulations shall include provisions to assure uniform reporting on—

(i) the activities and accomplishments of American Conservation Corps programs,

(ii) the demographic characteristics of enrollees in the Corps, and

(iii) such other information as may be necessary to prepare the annual report required by section 229(a).

(f) PROJECTS INCLUDED.—The American Conservation Corps established under subsection (a) may carry out projects such as—

(1) conservation, rehabilitation, and improvement of wildlife habitat, rangelands, parks, and recreational areas,

(2) urban revitalization and historical and cultural site preservation,

(3) fish culture and habitat maintenance and improvement and other fishery assistance,

(4) road and trail maintenance and improvement,

(5)(A) erosion, flood, drought, and storm damage assistance and controls,

(B) stream, lake, and waterfront harbor and port improvement, and

(C) wetlands protection and pollution control,

(6) insect, disease, rodent, and fire prevention and control,

(7) improvement of abandoned railroad bed and right-of-way,

(8) energy conservation projects, renewable resource enhancement, and recovery of biomass,

(9) reclamation and improvement of strip-mined land, and

(10) forestry, nursery, and cultural operations.

(g) LIMITATION TO PUBLIC LANDS.—Projects to be carried out under the American Conservation Corps shall be limited to projects on public lands or Indian lands, except where a project involving other lands will provide a documented public benefit as determined by the administering Secretary. The regulations promulgated under subsection (e) shall establish the criteria necessary to make such determinations.

(h) CONSISTENCY.—All projects carried out under this part for conservation, rehabilitation, or improvement of any public lands or Indian lands shall be consistent with—

(1) the provisions of law and policies relating to the management and administration of such lands and all other applicable provisions of law, and

(2) all management, operational, and other plans and documents which govern the administration of the area.

(i) PARTICIPATION BY OTHER CONSERVATION PROGRAMS.—Any land or water conservation program (or any related program) administered in any State under the authority of any Federal program is encouraged to use services available under this part to carry out its program.

SEC. 202. ALLOCATION OF AUTHORIZED FUNDS.

Of the sums appropriated under section 232(b)(1)(A) to carry out this part for any fiscal year—

(1) 50 percent shall be made available to the administering Secretary for expenditure by State program agencies which have been approved for participation in the American Conservation Corps for work on State and county lands,

(2) 15 percent shall be made available to the Secretary of Agriculture for expenditure by agencies within the Department of Agriculture, subject to section 232(d),

(3) 5 percent shall be made available to an administering Secretary, under such terms as are provided for in regulations promulgated under section 201(e), for expenditure by other Federal agencies, subject to section 232(d),

(4) 25 percent shall be made available to the Secretary of the Interior for expenditure by agencies within the Department of the Interior, subject to section 232(d), and for demonstration projects or projects of special merit carried out by any program agency or by any nonprofit organization or local government which is undertaking or proposing to undertake projects consistent with the purposes of this part, and

(5) 5 percent shall be made available to the Secretary of the Interior for expenditure by the governing bodies of participating Indian tribes.

PART B—YOUTH SERVICE CORPS

SEC. 206. YOUTH SERVICE CORPS PROJECT GRANTS.

(a) ESTABLISHMENT.—There is established the Youth Service Corps.

(b) GRANTS.—The Director of the ACTION Agency shall appoint an Assistant Director (referred to in this Act as the "Assistant Director") who shall provide, to public and private nonprofit agencies determined to be eligible under section 216, grants for Youth Service Corps projects and otherwise to administer this part.

SEC. 207. SERVICE CATEGORIES.

(a) DESIGNATION OF SERVICE CATEGORIES.—The Assistant Director shall, by regulation, designate specific activities as service categories in which persons serving in Youth Service Corps projects may serve for purposes of this part.

(b) ELIGIBILITY REQUIREMENTS.—An activity may be designated as a service category under subsection (a) if the Assistant Director determines that—

(1) such activity is of substantial social benefit in meeting unmet human, social, or environmental needs (particularly needs related to poverty) of or in the community where service is to be performed,

(2) involvement of persons serving in Youth Service Corps projects under this part in such activity will not interfere unreasonably with the availability and the terms of employment of employees of sponsoring organizations with positions available in such activity,

(3) persons serving in Youth Service Corps projects under this part are able to meet the physical, mental, and educational qualifications that such activity requires, and

(4) such activity is otherwise appropriate for purposes of this part.

(c) SPECIFIC ELIGIBLE SERVICE CATEGORIES.—The service categories referred to in subsection (a) may include service in—

(1) State, local, and regional governmental agencies,

(2) nursing homes, hospices, senior centers, hospitals, local libraries, parks, recreational facilities, day care centers, and schools,

(3) law enforcement agencies, and penal and probation systems,

(4) private nonprofit organizations whose principal purpose is social service,

(5) the rehabilitation or improvement of public facilities, neighborhood improvements, literacy training benefiting educationally disadvantaged persons, weatherization of and basic repairs (including construction) to low-income housing, energy conservation, including solar energy tech-

niques, removal of architectural barriers to access by handicapped persons to public facilities, and conservation, maintenance, or restoration of natural resources on publicly held lands, and

(6) any other nonpartisan civic activity and service that the Assistant Director determines to be appropriate for purposes of this part.

(d) INELIGIBLE SERVICE CATEGORIES.—The service categories referred to in subsection (a) may not include any position in any—

(1) business organized for profit,

(2) labor union,

(3) partisan political organization,

(4) organization engaged in religious activities, unless such position does not involve any religious functions, or

(5) domestic or personal service company or organization.

(e) RELATED PROGRAMS.—Any program administered under the authority of the Secretary of Health and Human Services, which program is operated for the same purpose as any program eligible under this part, is encouraged to use services available under this part to carry out its program.

PART C—YOUTH SKILLS ENHANCEMENT

SEC. 211. CERTIFICATION AND ACADEMIC CREDIT.

The administering Secretary or the Assistant Director (whichever the case may be) shall provide guidance and assistance to States in securing certification of training skills or academic credit for competencies developed under part A or B.

SEC. 212. TRAINING AND EDUCATION SERVICES.

(a) ASSESSMENT OF SKILLS.—Each program agency shall, through programs and projects under part A or B, maintain or enhance the educational skills of enrollees in the program. Each such agency shall assess the educational level of enrollees at the time of entrance in the program, using any available records or simplified assessment means or methodology.

(b) PROVISION OF IN-SERVICE TRAINING AND EDUCATION.—

(1) Program agencies receiving assistance under section 216 shall use not less than 10 percent of the funds available to them to provide in-service training and educational materials and services for enrollees and persons serving in programs and may enter into arrangements with academic institutions or education providers, including—

(A) local education agencies,

(B) community colleges,

(C) 4-year colleges,

(D) area vocational-technical schools, and

(E) community based organizations,

for academic study (including remediation) by enrollees and other persons serving in Youth Service Corps projects during nonworking hours to upgrade literacy skills, to obtain a high school diploma (or its equivalency) or college degrees, or to enhance employable skills. Career counseling shall be provided to enrollees and other persons serving in Youth Service Corps projects during any period of in-service training. Each graduating enrollee must be provided with counseling with respect to additional study, job skills training, or employment and shall be provided job placement assistance where appropriate.

(2) Enrollees and other persons serving in Youth Service Corps projects who have not obtained a high school diploma or its equivalent shall have priority to receive services under this subsection.

(3) Whenever possible, an enrollee seeking study or training not provided at the enrollee's assigned facility shall be offered assignment to a facility providing such study or training.

(c) POST-SERVICE EDUCATION AND TRAINING ASSISTANCE.—Any such program or project shall use not less than 10 percent of the funds available to the agency for the program or project under section 216 to provide services described in subsection (b)(1) for post-service education and training assistance. The amount of such assistance provided to any eligible individual shall be based upon the period of time such person served in a program or project under this title. The activities under this section may include activities available to eligible enrollees under in-service education and training assistance, career and vocational counseling, assistance in entering a program under the Job Training Partnership Act, and other activities deemed appropriate for the enrollee by the program agency and the advisory board.

(d) STANDARDS AND PROCEDURES.—Appropriate State and local officials shall certify that standards and procedures with respect to the awarding of academic credit and certifying educational attainment in programs conducted under subsection (b) are consistent with the requirements of applicable State and local law and regulations. Such standards and procedures shall specify, among other things, that any person serving in a program or project under this title—

(1) who is not a high school graduate, shall participate in an educational component whereby such person can progress toward a high school diploma or its equivalent, and

(2) may arrange to receive academic credit in recognition of learning and skills obtained from service satisfactorily completed.

PART D—ADMINISTRATIVE PROVISIONS

SEC. 216. GRANTS.

(a) AWARD OF GRANTS.—Within 60 days after the date of the enactment of appropriations under section 232, any eligible entity may apply to the administering Secretary or the Assistant Director (whichever the case may be) for funds under this title in the manner specified under part A or part B. In determining the amount of funds to be awarded to any such applicant, the administering Secretary or the Assistant Director (whichever the case may be) shall consider each of the following factors:

(1) The proportion of the unemployed youth population of area to be served.

(2)(A) In the case of part A, the conservation, rehabilitation, and improvement needs on public lands within the State, and

(B) In the case of part B, unmet human, social, or environmental needs (particularly needs related to poverty) within the area to be served.

(b) MATCHING REQUIREMENT.—

(1) As a condition on the award of a grant under subsection (a), a State or program agency shall demonstrate to the satisfaction of the administering Secretary or the Assistant Director (whichever the case may be) that it will expend (in cash or in kind), for purposes of any American Conservation Corps or Youth Service Corps project funded under this Act, an amount from public or private non-Federal sources (including the direct cost of employment or training services provided by State or local programs, private nonprofit organizations, and private for-profit employers) equal to the amount made available to such State or agency under this title.

(2) In addition to such matching requirement, the State or program agency shall demonstrate to the satisfaction of the administering Secretary or the Assistant Director (whichever the case may be) that the effectiveness of the project will be enhanced by the use of Federal funds.

(c) PAYMENT TERMS.—Payments under grants awarded under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the administering Secretary or the Assistant Director (whichever the case may be) finds necessary.

(d) USE OF FUNDS, LIMITATIONS.—

(1) Contract authority under this title shall be subject to the availability of appropriations. Funds appropriated under section 232 shall only be used for activities which are in addition to those which would otherwise be carried out in the area in the absence of such funds.

(2) Not more than 10 percent of the Federal funds made available to any State or program agency for projects during each fiscal year may be used for the purchase of major capital equipment.

(3) Not more than 15 percent of any Federal funds made available to any State or program agency under this title may be used to cover administrative expenses. In any case in which a grant is being awarded to a specific unit of local government rather than to a State, the State may not use more than 3 percent of the grant to cover administrative expenses. The remainder of the grant shall be transferred to the relevant unit of local government.

(4) Not more than 5 percent of any Federal funds provided under this title may be used for part-time service or conservation programs. For purposes of this paragraph the term "part-time" means unpaid service of not more than 15 hours per week.

(5) Not more than 1 percent of any Federal funds provided under this title may be used for joint programs with organized senior citizen programs for community support services.

SEC. 217. APPROVAL OF APPLICATIONS AND SUPERVISION OF PROGRAMS.

(a) APPLICATION.—

(1) In order to be eligible for any grant under section 216, an applying entity shall submit, in accordance with subsection (c), a plan that describes the existing or proposed program or project for which such grant is requested.

(2) Any entity which is eligible to provide employment and educational training under other Federal employment training programs may apply for a grant under section 216.

(b) CONTENTS OF PLAN FOR ELIGIBILITY FOR GRANTS.—The plan referred to in subsection (a) shall include the following:

(1)(A) A comprehensive description of the objectives and performance goals for the program, (B) a plan for managing and funding the program, and (C) a description of the types of projects to be carried out, including a description of the types and duration of training and work experience to be provided.

(2) A plan for certification of the training skills acquired by enrollees and award of academic credit to enrollees for competencies developed from training programs or work experience obtained under this title.

(3) An estimate of the number of enrollees and crew leaders necessary for the proposed projects, the length of time for which the services of such personnel will be required, and the services which will be required for their support.

(4) A description of the location and types of facilities and equipment to be used in carrying out the programs.

(5) A list of positions from which any person serving in such project may choose a service position, which list shall, to the extent practicable, identify a sufficient number and variety of positions so that any person living within a program area who desires to serve in voluntary youth service may serve in a position that fulfills the needs of such person.

(6) A list of requirements to be imposed on any sponsoring organization of any person serving in a program or project under this title, including a provision that any sponsoring organization that invests in any project under this title by making a cash contribution or by providing free training of any person participating in such project shall be given preference over any sponsoring organization that does not make such an investment.

(7) With respect to the specified location and type of any facility to be used in carrying out the program, a description of—

(A) the proximity of any such facility to the work to be done,

(B) the cost and means of transportation available between any such facility and the homes of the enrollees who may be assigned to that facility,

(C) the participation of economically, socially, physically, or educationally disadvantaged youths, and

(D) the cost of establishing, maintaining, and staffing the facility.

(8)(A) A provision describing the manner of appointment of sufficient supervisory staff by the chief administrator to provide for other central elements of a youth corps, such as crew structure and a youth development component. Supervisory staff may include enrollees who have displayed exceptional leadership qualities.

(B) A provision describing a plan to assure the on-site presence of knowledgeable and competent supervision at program facilities.

(9) A description of the facilities, quarters, and board (in the case of residential facilities), limited and emergency medical care, transportation from administrative facilities to work sites, and other appropriate services, supplies, and equipment that will be provided by the agency.

(10) A description of basic standards of work requirements, health, nutrition, sanitation, and safety, and the manner by which such standards shall be enforced.

(11) A description of the program's plan to assign youths to facilities as near to their homes as is reasonable and practicable.

(12) A description of formal social counseling arrangements to be made available to the participant during service in the American Conservation Corps or Youth Service Corps.

(13) Such other information as the administering Secretary or the Assistant Director (whichever the case may be) may prescribe.

(c) PRELIMINARY APPROVAL OF PART A APPLICATIONS.—

(1) An application for participation in the State component under part A shall first be submitted to the designated State agency for preliminary review and approval. Such agency shall forward to the appropriate State job training coordinating council, if any (established under the Job Training Partnership Act (29 U.S.C. 1502 et seq.)), for further review and comment, any application it approves. Upon the expiration of the 30-day review period referred to in subsection (e), the State agency shall submit any approved application, along with any comments by the council, to the administering Secretary.

(2) A State may submit any application for its own program under part A to the administering Secretary after complying with the review and comment requirement under subsection (e).

(3) The administering Secretary shall establish an appeals procedure (involving review and comment by the State job training council) for applying entities whose applications are disapproved under paragraph (1).

(d) PART B APPLICATIONS.—An application for participation under part B may be submitted by any public or private nonprofit entity to the administering Assistant Director after review and comment under subsection (e).

(e) REVIEW AND COMMENT ON APPLICATIONS.—No application for participation under part A or part B may be submitted to the administering Secretary or the Assistant Director (whichever the case may be) before the end of the 30-day period for review and comment by such council (except in the case of an appeal).

(f) CRITERIA FOR APPROVAL OF APPLICATIONS.—In approving an application under this section, the administering Secretary or the Assistant Director (whichever the case may be) shall consider the extent to which the specifics of the program or project (as described in the application) meet the goals of the program for which the grant is sought.

SEC. 218. PREFERENCE FOR CERTAIN PROJECTS.

In the approval of applications for programs and projects submitted under section 217, the Administering Secretary or the Assistant Director (whichever the case may be) shall give preference to those programs and projects which—

(1) will provide long-term benefits to the public,

(2) will instill in the enrollees a work ethic and a sense of public service,

(3) will be labor intensive, with youth operating in crews,

(4) can be planned and initiated promptly,

(5) will enhance the enrollees' educational level and opportunities, and skills development,

(6) in the case of a proposed part A project, will meet the unmet needs for conservation, rehabilitation, and improvement work on public lands within the State, and

(7) in the case of a proposed part B project, will meet human, social, and environmental needs (particularly needs related to poverty).

SEC. 219. EFFECT OF EARNINGS ON ELIGIBILITY FOR OTHER FEDERAL ASSISTANCE.

Earnings and allowances received under this title by an economically disadvantaged youth, as defined in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)), shall be disregarded in determining the eligibility of the youth's family for, and the amount of, any benefits based upon need under any program established under this title.

SEC. 220. ENROLLMENT.

(a) CRITERIA.—

(1)(A) Enrollment in the American Conservation Corps and the Youth Service Corps shall be limited to individuals who, at the time of enrollment, are—

(i) not less than 16 years or more than 25 years of age, except that programs limited to the months of June, July, and August may include individuals not less than 15 years and not more than 21 years of age at the time of their enrollment, and

(ii) citizens or nationals of the United States (including those citizens of the Northern Mariana Islands as defined in section 24(b) of the Act entitled "An Act to authorize $15,500,000 for capital improvement projects on Guam, and for other purposes.", approved December 8, 1983 (Public Law 98-213, 48 U.S.C. 1681 note), or lawful permanent resident aliens of the United States.

(B) Special efforts shall be made to recruit and enroll individuals who, at the time of enrollment, are economically disadvantaged.

(C) In addition to recruitment enrollment efforts required in subparagraph (B), the administering Secretary or the Assistant Director (whichever the case may be) shall make special efforts to recruit enrollees who are socially, physically, and educationally disadvantaged youths and also make special efforts who are participating in foster care independent living programs, who are homeless, or are otherwise disconnected from their communities.

(D) Any person who does not hold a high school diploma or its equivalent may not be accepted for service in a program or project under this Act unless such person has not been enrolled as a high school student during the 3-month period before the date of such acceptance.

(E) Notwithstanding subparagraph (A), a limited number of special corps members may be enrolled without regard to their age so that the corps may draw upon their special skills which may contribute to the attainment of the purposes of this Act.

(2) Except in the case of a program limited to the months of June, July, and August, individuals who at the time of applying for enrollment have attained 16 years of age but not attained 19 years of age, and who are no longer enrolled in any secondary school shall not be enrolled unless they give adequate written assurances, under criteria to be established by the administering Secretary or the Assistant Director (whichever the case may be), that they did not leave school for the express purpose of enrolling. The regulations promulgated under section 201(e) shall provide such criteria.

(3) The selection of enrollees to serve in the American Conservation Corps or Youth Service Corps shall be the responsibility of the chief administrator of the program agency. Enrollees shall be selected from those qualified persons who have applied to, or been recruited by, the program agency, a State employment security service, a local school district with an employment referral service, an administrative entity under the Job Training Partnership Act (29 U.S.C. 1502 et seq.), a community or community-based nonprofit organization, the sponsor of an Indian program, or the sponsor of a migrant or seasonal agricultural worker program.

(4)(A) Except for a program limited to the months of June, July, and August, any qualified individual selected for enrollment in the American Conservation Corps or Youth Service Corps may be enrolled for a period not to exceed 24 months. When the term of enrollment does not consist of one continuous 24-month term, the total of shorter terms may not exceed 24 months.

(B) No individual may remain enrolled in the American Conservation Corps or Youth Service Corps after that individual has attained the age of 26 years, except as provided in paragraph (1)(E).

(C) No enrollee shall perform services in any project for more than a 6-month period.

(5) Within the American Conservation Corps or Youth Service Corps the directors of programs shall establish and stringently enforce standards of conduct to promote proper moral and disciplinary conditions. Enrollees who violate these standards shall be transferred to other locations, or dismissed, if it is determined that their retention in that particular program, or in the Corps, will jeopardize the enforcement of such standards or diminish the opportunities of other enrollees. Such disciplinary measures shall be subject to expeditious appeal to the administering Secretary or the Assistant Director (whichever the case may be).

(b) REQUIREMENT OF PAYMENT FOR CERTAIN SERVICES.—A reasonable portion of the costs of the rates for room and board provided at residential facilities may be deducted from amounts determined under subsection (c) and deposited into rollover funds administered by the appropriate program agency. Such deductions and rates are to be established after evaluation of costs of providing the services. The rollover funds established under this subsection shall be used solely to defray the costs of room and board for enrollees. The administering Secretary, or the Assistant Director (whichever the case may be), and the Secretary of Defense may make available to program agencies any surplus food and equipment available from Federal programs.

(c) SUBSISTENCE ALLOWANCE AND OTHER BENEFITS.—

(1) The administering Secretary or the Assistant Director (whichever the case may be), shall devise a schedule providing an aggregate amount of subsistence allowances and other benefits, including education and training benefits (such as loans, scholarships, and grants) in an amount that is equal to not less than 100 percent and not more than 160 percent of the amount such enrollee would have earned if such person had been paid at a rate equal to the minimum wage under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) during the period of service of such enrollee.

(2) During the period of an enrollee's service, the enrollee shall receive, from amounts determined under paragraph (1), an allowance (in cash or in kind) of not less than 50 percent and not more than 100 percent of such minimum wage, to be paid to such person during such period of service.

(3) In any case in which enrollees would perform services substantially similar to the duties and responsibilities of a regular employee employed by the employer to whom such enrollee is assigned, the program agency shall ensure that the amount determined under paragraph (1) shall be based upon a rate not less than the highest of—

(A) the minimum wage under section 6(a)(1) of the Fair Labor Standards Act of 1938,

(B) the minimum wage under the applicable State or local minimum wage law, or

(C) the prevailing rates of pay for such regular employees of the employer.

(4) For purposes of the Fair Labor Standards Act of 1938, residential youth service corps programs will be considered an organized camp.

(d) SERVICES, FACILITIES, AND SUPPLIES.—

(1) The program agency shall provide facilities, quarters, and board (in the case of residential facilities), limited and emergency medical care, transportation from administrative facilities to work sites, and other appropriate services, supplies, and equipment.

(2)(A) The administering Secretary or the Assistant Director (whichever the case may be) may provide services, facilities, supplies, and equipment to any program agency carrying out projects under this Act.

(B) Whenever possible, the administering Secretary or the Assistant Director (whichever the case may be) shall make arrangements with the Secretary of Defense to have logistical support provided by a military installation near the work site, including the provision of temporary tent centers where needed, and other supplies and equipment.

(e) HEALTH AND SAFETY STANDARDS.—The administering Secretary or the Assistant Director (whichever the case may be), along with the program agency, shall establish standards and enforcement procedures concerning enrollee health and safety for all projects, consistent with Federal, State, and local health and safety standards.

(f) GUIDANCE AND PLACEMENT.—Program agencies shall provide such job guidance and placement information and assistance for enrollees as may be necessary. Such assistance shall be provided in coordination with appropriate State, local, and private agencies and organizations.

SEC. 221. COORDINATION AND PARTICIPATION WITH OTHER ENTITIES.

(a) AGREEMENTS.—Program agencies may enter into contracts and other appropriate arrangements with local government agencies and nonprofit organizations for the operation or management of any projects or facilities under the program.

(b) COORDINATION.—The administering Secretary or the Assistant Director (whichever the case may be) and the chief administrators of program agencies carrying out programs under this title shall coordinate the programs with related Federal, State, local, and private activities.

(c) JOINT PROJECTS INVOLVING THE DEPARTMENT OF LABOR.—The administering Secretary or the Assistant Director (whichever the case may be) may develop, jointly with the Secretary of Labor, regulations designed to allow, where appropriate, joint projects in which activities supported by funds authorized under this title are coordinated with activities supported by funds authorized under employment and training statutes administered by the Department of Labor (including the Job Training Partnership Act (29 U.S.C. 1502 et seq.)). Such regulations shall provide standards for approval of joint projects which meet both the purposes of this title and the purposes of such employment and training statutes under which funds are available to support the activities proposed for approval. Such regulations shall also establish a single mechanism for approval of joint projects developed at the State or local level.

SEC. 222. AMERICAN CONSERVATION CORPS AND YOUTH SERVICE CORPS STATE ADVISORY BOARDS.

(a) ESTABLISHMENT.—Upon the approval of a project within a State, the State job training coordinating council within the State shall appoint an advisory board for the purpose of conducting regular oversight and review of projects of the American Conservation Corps and the Youth Service Corps within the State. In particular, the advisory board shall certify that the project satisfies the requirements and limitations under this title, including limitations respecting the displacement of existing employees and the types of projects and responsibilities appropriate for enrollees in the American Conservation Corps and the Youth Service Corps. Members of the advisory board shall also provide guidance and assistance for the development and administration of projects.

(b) COMPOSITION.—(1) Each advisory board shall be composed of not less than 7 individuals, of whom—

(A) 2 individuals who are representatives of organized labor (one of each representing the State and local levels), and

(B) 5 individuals, one of each of whom is a representative of the business community, community based organizations, State government (or an appropriate State agency), local elected office, and State or local school administration.

(2) If more than 7 individuals are appointed to an advisory board, the representation required by paragraph (1) shall be met, to the extent practicable.

(c) ANNUAL MEETINGS.—Each advisory board shall meet not less often than twice annually.

SEC. 223. FEDERAL AND STATE EMPLOYEE STATUS.

Enrollees, crew leaders, and volunteers are deemed as being responsible to, or the responsibility of, the program agency administering the project on which they work. Except as otherwise specifically provided in the following paragraphs, enrollees and crew leaders in projects for which funds have been authorized under section 232 shall not be deemed Federal employees and should not be subject to the provisions of law relating to Federal employment:

(1) For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to the compensation of Federal employees for work injuries, enrollees and crew leaders serving American Conservation and Youth Service Corps program agencies shall be deemed employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provision of that subchapter shall apply, except—

(A) the term "performance of duty" shall not include any act of an enrollee or crew leader while absent from his or her assigned post of duty, except while participating in an activity authorized by or under the direction and supervision of a program agency (including an activity while on pass or during travel to or from such post of duty), and

(B) compensation for disability shall not begin to accrue until the day following the date on which the injured enrollee's or crew leader's employment is terminated.

(2) For purposes of chapter 171 of title 28, United States Code, relating to tort claims procedure, enrollees and crew leaders on American Conservation Corps and Youth Service Corps projects shall be deemed employees of the United States within the meaning of the term "employee of the Government" as defined in section 2671 of such title.

(3) For purposes of section 5911 of title 5, United States Code, relating to allowances for quarters, enrollees and crew leaders shall be deemed employees of the United States within the meaning of the term "employee" as defined in that section.

SEC. 224. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) IN GENERAL.—

(1) SUSPENSION OF PAYMENTS.—The Secretaries of Interior and Agriculture (in the case of a program funded under part A) or the Director of the ACTION Agency (in the case of a program funded under part B), is authorized, in accordance with this title, to suspend payments or to terminate payments under a contract or grant providing assist-

ance under this title whenever the Secretary or Director determines there is a material failure to comply with this title or the applicable terms and conditions of any such grant or contract issued pursuant to this title.

(2) PROCEDURES TO ENSURE ASSISTANCE.—The Secretary or Director shall prescribe procedures to ensure that—

(A) assistance under this title shall not be suspended for failure to comply with the applicable terms and conditions of this title, except in emergency situations for 30 days, and

(B) assistance under this title shall not be terminated for failure to comply with applicable terms and conditions of this title unless the recipient of such assistance has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) HEARINGS.—Hearings or other meetings that may be necessary to fulfill the requirements of this section shall be held at locations convenient to such recipient.

(c) TRANSCRIPT OR RECORDING.—A transcript or recording shall be made of a hearing conducted under this section and shall be available for inspection by any individual.

(d) STATE LEGISLATION.—Nothing in this title shall be interpreted to preclude the enactment of State legislation providing for the implementation, consistent with the provisions of this title, of the programs administered under this title.

(e) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—State and local applicants funded under parts A and B shall establish and maintain a procedure for grievances from participants, labor organizations, and other interested individuals concerning projects funded under this title, including grievances regarding proposed placements of such participants.

(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance shall be made within 1 year after the date of the alleged occurrence.

(3) DEADLINE FOR HEARING AND DECISION.—A hearing on any grievance shall be conducted within 30 days of filing such grievance and a decision shall be made not later than 60 days after the filing of such grievance.

(4) ARBITRATION.—

(A) IN GENERAL.—On the occurrence of an adverse grievance decision, or 60 days after the filing of such grievance if no decision has been reached, the party filing the grievance shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.

(B) DEADLINE FOR PROCEEDING.—An arbitration proceeding shall be held within 45 days after the request for such arbitration.

(C) DEADLINE FOR DECISION.—A decision on such grievance shall be made within 30 days after the date of such arbitration proceeding.

(D) COST.—The cost of such arbitration proceeding shall be divided evenly between the parties.

(5) PROPOSED PLACEMENT.—If a grievance is filed regarding a proposed placement of a participant in a program assisted under this title, such placement shall not be made unless it is consistent with the resolution of the grievance pursuant to this subsection.

(6) REMEDIES.—Remedies for a grievance filed under this subsection include—

(A) suspension of payments for assistance under this title;

(B) termination of such payments; and

(C) prohibition of such placement described in paragraph (5).

SEC. 225. NONDUPLICATION AND NONDISPLACEMENT.

(a) NONDUPLICATION.—

(1) IN GENERAL.—Funds provided under this title shall be used only for an activity that does not duplicate, and is in addition to, programs and activities otherwise available in the locality.

(2) PRIVATE NONPROFIT ENTITY.—Funds available under this title shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met.

(b) NONDISPLACEMENT.—

(1) IN GENERAL.—An employer shall not displace an employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program established under this title.

(2) SERVICE OPPORTUNITIES.—A service opportunity shall not be created under this title that will infringe in any manner upon the promotional opportunity of an employed individual.

(3) LIMITATION ON SERVICES.—

(A) DUPLICATION OF SERVICES.—A participant in a program under this title shall not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.

(B) SUPPLANTATION OF HIRING.—A participant in any program under this title shall not perform any services or duties or engage in activities that will supplant the hiring of employed workers.

(C) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant shall not perform services or duties that have been performed by or were assigned to any—

(i) presently employed worker,

(ii) employee who recently resigned or was discharged,

(iii) employee who is subject to a reduction in force,

(iv) employee who is on leave (terminal, temporary, vacation, emergency, or sick), or

(v) employee who is on strike or who is being locked out.

SEC. 226. GRIEVANCE PROCEDURE.

(a) COMPLAINTS.—Each program agency shall establish and maintain a grievance procedure for grievances and complaints about its projects from enrollees and labor organizations and other interested persons. Hearings on any grievance shall be conducted within 30 days of filing of a grievance and decisions shall be made not later than 60 days after the filing of a grievance. Except for complaints alleging fraud or criminal activity, complaints shall be made within 1 year after the date of the alleged occurrence.

(b) INVESTIGATION BY THE ADMINISTERING SECRETARY OR THE ASSISTANT DIRECTOR.—Upon exhaustion of a grievance proceeding without decision, or where the administering Secretary or the Assistant Director (whichever the case may be) has reason to believe that the program agency is failing to comply with the requirements of this title or the terms of a project, the administering Secretary or the Assistant Director (whichever the case may be) shall investigate the allegation or belief within the complaint and determine, within 120 days after receiving the complaint, whether such allegation or belief is true.

SEC. 227. USE OF VOLUNTEERS.

Where any program agency has authority to use volunteer services in carrying out functions of the agency, such agency may use volunteer services for purposes of assisting projects carried out under this title and may expend funds made available for those purposes to the agency, including funds made available under this title, to provide for services or costs incidental to the utilization of such volunteers, including transportation, supplies, lodging, recruiting, training, and supervision. The use of volunteer services permitted by this section shall be subject to the condition that such use does not result in the displacement of any enrollee.

SEC. 228. NONDISCRIMINATION PROVISION.

(a) IN GENERAL.—An individual with responsibility for the operation of a project funded under this title shall not discriminate against a youth corps member or member of the staff of such project on the basis of race, color, national origin, sex, age, disability, or political affiliation of such member.

(b) CONSTRUCTION UNDER CIVIL RIGHTS ACT OF 1964.—For purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), any program or project for which any State is receiving assistance under this title shall be considered to be receiving Federal financial assistance.

(c) RELIGIOUS DISCRIMINATION.—(1) Except as provided in paragraph (2), an individual with responsibility for the operation of a project funded under this title shall not discriminate on the basis of religion against a youth corps member or a member of the project staff who is paid with funds under this title.

(2) Paragraph (1) shall not apply to the employment, with funds provided under this title, of any member of the staff of a project funded under this title who was employed with the organization operating the project on the date the grant funded under this title was awarded.

SEC. 229. LABOR MARKET INFORMATION.

The Secretary of Labor shall make available to the administering Secretary or to the Assistant Director (whichever the case may be) and to any program agency under this title such labor market information as is appropriate for use in carrying out the purposes of this title.

SEC. 230. REVIEW AND REPORTING REQUIREMENTS.

(a) REPORT TO THE PRESIDENT AND CONGRESS.—The administering Secretary or the Assistant Director (whichever the case may be) shall prepare and submit to the President and to the Congress, at least annually, a report detailing the activities carried out under this title during the preceding fiscal year. Such report shall be submitted not later than December 31 of each year following the date of the enactment of the National Service Act of 1990.

(b) OVERSIGHT.—Each recipient of a grant made under section 216 shall provide oversight of service by any person in an American Conservation Corps or Youth Service Corps project under this Act, and of the operations of any employer of such person, in accordance with procedures established by the administering Secretary or the Assistant Director (whichever the case may be). Such procedures shall include fiscal control, accounting, audit, and debt collection procedures to ensure the proper disbursal of, and accounting for, funds received under this title. In order to carry out this section, each such recipient shall have access to such information concerning the operations of any sponsoring organization as the administer-

ing Secretary or the Assistant Director (whichever the case may be) determines to be appropriate.

(c) ANNUAL REPORT TO THE SECRETARY.—Any recipient of a grant made under this title shall prepare and submit an annual report to the administering Secretary or the Assistant Director (whichever the case may be) on such date as the Secretary shall determine to be appropriate. Such report shall include—

(1) a description of activities conducted by program or project for which such grant was awarded during the year involved,

(2) characteristics of persons serving in such program or project,

(3) characteristics of positions held by such persons,

(4) a determination of the extent to which relevant standards, as determined by the administering Secretary or the Assistant Director (whichever the case may be), were met by such persons and their sponsoring organizations,

(5) a description of the post-service experiences, including employment and educational achievements, of persons who have served, during the year that is the subject of the report, in projects under this title, and

(6) any additional information that the administering Secretary or the Assistant Director (whichever the case may be) determines to be appropriate for purposes of this title.

(d) RESEARCH AND EVALUATION.—The administering Secretary or the Assistant Director (whichever the case may be) shall provide for research and evaluation to—

(1) determine costs and benefits, tangible and otherwise, of work performed under this title and of training and employable skills and other benefits gained by enrollees, and

(2) identify options for improving program productivity and youth benefits, which may include alternatives for—

(A) organization, subjects, sponsorship, and funding of work projects,

(B) recruitment and personnel policies,

(C) siting and functions of facilities,

(D) work and training regimes for youth of various origins and needs, and

(E) cooperative arrangements with programs, persons, and institutions not covered under this title.

(e) TECHNICAL ASSISTANCE.—Each administering Secretary or the Assistant Director (whichever the case may be) shall provide technical assistance to the States, to local governments, nonprofit entities and other entities eligible to participate under this title.

SEC. 231. AUTHORITY OF STATE LEGISLATURE.

Nothing in this title shall be interpreted to preclude the enactment of State legislation providing for the implementation, consistent with this title, of the programs administered under this title.

SEC. 232. AUTHORIZATION OF APPROPRIATIONS AND OTHER FISCAL PROVISIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title, $83,000,000 for fiscal year 1991 and such sums as may be necessary for each of the 3 succeeding fiscal years.

(b) FISCAL YEAR 1991.—

(1) Of amounts appropriated for fiscal year 1991—

(A) $38,000,000 shall be allocated to carry out part A (the American Conservation Corps),

(B) $28,000,000 shall be allocated to carry out part B (the Youth Service Corps),

(C) $13,000,000 shall be allocated for in-service and postservice education, and

(D) $4,000,000 shall be allocated for national and regional clearinghouses, training and technical assistance activities, provide information and model programs, and for grants.

(2) Funds appropriated under this section shall remain available until expended.

(c) LIMITATION ON APPROPRIATIONS.—Of amounts appropriated to carry out this Act, funds designated for part B shall first be made available for part A of title I of the Domestic Volunteer Service Act in an amount necessary to provide the number of service years required for authorized fiscal year under such Act.

(d) LIMITATIONS ON ADMINISTRATIVE EXPENSES.—The regulations promulgated under this title shall establish appropriate limitations on the administrative expenses incurred by Federal agencies carrying out programs under this Act, including a cost reimbursement system under which the administrative expenses are paid under this title through reimbursement.

(e) CARRYOVER.—Funds obligated for any program year may be expended by each recipient during that program year and the two succeeding program years and no amount shall be deobligated on account of a rate of expenditure which is consistent with the program plan.

SEC. 233. DEFINITIONS.

For purposes of this title the following terms have the following meanings:

(1) The term "crew leader" means an enrollee appointed under authority of this title for the purpose of assisting in the supervision of other enrollees engaged in work projects pursuant to this title.

(2) The term "crew supervisor" means the adult staff person responsible for supervising a crew of enrollees (including the crew leader).

(3) The term "economically disadvantaged" with respect to youths has the same meaning given such term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).

(4) The term "employment security service" means the agency in each of the several States with responsibility for the administration of unemployment and employment programs and the oversight of local labor conditions.

(5) The term "enrollee" means any individual who is enrolled in the American Conservation or in the Youth Service Corps in accordance with section 405.

(6) The term "Indian" means a person who is a member of an Indian tribe.

(7) The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for Indian tribes, and any real property held by Indian tribes which is subject to restrictions on alienation imposed by the United States.

(8) The term "Indian tribe" means any Indian tribe, band, nation, or other group which is recognized as an Indian tribe by the Secretary of the Interior. Such term also includes any Native village corporation, regional corporation, and Native group established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1701 et seq.).

(9) The term "public lands" means any lands or waters (or interest therein) owned or administered by the United States or by any agency or instrumentality of a State or local government.

(10) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.

(11) The term "displacement" includes, but is not limited to, any partial displacement through reduction of nonovertime hours, wages, or employment benefits.

(12) The term "program" means activities carried out under part A or part B.

(13) The term "administering Secretary" means for purposes of part A the Secretary of the Interior (in the case of any lands or programs involving the Department of the Interior), or the Secretary of Agriculture (in the case of lands or programs involving the Department of Agriculture).

(14) The term "program agency" means—

(A) any Federal or State agency designated to manage any program in that State, or

(B) the governing body of any Indian tribe.

(15) The term "chief administrator" means the head of any program agency.

(16) The term "applying entity" means any program agency or any nonprofit organization which applies for a grant under section 216.

(17) The term "project" means any activity (or group of activities) which result in a specific identifiable service or product that otherwise would not be done with existing funds, and which shall not duplicate the routine services or functions of the employer to whom enrollees are assigned. In any case where participant activities overlap with the routine services or functions of an employer, no participant shall work in the same project for more than 6 months.

PART E—YOUTH SERVICE CLEARINGHOUSES

SEC. 236. FUNDING.

(a) IN GENERAL.—The Secretary of the Interior and the Director of the Action Agency are each authorized to provide financial assistance to 1 or more national or regional clearinghouses on youth corps and youth service.

(b) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—Public and private nonprofit agencies with extensive experience in youth corps and youth service programming may apply for financial assistance under subsection (a) for clearinghouses.

(c) FUNCTION.—National and regional clearinghouses assisted under subsection (a) shall—

(1) provide information, curriculum materials, technical assistance on program planning and operation, and training to States and local entities eligible to receive funds under this title,

(2) gather and disseminate information on successful programs, components of successful programs, innovative youth skills curriculum, and projects being implemented nationwide, and

(3) make recommendations to States, local entities, and agencies on quality controls to improve program delivery and on changes in the programs under this title.

PART F—COMMUNITY ACTION AGENCIES

For purposes of this title and the amendments made by this title, the terms "community-based organization" and "nonprofit organization" include a community action agency.

The CHAIRMAN. Are there any amendments to title II?

If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III—PROPOSED MODEL GOOD SAMARITAN FOOD DONATION ACT

SEC. 301. SENSE OF CONGRESS CONCERNING ENACTMENT OF GOOD SAMARITAN FOOD DONATION ACT.

(a) IN GENERAL.—It is the sense of Congress that each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States should—

(1) encourage the donation of apparently wholesome food or grocery products to nonprofit organizations for distribution to needy individuals; and

(2) consider the model Good Samaritan Food Donation Act (provided in section 302) as a means of encouraging the donation of food and grocery products.

(b) DISTRIBUTION OF COPIES.—The Archivist of the United States shall distribute a copy of this Act to the chief executive officer of each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

SEC. 302. MODEL GOOD SAMARITAN FOOD DONATION ACT.

(a) SHORT TITLE.—This section may be cited as the "Good Samaritan Food Donation Act".

(b) DEFINITIONS.—As used in this section:

(1) APPARENTLY FIT GROCERY PRODUCT.—The term "apparently fit grocery product" means a grocery product that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the product may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other condition.

(2) APPARENTLY WHOLESOME FOOD.—The term "apparently wholesome food" means food that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the food may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other condition.

(3) DONATE.—The term "donate" means to give without requiring anything of monetary value from the recipient, except that the term shall include giving by a nonprofit organization to another nonprofit organization, notwithstanding that the donor organization has charged a nominal fee to the donee organization, if the ultimate recipient or user is not required to give anything of monetary value.

(4) FOOD.—The term "food" means any raw, cooked, processed, or prepared edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for human consumption.

(5) GLEANER.—The term "gleaner" means a person who harvests for free distribution to the needy, or for donation to a nonprofit organization for ultimate distribution to the needy, an agricultural crop that has been donated by the owner.

(6) GROCERY PRODUCT.—The term "grocery product" means a nonfood grocery product, including a disposable paper or plastic product, household cleaning product, laundry detergent, cleaning product, or miscellaneous household item.

(7) GROSS NEGLIGENCE.—The term "gross negligence" means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(8) INTENTIONAL MISCONDUCT.—The term "intentional misconduct" means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(9) NONPROFIT ORGANIZATION.—The term "nonprofit organization" means an incorporated or unincorporated entity that—

(A) is operating for religious, charitable, or educational purposes; and

(B) does not provide net earnings to, or operate in any other manner that inures to the benefit of, any officer, employee, or shareholder of the entity.

(10) PERSON.—The term "person" means an individual, corporation, partnership, organization, association, or governmental entity, including a retail grocer, wholesaler, hotel, motel, manufacturer, restaurant, caterer, farmer, and nonprofit food distributor or hospital. In the case of a corporation, partnership, organization, association, or governmental entity, the term includes an officer, director, partner, deacon, trustee, council member, or other elected or appointed individual responsible for the governance of the entity.

(c) LIABILITY FOR DAMAGES FROM DONATED FOOD AND GROCERY PRODUCTS.—A person or gleaner shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a nonprofit organization for ultimate distribution to needy individuals, except that this paragraph shall not apply to an injury to or death of an ultimate user or recipient of the food or grocery product that results from an act or omission of the donor constituting gross negligence or intentional misconduct.

(d) COLLECTION OR GLEANING OF DONATIONS.—A person who allows the collection or gleaning of donations on property owned or occupied by the person by gleaners, or paid or unpaid representatives of a nonprofit organization, for ultimate distribution to needy individuals shall not be subject to civil or criminal liability that arises due to the injury or death of the gleaner or representative, except that this paragraph shall not apply to an injury or death that results from an act or omission of the person constituting gross negligence or intentional misconduct.

(e) PARTIAL COMPLIANCE.—If some or all of the donated food and grocery products do not meet all quality and labeling standards imposed by Federal, State, and local laws and regulations, the person or gleaner who donates the food and grocery products shall not be subject to civil or criminal liability in accordance with this section if the nonprofit organization that receives the donated food or grocery products—

(1) is informed by the donor of the distressed or defective condition of the donated food or grocery products;

(2) agrees to recondition the donated food or grocery products to comply with all the quality and labeling standards prior to distribution; and

(3) is knowledgeable of the standards to properly recondition the donated food or grocery product.

(f) CONSTRUCTION.—This section shall not be construed to create any liability.

SEC. 303. EFFECT OF SECTION 302.

The model Good Samaritan Food Donation Act (provided in section 302) is intended only to serve as a model law for enactment by the States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States. The enactment of section 302 shall have no force or effect in law.

The CHAIRMAN. Are there any amendments to title III?

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: At the end of the bill, insert the following new section:

SEC. . BUY-AMERICAN REQUIREMENT.

(a) DETERMINATION BY THE SECRETARY.—If the Secretary of Education, with the concurrence of the Secretary of Commerce and the United States Trade Representative, determines that the public interest so desires, the Commission is authorized to award to a domestic firm a contract made pursuant to the issuance of any grant made under this Act that, under the use of competitive procedures, would be awarded to a foreign firm, if—

(1) the final product of the domestic firm will be completely assembled in the United States;

(2) when completely assembled, not less than 51 percent of the final product of the domestic firm will be domestically produced; and

(3) the difference between the bids submitted by the foreign and domestic firms is not more than 6 percent.

In determining under this subsection whether the public interest so requires, the Secretary shall take into account United States international obligations and trade relations.

(b) LIMITED APPLICATION.—This section shall not apply to the extent to which—

(1) such applicability would not be in the public interest;

(2) compelling national security considerations require otherwise; or

(3) the United States Trade Representative determines that such an award would be in violation of the General Agreement on Tariffs and Trade or an international agreement to which the United States is a party.

(c) LIMITATION.—This section shall apply only to contracts made related to the issuance of any grant or contract made under this Act for which—

(1) amounts are authorized by this act (including the amendments made by this act) to be made available; and

(2) solicitation for bids are issued after the date of the enactment of this Act.

(d) REPORT TO CONGRESS.—The Secretary shall report to the Congress on contracts covered under this section and entered into with foreign entities in fiscal years 1990 and 1991 and shall report to the Congress on the number of Contracts that meet the requirements of subsection (a) but which are determined by the United States Trade Representative to be in violation of the General Agreement or an international agreement to which the United States is a party. The Secretary shall also report to the Congress on the number of contracts covered under this Act (including the amendments made by this Act) and awarded based upon the parameters of this section.

(e) DEFINITIONS.—For purposes of this section—

(1) SECRETARY.—The term "Secretary" means the Secretary of Education.

(2) DOMESTIC FIRM.—The term "Domestic Firm" means a business entity that is incorporated in the United States and that conducts business operations in the United States.

(3) FOREIGN FIRM.—The term "foreign firm" means a business entity not described in paragraph (2).

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this is a buy-American amendment that has been offered to nearly all the legislation that has come to the floor.

I want to start out by commending the chairman of the committee, the gentleman from California [Mr. HAWKINS], who is serving at the end of his great career, and the ranking minority member, the gentleman from Pennsylvania [Mr. GOODLING].

Mr. Chairman, the amendment is well known to all of the Members of the House, and I ask that it be approved.

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

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

Mr. HAWKINS. Mr. Chairman, I have no objection to the amendment. The gentleman from Ohio [Mr. TRAFICANT] has, I think, persistently offered this amendment. It has been adopted. It does not in any way hurt the bill. It may do some good.

On that basis, Mr. Chairman, I am willing to accept the amendment of the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. Chairman, I am just interested. As I understand this amendment, it is a "Buy America" amendment. Is that correct?

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

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

Mr. TRAFICANT. That is true, Mr. Chairman.

Mr. WALKER. What are we buying?

Mr. TRAFICANT. It is for any grants or contracts that may be made available under this particular act.

Mr. WALKER. Mr. Chairman, as I understood this, the bill goes to the question of student loans being forgiven for volunteers. What would we be buying under that?

Mr. TRAFICANT. Mr. Chairman, it goes beyond that, and it provides for authorization for appropriations as well.

Mr. WALKER. It provides for authorization for appropriations.

Is this in the American Conservation Corps? Is that where the money is?

Mr. TRAFICANT. Under section 123—

Each Youthbuild project shall carry out the services and activities under this subpart directly or through arrangements or under contracts with administrative entities designated under section 103(b)(1)(B) of the Job Training Partnership Act (29 U.S.C. 1501(b)(1)(B)), with State and local educational agencies, institutions of higher education, State and local housing development agencies, and with other public agencies and private organizations.

Mr. WALKER. Mr. Chairman, my understanding of that section was what they were doing was providing for help in terms of getting volunteers in place. Now what are we going to be buying that requires this amendment?

Mr. TRAFICANT. Mr. Chairman, it applies to all elements of the bill, not just to the loan cancellation section, where it would be moot.

Mr. WALKER. Mr. Chairman, section 1 is the loan cancellation section though. The gentleman from Ohio [Mr. TRAFICANT] quoted to me from section 1. That is the loan section of the bill.

Mr. TRAFICANT. All materials, all goods that would be purchased by anyone who would be receiving a contract under the bill, subject to any appropriation so listed and authorized by the act.

Mr. Chairman, I think it speaks for itself.

Mr. WALKER. I thank the gentleman from Ohio [Mr. TRAFICANT].

Mr. Chairman, I wonder whether or not we are not in a pretty superfluous area here, but I thank the gentleman for his explanation.

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

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

Mr. GUNDERSON. Mr. Chairman, let us pursue this a little bit further.

As I understand the basic thrust of the bill, it has three sections. Really one is grants to local States and local education agencies for voluntarism. The second title is the deferment in the waiver of student loans. The third is the Conservation Corps. That type of thing.

Under that, then I assume that anybody who gets a grant, any school would have to fill out the paperwork to verify that all of their money was used to buy American products.

Mr. WALKER. Mr. Chairman, I assume that is the case. There obviously has to be some kind of verification in this. We are right back into the whole business of bureaucracy that my colleagues and I were concerned about in the beginning, that someone is going to have to fill out the paperwork, verify that this is happening as a part of the volunteer program.

I mean once again it is Big Brother Federal Government, because I assume then that all of these places that are getting moneys under the program are now going to have to assure everybody in sight that they are not buying anything that has any kind of a foreign name on it so that they are certainly going to have to certify that as part of the program.

□ 1520

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

Mr. WALKER. I am glad to yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, it is subject to the exceptions and limitations the bill has had in the past. If it contradicts or is in opposition to any existing laws, it can be waived. What it basically states is that for any money under this particular act for the administration or operation or purchasing, it would give preference to the fact that it would be given to an American firm.

Mr. WALKER. Mr. Chairman, I thank the gentleman for his explanation. Our point is that we know it is in compliance with all the laws. The problem is that all of the laws increase the paperwork.

I think the gentleman from Wisconsin stated it correctly, and my point would be that we are adding more paperwork. I assume there is some sort of certification procedure required.

Mr. TRAFICANT. As this has been offered to every bill, it does require some paperwork, but there will be some paperwork needed if we try to provide for the purchase of American-made goods. I think it is a worthy effort as well.

Mr. WALKER. Mr. Chairman, I thank the gentleman for his helpful comments, because he once again raises the point I made earlier in the debate, and that is that we are in the process here of making volunteers of Federal bureaucrats. This is one more nail in the coffin of voluntarism. I understand this has been accepted, but it does not sound like a very good idea for the benefit we are going to get from it.

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

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

Mr. TRAFICANT. Mr. Chairman, I differ from that on one point. Congress had stated that it is very important that we reinforce volunteer opportunities. All I am doing is reinforcing within the contest of congressional goals and intents that if there are purchases to be made, they may be made from American firms.

Mr. WALKER. Again I would say to the gentleman that the problem is that we are also creating a whole host of bureaucratic paperwork to go with his certification.

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

Mr. WALKER. I am glad to yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, I am "Buy American" from the word "go." The only thing I think we should point out is that we want to see that nobody is blindsided, because every college and university, I suppose,

will be affected by this amendment because it would be they who would be forgiving the loan, and, therefore, I suppose they would be affected by it.

Mr. WALKER. In other words, the gentleman's understanding of this is that if a college or university was forgiving the loan, they would now be covered under a "Buy American" provision. So in fact if they went out and bought some Panasonic equipment to use in their audio-visual programs, they may in fact come under the coverage of this bill because they are forgiving student loans?

Mr. GOODLING. I am not sure, but I would assume that is true.

Mr. WALKER. That could get a little worrisome if we have that kind of problem.

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

Mr. WALKER. I am glad to yield to the gentleman from Ohio.

Mr. TRAFICANT. If we could clarify that, the university would not be subject to all of its purchases on the strength of this bill.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

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

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

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

Mr. TRAFICANT. Mr. Chairman, only those elements subject to this act would be covered in accordance with this Buy American provision. So it is not an omnibus provision. It does not mean that because there is a contract given to a university, all of their funds, because of that contract, is subject to this. What would be subject to this is all those elements involved in the contract subject to this particular act, and that act alone.

Mr. WALKER. Mr. Chairman, I thank the gentleman for his explanation, but the vice chairman of the committee seems to have a different interpretation, and I am sure he has consulted with counsel and at least has raised that question. So it seems to me we want to make absolutely certain that that is not the case. Nevertheless, it appears to me that what we have done here is we have created one more section of paperwork blizzard for these universities.

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

Mr. WALKER. I yield to the chairman of the committee.

Mr. HAWKINS. Mr. Chairman, for clarification, I understand the gentleman's point in opposition. I think they are well taken.

I would assume, however, that any of those receiving money under this program, this operating program, the volunteer service program, and so forth, would be filling out forms, and I envision that it only takes one line. That is my assumption in accepting such an amendment. It takes one line on such a form, and you are asked, if you have done so, in the purchase of goods and services, "Have you complied with the Buy American concept?" So I would think, and I may be wrong, that it is just as simple as that.

If it takes a lot of paperwork and bureaucratic redtape, then I obviously would not even want to accept the amendment, although I agree with the spirit of it.

Does the gentleman envision that it would take more than possibly a line of certifying as to the origin of goods and services in compliance with the program?

Mr. WALKER. Well, does the gentleman have the same kind of concern that the gentleman from Pennsylvania expressed, that since colleges and universities, for instance, would be the institutions giving forgiveness on this, they, in fact, could end up being covered under this Buy American provision for a broad base of the programs they have at the university level?

Mr. HAWKINS. I would assume it applies only to the National Service Act part of it and would not apply across the university level. I think that is the intent of it. I think we are reading into the intent what is strictly in compliance with the National Service Act.

Mr. WALKER. The gentleman heard, as I am sure I did, that the gentleman from Ohio at one point quoted to us from section 1 of this bill, which is basically the loan forgiveness section of the bill. So some of us are a little concerned about just exactly what these provisions may mean to a whole host of institutions across the country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SOLOMON

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

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: Page 118, after line 17, insert the following new title:

TITLE IV—MILITARY SELECTIVE SERVICE PROVISIONS

SEC. 402. SELECTIVE SERVICE REGISTRATION.

(a) REGISTRATION REQUIRED.—An individual who—

(1) is or was required to register under section 3 of the Military Selective Service Act (50 U.S.C. App. 453); and

(2) is not so registered or knowingly and willfully did not so register before the requirement terminated or became inapplicable to the individual,

shall not be eligible to participate in a service program established under this Act.

(b) ENFORCEMENT.—The head of each agency of the Federal Government administering a service program under this Act shall ensure that each individual participating in that service program has not violated section 3 of the Military Selective Service Act (50 U.S.C. App. 453) by not submitting to registration as required under that section.

Mr. SOLOMON. Mr. Chairman, I will be very brief.

This amendment is similar to many that I have offered on this floor in the past which have been overwhelmingly accepted and, incidentally, upheld before the U.S. Supreme Court.

The bill before us waives the obligtion for students to pay back their college loans and grants if they are employed in programs covered under this legislation. When we have young patriotic American men and women serving as reservists in the Persian Gulf today at substantial financial hardship, we certainly do not want to be canceling college loans and grants for young men who would refuse to register for the draft. It is as simple as that. This simply writes into the law that they must be registered for the draft if they are going to participate in these programs.

Mr. Chairman, I hope the membership will accept the amendment.

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

Mr. SOLOMON. I yield to the chairman of the committee.

Mr. HAWKINS. Mr. Chairman, the gentleman is correct in his explanation. It has been consistently accepted, and I am pleased to assure the gentleman that we again accept it.

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

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

Mr. SOLOMON. I yield to the ranking member.

Mr. GOODLING. Mr. Chairman, I am happy to accept the gentleman's amendment.

Mr. SOLOMON. Mr. Chairman, I thank the gentleman from Pennsylvania.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to the bill?

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

Mr. Chairman, the reason I am taking time at this point in the debate is because it seems that for some reason Members spend a lot more of their time, energy, and attention on the debate once we get to the amendment process than they do during general debate on legislation. So I wanted to take a little time to again reflect on what we are doing here today.

I frankly am frustrated. I am frustrated because under guise of being for or against voluntarism, we frankly are throwing away taxpayers' dollars. Imagine, if you can, a situation where

the Government of the United States has a major deficit, where the President has brought together the leadership of both parties, where they have gone off of Capitol Hill and they have gathered for intensive negotiations to try to figure out a way to come up with at least $50 billion in deficit reduction this year and at least $500 billion in deficit reduction over 5 years, because that is what the experts say is going to be absolutely essential in order to keep the economy of that nation running.

□ 1530

While they are doing that, the Congress of the United States is in session, and while they are in session they take up some legislation that says in order to promote voluntarism in this country, we are going to setup a new Federal program, new Federal bureaucracy, rules, regulations, paperwork, inspectors, auditors, and everything else. Then what we are going to do is provide all kinds of incentives and payments to get that done.

Now, think about what that is in that legislation. In title I of the legislation that is in front of us, the first thing we are going to do is we are going to take and spend $10 million, $20 million, $30 million, $35 million for school-based community service.

Do you know what that is? We are going to send Federal money down to the administrators and teachers to promote voluntarism in their school.

The next thing we are going to do is take $10 million, $20 million, $30 million, $35 million, and we are going to give grants to higher education, to expand or create service opportunities. That is in essence part of what we are going to do to encourage students to participate. And if they do, we will defer their loans. And if they go into the right profession, I guess we might even do something else. We are going to take $10 million and put that to a youth bill project. You ought to read the youth bill project in here. You can only work for it 6 months at a minimum, 18 months at a maximum. And if you want to take training after work, education and training, you are going to be allowed to.

Then what we are going to do is take another $10 million, another $20 million, another $30 million, and we are to spend that on various targeted demonstration projects. Now, what is that? That is the program we were just talking about over here where if you are a professional, full-time paid professional, and you happen to be in drug prevention, we are not going to defer your loan, we are going to forgive it.

We do not have any apologies to the policeman working for the same police force who came out of the same college who gets the same salary, but he is on the front line of the streets, because he is not a drug professional per se.

Then we are going to go on to title II of this bill and we are going to create an American Conservation Corps. Now, listen to this: $10 million, $20 million, $30 million, $40 million, $50 million, $60 million, $70 million, $80 million, $83 million.

What are we going to do with those $83 million? Public works programs. And if they have time and interest after school, we will give them aid and training.

Do you know what has happened? We have just authorized $193 million in new spending in one little bill for voluntarism. Millions turn into billions; billions turn into trillions. That, ladies and gentlemen, is how the Congress of the United States creates the national debt we have today.

The CHAIRMAN. Are there other amendments?

AMENDMENT OFFERED BY MR. WALKER

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

The Clerk read as follows:

Amendment offered by Mr. WALKER: Add a new section to the end of the bill.

No individual may participate in programs assisted under this Act if such individual has been convicted of use, possession or distribution of controlled substances.

Mr. WALKER. Mr. Chairman, this is a fairly straightforward amendment. It just makes clear that we are not wanting to have people who are involved in the drug trade participating under this particular program. The bill speaks to people being convicted, so that mere indication that someone had used drugs would not be enough. But if you have actually been convicted of use of drugs, if you have been convicted of distribution of drugs, if you have been convicted of possession of drugs, then you would not be eligible for participation under the programs outlined here.

It seems to me that this sends one more signal that as we move into some of these areas, that we are not going to allow the drug culture to move with us, that we are going to assure that programs that are forgiving student loans and doing other kinds of things are done for people who have remained drug free.

Mr. Chairman, that is, I think, the fairly straightforward nature of the amendment. I would urge its adoption.

Mr. HAWKINS. Mr. Chairman, I rise in opposition to the amendment. Apparently it is an 11th hour attempt to just confuse further the proposal. I think the proposal is straightforward. It is to encourage volunteers in service to the country.

The amendment itself says that no individual who has been convicted of use, possession, or distribution of controlled substances would be able to offer their volunteer service to the Nation.

Mr. Chairman, it would seem to me that these are some of the individuals we would want to encourage to do that. As a matter of fact, in many instances, the courts command them to do so as a condition of whatever sentence is handed down. They are sometimes mandated to engage in some type of community service. This would deny to the courts their discretion to do so.

Mr. Chairman, I do not think the amendment is well thought out. I think it is well-motivated, but I do not think it is well thought out. Certainly, it has not been discussed in any of the hearings, and I think that it would work mischief on the very program.

Mr. Chairman, if we want volunteers, we want everyone to the extent humanly possible to engage in the volunteer service. This would preclude some of the individuals whom I think we should rather mandate almost, and not wait for volunteers to do so. For that reason, I would oppose the amendment.

Mr. PETRI. Mr. Chairman, would the gentleman yield?

Mr. HAWKINS. I am glad to yield to the gentleman from Wisconsin.

Mr. PETRI. Mr. Chairman, it seems to me that the amendment of the gentleman from Pennsylvania [Mr. WALKER] is probably at least as well thought out and will help this bill as much as the amendment of the gentleman from Ohio which was accepted just a minute ago. The bill will go to conference anyway. Both provisions would be conferenceable.

Mr. Chairman, there is some indication we may have a rollcall vote on the amendment. It might be better just to accept it, and then if there is a problem with it, we could work it out.

Mr. HAWKINS. Mr. Chairman, reclaiming my time, I did not mean it was not well thought out in terms of its intent, because it has been offered before this. I think that the gentleman from Pennsylvania [Mr. WALKER] is sincere in offering it. However, I do not think that the gentleman would agree that if the court, let us say, commanded an individual that had been engaged in some way with the use, possession or distribution of a controlled substance, that the court would not have the privilege of mandating as a part of the sentence some type of community service. That is just one instance.

The gentleman, as I understand it, has also raised the objection about redtape or bureaucratic problems with the bill. This certainly would add to some of those, if the "Buy American" does not, and I was not extremely enthused about that amendment. But I did not see that that could do any harm. I can see instances in which this could do harm, and I just pointed out one instance.

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

Mr. HAWKINS. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding. First of all, I do not think there is anything in this amendment which suggests the court could not mandate somebody to do community service. But if they did community service under a court mandate, they could not get their loan forgiven.

Mr. Chairman, it seems to me that it is perfectly logical. Why, if the court is mandating a punishment, should the result of that be they get their loan forgiven?

Mr. HAWKINS. Mr. Chairman, reclaiming my time, this bill goes far beyond loan forgiveness. That is only a phase of it.

Mr. WALKER. Mr. Chairman, if the gentleman will yield further, there is nothing in the bill or in this amendment that would stop the courts from ordering somebody into community service. But I would tell the gentleman from California [Mr. HAWKINS] that when the court orders somebody into community service, it is usually as a punishment, and that is not voluntarism. It is being done as punishment.

Mr. Chairman, all I am suggesting here is that we ought not be distributing benefits to people who are drug users, to people who are drug dealers. That is what this amendment says. I cannot imagine why we would want to send any other signal.

Mr. HAWKINS. Mr. Chairman, reclaiming my time, it could be the use of marijuana I would assume.

Mr. WALKER. Marijuana is a controlled substance.

Mr. HAWKINS. Some individual at an early age could be convicted of marijuana, who will be denied the opportunity to volunteer.

□ 1540

As I say, it goes far beyond being loan forgiveness. It is national service of all kinds, and it would go far beyond just forgiveness.

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

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

Mr. WALKER. If the gentleman will continue to yield, nothing would stop them from volunteering. They obviously can volunteer and do whatever they want. But they cannot be assisted under this act.

Mr. HAWKINS. The program could be assisted, and they could volunteer for the program.

Mr. WALKER. But this speaks to the individual, "No individual may participate."

Mr. HAWKINS. But it says, "No individual may participate in programs assisted under this act."

Mr. WALKER. I see what the gentleman is saying, in that case, if the program receives any assistance. But I would say to the gentleman that my understanding of the bill is that you are not giving the money to individual programs in that sense. That money is going to States, it is going to localities and so on, so you do not have any kind of a situation arising under this particular amendment.

Once again, I would say to the gentleman that the intent of this amendment certainly is that we are going to keep people out who are drug dealers and drug users, and I cannot imagine that we do not want to do that.

Mr. HAWKINS. If I may say to the gentleman from Pennsylvania, may I illustrate this way: I visited a conservation corps in San Francisco, a very excellent, well recognized program. The young people on that program clean up the street, they do the work of revitalizing buildings, of going down the alleyways and collecting trash, and things of that nature. That is a program which probably would be assisted under this act. The gentleman is saying that an individual may not participate in that program if that individual in early life had been convicted, let us say, of possession of marijuana, and the gentleman from Pennsylvania would say forever. There is no time limit on this.

Mr. WALKER. If the gentleman will yield, I see the point he is making. I think it is a good point, and I am perfectly willing to modify the amendment to take out the words "may participate in programs," so that we make it directly on the individual, and say, "No individual assisted under this act if such individual has been convicted."

Mr. HAWKINS. That is why I say at the 11th hour an amendment of this nature, we have not had an opportunity really to perfect it, and it is very difficult to oppose it because the thought is OK. But this goes too far it seems to me, and it would be an individual who has been convicted, one who has served one's time, who has paid one's debt to society, and they are forever foreclosed from the opportunity, that individual, of participating in any program or being eligible to volunteer. It seems to me that we are looking for volunteers.

Personally, I think most of these volunteers should be paid. They are doing a service for which I think society benefits, and I think we should be paying most of them. But out of the goodness of their heart they want to volunteer, and it seems to me we want to encourage everyone to do so.

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

Mr. GUNDERSON. Mr. Chairman, I take the time because I think this issue needs to be resolved a little bit more before we go to a vote. I think the intent of all of us is the same here.

If I can have the attention of the gentleman from Pennsylvania [Mr. WALKER], I think what we are trying to do is say that loans ought not be deferred or canceled for people in this area. I think the concept of saying that anyone who has ever been convicted of a drug violation cannot participate in a volunteer program, cannot participate in the Conservation Corps, the chairman is right. That is the kind of individual the program is made for. So I think what we are trying to do is get this only at the loan deferments and forgivenesses.

Is that the intent of the gentleman from Pennsylvania?

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

Mr. GUNDERSON. I yield to the gentleman from Pennsylvania.

Mr. WALKER. The intent of this gentleman is that we do not have druggies who are getting Federal benefits. One of the ways in which we can prevent that is to assure that as we create programs we keep people out who are or who have been involved in the drug culture, and we make very clear that the Federal Government is not going to permit that to happen. So that is the intent of this amendment.

MODIFICATION OF AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, as I say, I would be willing to change this. I would ask unanimous consent that in the amendment at the desk the words "participate in programs" be stricken, and that the world "be" be inserted after the word "may," so that the amendment would read, "No individual may be assisted under this Act if such individual has been convicted of use, possession or distribution of controlled substances."

The CHAIRMAN. Is there objection to the modification offered by the gentleman from Pennsylvania?

There was no objection.

The text of the amendment, as modified, is as follows:

Add a new section to the end of the bill.

No individual may be assisted under this Act if such individual has been convicted of use, possession or distribution of controlled substances.

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

Mr. Chairman, I am wondering, part of our problem here is apparently that we have gone beyond the particular title of the bill so that what we need to do is ask unanimous consent that the amendment refer to the title of the bill dealing with student loans, and also ask unanimous consent to go back to that section of the bill. Is that acceptable?

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

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

Mr. HAWKINS. Mr. Chairman, I am not so sure that corrects it. It certainly would improve it. But I am thinking of the fact that you are saying, individuals who may be benefited under this; you are not talking only of those volunteers, but the volunteers who helped to provide benefits for individuals under the act. If we go that far, there may be some way that we could reach it, and I am just wondering how we could accommodate the amendment.

Mr. GUNDERSON. If the gentleman will defer to me, if we go back to that section dealing only with the student loans, that title of the bill, and we only make it applicable there, that may cure the problem.

Mr. HAWKINS. I would prefer we do that. I would certainly not object, but I would indicate with reservations that I would not commit myself to fight even for that type of a redrafted amendment unless we can see the language and study the language.

We could do it tentatively, obviously, and I would not call for a roll call vote if the Members voted to accept it. I would go for it. I would consent to go back and apply it to that section.

Mr. WALKER. Mr. Chairman, if the gentleman will yield, maybe we can do it without actually going back, and so on. I can put into the amendment the language, "under title I, subpart 4 of the act." That way it would deal with that particular section of the bill.

So it would read: "No individual may be assisted under title I, subpart 4 of the act if such individual has been convicted."

Mr. HAWKINS. Relating to direct loans.

FURTHER MODIFICATION TO AMENDMENT OFFERED BY MR. WALKER

The CHAIRMAN. Will the gentleman from Pennsylvania [Mr. WALKER] please restate his unanimous-consent request?

Mr. WALKER. We will get it right in a minute, Mr. Chairman. It would be, "No individual may be assisted under," and then the words "title I, subpart 4 of the act," and so forth.

The CHAIRMAN. Is there objection to the further modification offered by the gentleman from Pennsylvania?

There was no objection.

The text of the amendment, as further modified, is as follows:

Add a new section to the end of the bill.

No individual my be assisted under title I Subpart 4 of the act if such individual has been convicted of use, possession or distribution of controlled substances.

Mr. CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER], as modified.

The amendment, as modified, was agreed to.

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

My colleagues, I think we are just about through with the debate on this bill. At least this Member is not aware of any other amendments that Members intend to offer.

I think this has been, at least to me, and I think perhaps to a few others, an interesting debate. But I thought I owed it to my colleagues, particularly in this debate, to state why I do oppose this legislation.

I think in the United States we have a very unique sector of our society. It is stronger and more vital in our country than I believe in any other in the world, and that is the volunteer sector.

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Everything in the United States is not consumed by the Government sector as it is in some societies, or by the private sector or a feudal sector the way it might be in some others. We have this sort of great mediating sector between the private sector and the Government sector which is the voluntary sector. It includes all sorts of religious organizations, community service organizations, a thousand and one different organizations.

There is not a town in my district out in Wisconsin that could function as a community as well as it does if it did not have the local Lions Club and the Kiwanis Club and the Rotary Club and, yes, the YMCA, and you name it, the DeMolay, and a hundred others, private, nongovernment, nonprofit, voluntary organizations. If they were to try to use the Government to try to build a swimming pool or a tennis court, it would be a big political controversy. If it is done because the firemen put on a picnic or some organization does it, everyone pitches in and helps, and it unifies the community rather than dividing the community.

I think that is a very important sector of our life and of our society, and I am just very afraid that if we get the Government involved in it in the wrong way, you will end up drying it up rather than helping it.

I say that because I have experienced that in my own life as a volunteer and as a citizen and an attorney in these sorts of organizations in the community. I can remember as a young member of the Fond du Lac County Bar Association volunteering, as did all of the other members of that association, to devote a week of our time, each of us, and there were about 50 members of the county bar, to take any case that could come in. We would go down to the local courthouse, and it was well advertised and publicized. Any citizens who would come in who could not afford to pay for their divorce or to pay for their dispute with their landlord or whatever the case happened to be, we would volunteer and take that case and pursue it no matter how long it took, if it took a year or 2 years, fine. What happened? Why, the Federal Government came in with some well-meaning, I am sure, people. They wanted us to fill out little forms about how much time we were spending doing this, and, by George, it started totaling up to 1 man-year worth of work, and they said, "Well, we have got to go hire a lawyer to go out and do this." Then the lawyer needed a secretary. Then they needed a coordinator, and suddenly we had a new bureaucracy in the community. I suspect fewer people actually were helped who had disputes as a result than had been helped before.

I served at one point on a Salvation Army board in our community, and this organization is a wonderful organization. It helps those who have no friends, who are destitute, who have no place to stay even, or anything to eat, the people who are at the very end against the wall, the homeless, and it has been out there for years doing it on a voluntary basis.

I can tell you that in our community, in my experience, over and over again, Government programs ended up replacing, driving out, this voluntary effort and doing the job worse rather than better and at much greater cost to the community.

So I am very concerned that, as I said at the opening, rather than fostering volunteers, and I should add that I have voted for, and I continue to vote for, the title II part of this bill having to do with the Civilian Conservation Corps, helping young people. I think that is a good idea. The administration happens to oppose it, but I have voted for it in the past, and I will vote for it again, but not getting under the guise of voluntarism, calling voluntarism things that are paid and are going to have to be regulated and be accountable and buying American and a hundred and one other things that will make it impossible for people to function efficiently and get the job done of helping in their own community. They will not really be able to participate in it. This is not going to help people in Monroe, WI, or in most of the counties in my district. There are going to be $3 million to $4 million for the entire State of Wisconsin, and I suspect for people to participate, if they were to try, it would end up costing more than twice that for them to actually participate if they were to actually figure it out and comply.

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

The CHAIRMAN. If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MAZZOLI] having assumed the chair, Mr. OBEY, 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. 4330) to establish school-based and higher education community service programs, to establish youth service programs, and for other purposes, pursuant to House Resolution 463, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment. The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 4330, NATIONAL SERVICE ACT OF 1990

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 4330, the Clerk be authorized to make corrections in section numbers, punctuation, citations, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

GENERAL LEAVE

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 4330, the bill just passed.

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

There was no objection.

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be discharged from further consideration of the Senate bill (S. 1430) to enhance national and community service, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1430

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "National and Community Service Act of 1990".

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

Sec. 1. Short title and table of contents.
Sec. 2. Findings.
Sec. 3. Purposes.

TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

Subtitle A—General Provisions

Sec. 101. Definitions.
Sec. 102. Authority to make State grants.

Subtitle B—School and Community Based Service

Sec. 110. Short title.
Sec. 111. General authority.
Sec. 112. Locality application.
Sec. 113. State application.
Sec. 114. Local applications.
Sec. 115. Limitations on use.
Sec. 116. Use of funds.
Sec. 117. Treatment of Indian tribes.

Subtitle C—American Conservation and Youth Corps

Sec. 120. Short title.
Sec. 121. General authority.
Sec. 122. Allocation of funds.
Sec. 123. State application.
Sec. 124. Focus of programs.
Sec. 125. Related programs.
Sec. 126. Public lands or Indian lands.
Sec. 127. Training and education services.
Sec. 128. Amount of award.
Sec. 129. Preference for certain projects.
Sec. 130. Age and citizenship criteria for enrollment.
Sec. 131. Post-service benefits.
Sec. 132. Living allowance.
Sec. 133. Joint programs.
Sec. 134. Federal and State employee status.

SUBTITLE D—NATIONAL AND COMMUNITY SERVICE

Sec. 140. Short title.
Sec. 141. General authority.
Sec. 142. Grants.
Sec. 143. Types of national service.
Sec. 144. Te.ms of service.
Sec. 145. Eligibility.
Sec. 146. Vouchers.
Sec. 147. Living allowance.
Sec. 148. Training.
Sec. 149. Public-private partnership.
Sec. 150. In-service education benefits.

Subtitle E—Innovative Service Programs

Sec. 160. General authority.
Sec. 161. Grants.

Subtitle F—Administrative Provisions

Sec. 170. Limitation on number of grants.
Sec. 171. Reports.
Sec. 172. Supplementation.
Sec. 173. Prohibition on use of funds.
Sec. 174. Nondiscrimination.
Sec. 175. Notice, hearing, and grievance procedures.
Sec. 176. Nonduplication and nondisplacement.
Sec. 177. State advisory board.
Sec. 178. Evaluation.
Sec. 179. Engagement of participants.
Sec. 180. National Service Demonstration Program amendments.
Sec. 181. Partnerships with schools.
Sec. 182. Service as tutors.
Sec. 183. Conforming amendments.

Subtitle G—Commission on National and Community Service

Sec. 190. Commission on National and Community Service.

TITLE II—MODIFICATIONS OF EXISTING EDUCATION PROGRAMS

Sec. 201. References.

Subtitle A—Higher Education

Sec. 210. Innovative projects for community service.

Subtitle B—State Student Incentive Grant and Work Study Programs

Sec. 220. Additional reservation for campus-based community work learning study jobs.
Sec. 221. Work study programs.
Sec. 222. Public Health Amendment.

Subtitle C—Publication

Sec. 230. Information for students.
Sec. 231. Exit counseling for borrowers.
Sec. 232. Department information on deferments and cancellations.
Sec. 233. Data on deferments and cancellations.

Subtitle D—Direct Loans to Students in Institutions of Higher Education

Sec. 240. Loan cancellation authorized.
Sec. 241. Effective date.

Subtitle E—Loan Forgiveness

Sec. 250. Loan forgiveness.
Sec. 251. Effective date.

TITLE III—POINTS OF LIGHT INITIATIVE FOUNDATION

Sec. 301. Short title.
Sec. 302. Findings and purposes.
Sec. 303. Authority.
Sec. 304. Grants to the Foundation.
Sec. 305. Eligibility of the Foundation for grants.
Sec. 306. Powers and functions.
Sec. 307. Principal and branch offices.
Sec. 308. Nonprofit nature of the Foundation.
Sec. 309. Exemption from tax.
Sec. 310. Oversight.
Sec. 311. Annual budget.

TITLE IV—AUTHORIZATION OF APPROPRIATIONS

Sec. 401. Authorization of appropriations.

TITLE V—GENERAL PROVISIONS

Sec. 501. Emergency medical services for children.
Sec. 502. Physician's comparability allowance.

Sec. 503. Policy regarding "Peace Dividend".
Sec. 504. Drug free workplace requirements.
Sec. 505. Amend section 1-2503 of District of Columbia Code.
Sec. 506. Sense of Congress concerning enactment of Good Samaritan Food Donation Act.
Sec. 507. Condemning human rights repression in China.
Sec. 508. Exchange program with countries in transition from totalitarianism to democracy.
Sec. 509. Exchange national and community services.

SEC. 2. FINDINGS.

Congress finds that—

(1) service to the community and the Nation is a responsibility of all citizens of the United States, regardless of the economic level or age of such citizens;

(2) citizens of the United States who become engaged in service at a young age will better understand the responsibilities of citizenship and continue to serve the community into adulthood;

(3) serving others builds self-esteem and teaches teamwork, decision making, and problem-solving;

(4) the 70,000,000 youth of the United States who are between the ages of 5 and 25 offer a powerful and largely untapped resource for community service;

(5) conservation corps and human service corps provide important benefits to participants and to the community;

(6) the Volunteers in Service to America Program (hereinafter in this Act referred to as "VISTA"), as established by title I of the Domestic Volunteer Act of 1973 (42 U.S.C. 4951 et seq.), is one of the most cost effective means of fighting poverty in the United States;

(7) the cost of higher education, loan indebtedness, and the high price of housing deter many young adults from volunteering for service programs that involve a substantial time commitment;

(8) older Americans, through the Older American Volunteer Programs (as established by title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001 et seq.)), provide 500,000,000 hours of service each year and are a vital force in addressing national problems;

(9) the VISTA and Older American Volunteer Programs have recently been expanded and are an important part of the national and community service effort of the United States;

(10) many Americans cannot participate in a full-time service program, but should have the option of part-time service; and

(11) a range of full-time and part-time national and community service opportunities should be made available to all citizens, particularly youth and older Americans.

SEC. 3. PURPOSES.

It is the purpose of this Act to—

(1) renew the ethic of civic responsibility in the United States;

(2) ask citizens of the United States, regardless of age or income, to engage in full-time or part-time service to the Nation;

(3) begin to call young people to serve in national service programs;

(4) enable young Americans to make a sustained commitment to national service by removing barriers to such service that have been created by high education costs, loan indebtedness, and the cost of housing;

(5) build on the existing organizational framework of Federal, State, and local programs and agencies to expand full-time and part-time service opportunities for all citizens, particularly youth and older Americans;

(6) involve participants in activities that would not otherwise be performed by employed workers; and

(7) generate 100,000,000 additional service hours each year to help meet human, educational, environmental, and public safety needs, particularly those needs relating to poverty.

TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

Subtitle A—General Provisions

SEC. 101. DEFINITIONS.

As used in this title:

(1) ADULT VOLUNTEER.—The term "adult volunteer" means—

(A) an individual who is beyond the age of compulsory schooling, including an older American, an individual with a disability, and a parent;

(B) an employee of a private business;

(C) an employee of a public or nonprofit agency; or

(D) any other individual working without financial renumeration in an education institution to assist students or out of school youth.

(2) COMMISSION.—The term "Commission" means the Commission on National and Community Service established under section 190.

(3) COMMUNITY-BASED AGENCY.—The term "community-based agency" means a private nonprofit organization that is representative of a community or a significant segment of a community and that is engaged in meeting human, educational, or environmental community needs, including, but not limited to, churches and other religious entities.

(4) CREW SUPERVISOR.—The term "crew supervisor" means the adult staff individual who is responsible for supervising a crew of participants, including the crew leader.

(5) EDUCATION INSTITUTION.—The term "education institution" means a local educational agency, elementary or secondary school, including, but not limited to, private sectarian and nonsectarian schools, library or a community-based agency that provides educational services.

(6) ELEMENTARY SCHOOL.—The term "elementary school" has the same meaning given such term in section 1471(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(8)).

(7) INDIAN LANDS.—The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for Indian tribes, and any real property held by Indian tribes that is subject to restrictions on alienation imposed by the United States.

(8) INDIAN TRIBE.—The term "Indian tribe" means an Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(9) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the same meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(10) LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the same meaning given such term in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12)).

(11) LOCAL GOVERNMENT AGENCY.—The term "local government agency" means a public agency that is engaged in meeting human, social, educational, or environmental needs.

(12) OUT-OF-SCHOOL YOUTH.—The term "out-of-school youth" means an individual who—

(A) has not attained the age of 27;

(B) has not completed college or the equivalent thereof; and

(C) is not enrolled in an elementary or secondary school or institution of higher education.

(13) PARTICIPANT.—The term "participant" means an individual enrolled in a program that receives assistance under this title.

(14) PARTNERSHIP PROGRAM.—The term "partnership program" means a program through which adult volunteers, public or private agencies, including, but not limited to, churches and other religious entities, institutions of higher education, community organizations, or businesses assist an education institution.

(15) PLACEMENT.—The term "placement" means the matching of a participant with a specific project.

(16) PROGRAM.—The term "program" means an activity carried out with assistance provided under this title.

(17) PROGRAM AGENCY.—The term "program agency" means—

(A) a Federal or State agency designated to manage a youth service corps program;

(B) the governing body of an Indian tribe that administers a youth service corps program; or

(C) a local applicant administering a youth service corps program.

(18) PROJECT.—The term "project" means an activity that results in a specific identifiable service or product that otherwise would not be done with existing funds, and that does not duplicate the routine services or functions of the employer to whom participants are assigned.

(19) PUBLIC LANDS.—The term "public lands" means any lands or waters (or interest therein) owned or administered by the United States or by an agency or instrumentality of a State or local government.

(20) SECONDARY SCHOOL.—The term "secondary school" has the same meaning given such term in section 1471(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(21)).

(21) SERVICE OPPORTUNITY.—The term "service opportunity" means a program or project that enables students or out-of-school youth to perform meaningful and constructive service in agencies, institutions, and situations where the application of human talent and dedication may help to meet human, educational, linguistic, and environmental community needs, especially those relating to poverty.

(22) SPECIAL SENIOR SERVICE MEMBER.—The term "special senior service member" means an individual who is age 60 or over and willing to work full-time or part-time in conjunction with a full-time national service program.

(23) SPONSORING ORGANIZATION.—The term "sponsoring organization" means an organization, eligible to receive assistance under this title, that has been selected to provide a placement for a participant.

(24) STATE.—The term "State" means each of the several States, the District of Colum-

bia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau.

(25) STATE EDUCATIONAL AGENCY.—The term "State educational agency" has the same meaning given such term in section 1471(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(23)).

(26) STUDENT.—The term "student" means an individual who is enrolled in an elementary or secondary school or institution of higher education on a full- or part-time basis.

(27) SUMMER PROGRAM.—The term "summer program" means a youth service corps program authorized under this title that is limited to the months of June, July, and August.

(28) YOUTH SERVICE CORPS PROGRAM.—The term "youth service corps program" means a program, such as a conservation corps or human services corps program, that offers full-time, productive work (to be financed through stipends) with visible community benefits in a natural resource or human service setting and that gives participants a mix of work experience, basic and life skills, education, training, and support services.

(29) YOUTH COMMUNITY SERVICE PROGRAM.—The term "youth community service program" means a program in which students or out-of-school youths are offered service opportunities in the community or an educational institution.

SEC. 102. AUTHORITY TO MAKE STATE GRANTS.

The Commission may, in accordance with the provisions of this title, make grants to States, or to local applicants, to enable such States or applicants to carry out national or community service programs under subtitles B, C, D, or E.

Subtitle B—School and Community Based Service

SEC. 110. SHORT TITLE.

This subtitle may be cited as the "Service America, the Service to America Act of 1990".

SEC. 111. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States or local applicants for the creation or expansion of service opportunities for students and out-of-school youth and to increase the number of community members, particularly senior citizens, who are volunteering in schools.

SEC. 112. LOCALITY APPLICATION.

If a State does not apply for assistance under this subtitle or if a State does not have an application approved under section 113, the Commission may make grants directly to local applicants. The Commission shall apply the criteria described in section 114 in evaluating such local applications.

SEC. 113. STATE APPLICATION.

To be eligible to receive a grant under this subtitle a State, acting through the State educational agency, shall prepare and submit, to the Commission, an application at such time, in such manner, and containing such information as the Commission shall reasonably require, including a description of the manner in which—

(1) local applications will be ranked by the State according to the criteria described in section 114, and in a manner that ensures the equitable treatment of local applications submitted by both educational and non-educational institutions;

(2) service programs within the State will be coordinated;

(3) cooperative efforts among education institutions, local government agencies, community-based agencies, businesses, and State agencies to provide service opportunities, including those that involve the participation of urban, suburban, and rural youth working together, will be encouraged;

(4) economically and educationally disadvantaged youths, including individuals with disabilities, youth with limited basic skills or learning disabilities, and youth who are in foster care, are assured of service opportunities;

(5) service programs that receive assistance under this subtitle will be evaluated;

(6) programs that receive assistance under this subtitle will serve urban and rural areas and any tribal areas that exist within such State;

(7) technical assistance and training will be provided to service programs within the State;

(8) non-Federal and other types of Federal assistance will be used to expand service opportunities for students and out-of-school youth; and

(9) information and outreach services will be disseminated and utilized to ensure the involvement of a broad range of organizations, particularly community-based organizations.

SEC. 114. LOCAL APPLICATIONS.

(a) APPLICATION REQUIRED.—

(1) PARTNERSHIP.—

(A) IN GENERAL.—Any education institution, local government agency, community-based agency, or consortia thereof that desires to receive a grant—

(i) from a State that has received assistance under this subtitle; or

(ii) in the case of a State that does not apply for assistance under this subtitle or have an application approved under section 113, directly from the Commission;

shall form a partnership consisting of one or more education institutions and one or more local government or community-based agencies.

(B) EXCEPTION.—The provisions of subparagraph (A) shall not apply if the applicant is—

(i) an education institution that intends to provide service opportunities solely within such education institution; or

(ii) an education institution that has formed a partnership with one or more private businesses to conduct a partnership program.

(2) CONTENT OF APPLICATION.—To be eligible to receive a grant under this subtitle, a partnership under paragraph (1) shall prepare and submit, to the State educational agency (or the Commission if paragraph (1)(A)(ii) applies), an application at such time, in such manner, and containing such information as the State educational agency (or the Commission) shall reasonably require. Each such application shall—

(A) contain a written agreement, between the institution with which participants are affiliated and one or more representatives of the community or education institution where service opportunities will be provided, stating that the program was jointly developed by the parties and that the program will be jointly executed by the parties;

(B) establish and specify the membership and role of an advisory committee that shall consist of representatives of community agencies, service recipients, youth serving agencies, youth, parents, teachers, administrators, school board members, labor, and business, one-half of which shall be selected by the community partner and one-half of which shall be selected by the education institution;

(C) describe the goals of the program which shall include goals that are quantifiable, measurable, and demonstrate any benefits that flow from the program to the participants and the community;

(D) describe the service opportunities to be provided under the program;

(E) describe the manner in which the participants in the program will be recruited, including any special efforts that will be utilized to recruit out-of-school youth with the assistance of community-based agencies;

(F) describe the manner in which participants in the program were or will be involved in the design and operation of the program;

(G) state the name, if available, qualifications, and responsibilities of the coordinator of the program assisted under this subtitle;

(H) describe the preservice and inservice training to be provided to supervisors and participants in the program;

(I) describe the manner in which exemplary service will be recognized;

(J) describe any potential resources that will permit continuation of the program, if needed, after the assistance received under this subtitle has ended;

(K) disclose whether the program plans include addressing basic skill needs and reducing illiteracy;

(L) disclose whether the program plans include preventing and treating school-age drug and alcohol abuse and dependency; and

(M) contain assurances that, prior to the placement of a participant, the program will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program.

(3) YOUTH COMMUNITY SERVICE PROGRAM.—If an applicant under this section intends to operate a youth community service program, such applicant, in addition to providing the information described in paragraph (2), shall include in the application required under such paragraph—

(A) a description of an age-appropriate learning component for participants in the program that shall include a chance for participants to reflect on service experiences and expected learning outcomes;

(B) a description of whether or not the participants will receive academic credit for participation in the program;

(C) a description of the target levels of students and out-of-school youth who will participate in the program and the target levels for the hours of service that such participants will provide individually and as a group;

(D) a description of the proportion of expected participants in the program who are educationally or economically disadvantaged, including participants with disabilities;

(E) a description of the ages or grade levels of expected participants in the program;

(F) other relevant demographic information concerning such expected participants; and

(G) assurances that participants in the program will be provided with information concerning VISTA, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), chapter 30 of title 38, United States Code, chapter 106 of title 10, United States Code, full-time Youth Service Corps and National Service programs receiving assistance under this title, and other service

options and their benefits (such as student loan deferment and forgiveness) as appropriate.

(4) PARTNERSHIP PROGRAM.—If an applicant under this section intends to operate a partnership program, in addition to the information required to be included in the application under paragraph (2), such applicant shall describe the students who are to be assisted through such program, including the ages and grade levels of such students.

(b) APPROVAL.—

(1) YOUTH COMMUNITY SERVICE PROGRAMS.—The State educational agency, or the Commission if subsection (a)(1)(A)(ii) applies, shall approve applications submitted by entities under this section that intend to operate youth community service programs, only if such applications meet the applicable requirements of subsection (a) and describe programs that provide—

(A) an age-appropriate learning component to enable participants to reflect on service experiences;

(B) preservice and inservice training for both supervisors and participants involving representatives of the community where service opportunities will be provided; and

(C) evidence that participants in the program will make a sustained commitment to the service project.

(2) ADULT VOLUNTEER AND PARTNERSHIP PROGRAMS.—The State educational agency, or the Commission if subsection (a)(1)(A)(ii) applies, shall approve applications submitted by entities under this section that intend to operate adult volunteer and partnership programs, only if such applications meet the applicable requirements of subsection (a) and describe programs that provide—

(A) preservice and inservice training for both supervisors and adult volunteers in the program; and

(B) opportunities for adult volunteers in the program to work with at-risk children or their teachers.

(c) PRIORITY.—

(1) IN GENERAL.—In providing assistance under this subtitle, the State educational agency, or the Commission if subsection (a)(1)(A)(ii) applies, shall give priority to applications that contain a description—

(A) of programs that involve participants in the design and operation of the program;

(B) of programs that are in the greatest need of assistance, such as programs targeting low-income areas;

(C) of programs that involve individuals of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds serving together; and

(D) in the case of applicants that are educational institutions, of programs that are integrated into the academic program.

(2) ADULT VOLUNTEER AND PARTNERSHIP PROGRAM.—In the case of an adult volunteer and partnership program, the State educational agency, or the Commission if subsection (a)(1)(A)(ii) applies, shall give priority to applications that contain a description of programs—

(A) that involve older Americans or parents as adult volunteers;

(B) that involve a partnership between an educational institution and a private business in the community;

(C) that include a focus on drug and alcohol abuse prevention, school drop-out prevention, or nutrition; or

(D) that will improve basic skills and reduce illiteracy.

SEC. 115. LIMITATIONS ON USE.

(a) REQUIREMENT FOR LOCAL APPLICANTS.—Assistance provided under this subtitle shall not be used by a local applicant to pay in excess of—

(1) 80 percent of the costs of programs that receive assistance under this subtitle for the first year in which the applicant receives assistance under this subtitle; and

(2) 70 percent of the costs of programs that receive assistance under this subtitle for the second year in which the applicant receives assistance under this subtitle.

(b) PAYMENT BY LOCAL APPLICANT.—

(1) NON-FEDERAL SOURCES.—That portion of the costs of programs that receive assistance under this subtitle that are to be paid by a local applicant from sources other than Federal funds may be paid in cash or in kind (fairly evaluated).

(2) PRIVATE PROFITMAKING ORGANIZATIONS.—If that portion of the costs of programs that receive assistance under this subtitle to be paid by a local applicant from sources other than Federal funds are paid by private profitmaking organizations, subsection (a) shall be applied by substituting—

(A) "85 percent" for "80 percent"; and

(B) "75 percent" for "70 percent".

SEC. 116. USE OF FUNDS.

(a) STATES.—

(1) ADMINISTRATION.—A State shall use not to exceed 20 percent of the amounts provided under this subtitle in each fiscal year for costs associated with administration, including training, technical assistance, curriculum development, and coordination activities.

(2) ADULT VOLUNTEER AND PARTNERSHIP PROGRAMS.—A State shall use not to exceed 10 percent of the amounts provided under this subtitle in each fiscal year to carry out adult volunteer and partnership programs.

(b) LOCAL APPLICANTS.—Local applicants may use assistance provided under this subtitle for supervision of participants, program administration, training, reasonable transportation costs, insurance, and other reasonable expenses.

(c) STIPENDS.—Assistance provided under this subtitle shall not be used to pay any stipend, allowance, or other financial support to any participant except to reimburse such participant for costs associated with transportation, meals, and other reasonable out-of-pocket expenses incident to participation in a program assisted under this subtitle.

SEC. 117. TREATMENT OF INDIAN TRIBES.

An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

Subtitle C—American Conservation and Youth Corps

SEC. 120. SHORT TITLE.

This subtitle may be cited as the "American Conservation and Youth Service Corps Act of 1990".

SEC. 121. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States or local applicants, to the Secretary of Agriculture, to the Secretary of the Interior, or to the Director of ACTION for the creation or expansion of full-time or summer youth service corps programs.

SEC. 122. ALLOCATION OF FUNDS.

(a) COMPETITIVE GRANT.—The Commission shall award grants under this subtitle on a competitive basis to States or Indian tribes that have submitted applications under section 123.

(b) DIRECT GRANTS.—

(1) IN GENERAL.—In the case of a State that does not apply for a grant under this subtitle or have an application approved under section 123, the Commission may award grants directly to public or private nonprofit agencies within such State.

(2) EVALUATION.—The Commission shall apply the criteria described in section 123 in determining whether to award a grant to such local applicants.

(3) INDIAN TRIBES.—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

(c) LIMITATION.—

(1) CAPITAL EQUIPMENT.—Not to exceed 10 percent of the amount of assistance made available to a program agency under this subtitle shall be used for the purchase of major capital equipment.

(2) ADMINISTRATIVE EXPENSES.—Not to exceed 15 percent of the amount of assistance made available to a program agency under this subtitle shall be used for administrative expenses.

SEC. 123. STATE APPLICATION.

(a) SUBMISSION.—To be eligible to receive a grant under this subtitle, a State or Indian tribe (or a local applicant if section 122(b) applies) shall prepare and submit, to the Commission, an application at such time, in such manner, and containing such information as the Commission may reasonably require, including the information required under subsection (b).

(b) GENERAL CONTENT.—An application submitted under subsection (a) shall describe—

(1) any youth service corps program proposed to be conducted directly by such applicant with assistance provided under this subtitle; and

(2) any grant program proposed to be conducted by such State with assistance provided under this subtitle for the benefit of entities within such State.

(c) SPECIFIC CONTENT.—To receive a grant under this subtitle to directly conduct a youth service corps program, each applicant shall include in the application submitted under subsection (a)—

(1) a comprehensive description of the objectives and performance goals for the program to be conducted, a plan for managing and funding the program, and a description of the types of projects to be carried out, including a description of the types and duration of training and work experience to be provided by such program;

(2) a plan for the certification of the training skills acquired by participants and the awarding of academic credit to participants for competencies developed through training programs or work experience obtained under this subtitle;

(3) an age appropriate learning component for participants that includes procedures that permit participants to reflect on service experiences;

(4) an estimate of the number of participants and crew leaders necessary for the proposed program, the length of time that the services of such participants and crew leaders will be required, the support services that will be required for such participants and crew leaders, and a plan for recruiting such participants, including educationally and economically disadvantaged youth, youth with limited basic skills or learning disabilities, youth with disabilities, and youth who are in foster care;

(5) a list of requirements to be imposed on the sponsoring organizations of participants in the program, including a requirement

that a sponsoring organization that invests in a program that receives assistance under this subtitle, by making a cash contribution or by providing free training to participants, shall be given preference over a sponsoring organization that does not make such an investment;

(6) a description of the manner of appointment and training of sufficient supervisory staff (including participants who have displayed exceptional leadership qualities), who shall provide for other central elements of a youth corps, such as crew structure and a youth development component;

(7) a description of a plan to ensure the on-site presence of knowledgeable and competent supervisory personnel at program facilities;

(8) a description of the facilities, quarters and board (in the case of residential facilities), limited and emergency medical care, transportation from administrative facilities to work sites, accommodations for individuals with disabilities, and other appropriate services, supplies, and equipment that will be provided by such applicant;

(9) a description of the basic standards of work requirements, health, nutrition, sanitation, and safety, and the manner that such standards shall be enforced;

(10) a description of the plan to assign participants to facilities as near to the homes of such participants as is reasonable and practicable;

(11) an assurance that, prior to the placement of a participant under this subtitle, the program agency will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program; and

(12) such other information as the Commission shall require.

(d) GRANT PROGRAM.—To be eligible to receive a grant under this subtitle, a State shall establish and implement a program to make grants to applicants within the State pursuant to subsection (b)(2) and, in the application submitted under subsection (a), such State shall describe the manner in which—

(1) local applicants will be evaluated;

(2) service programs within the State will be coordinated;

(3) economically and educationally disadvantaged youth, including youth with disabilities, youth with limited basic skills or learning disabilities, and youth in foster care, will be recruited;

(4) programs that receive assistance under this subtitle will be evaluated;

(5) the State will encourage cooperation among programs that receive assistance under this subtitle and the appropriate State job training coordinating council established under the Job Training and Partnership Act (29 U.S.C. 1501 et seq.);

(6) such State will certify the training skills acquired by each participant and the credit provided to each participant for competencies developed through training programs or work experience obtained under programs that receive assistance under this subtitle; and

(7) prior to the placement of a participant under this subtitle, the State will ensure that program agencies consult with each local labor organization representing employees in the area who are engaged in the same or similar work as the work that is proposed to be carried out by such program.

SEC. 124. FOCUS OF PROGRAMS.

(a) IN GENERAL.—Programs that receive assistance under this subtitle may carry out activities that—

(1) in the case of conservation corps programs, focus on—

(A) conservation, rehabilitation, and the improvement of wildlife habitat, rangelands, parks, and recreational areas;

(B) urban revitalization, historical and cultural site preservation, rural revitalization, and reforestation of both urban and rural areas;

(C) fish culture, wildlife habitat maintenance and improvement, and other fishery assistance;

(D) road and trail maintenance and improvement;

(E) erosion, flood, drought, and storm damage assistance and controls;

(F) stream, lake, waterfront harbor, and port improvement;

(G) wetlands protection and pollution control;

(H) insect, disease, rodent, and fire prevention and control;

(I) the improvement of abandoned railroad beds and rights-of-way;

(J) energy conservation projects, renewable resource enhancement, and recovery of biomass;

(K) reclamation and improvement of strip-mined land;

(L) forestry, nursery, and cultural operations; and

(M) making public facilities accessible to individuals with disabilities.

(2) in the case of human services corps programs, include participant service in—

(A) State, local, and regional governmental agencies;

(B) nursing homes, hospices, senior centers, hospitals, local libraries, parks, recreational facilities, day care centers, programs serving individuals with disabilities, and schools;

(C) law enforcement agencies, and penal and probation systems;

(D) private nonprofit organizations that primarily focus on social service;

(E) activities that focus on the rehabilitation or improvement of public facilities, neighborhood improvements, literacy training that benefits educationally disadvantaged individuals, weatherization of and basic repairs to low-income housing, energy conservation (including solar energy techniques), removal of architectural barriers to access by individuals with disabilities to public facilities, activities that focus on drug and alcohol abuse education, prevention and treatment, and conservation, maintenance, or restoration of natural resources on publicly held lands; and

(F) any other nonpartisan civic activities and services that the Commission determines to be of a substantial social benefit in meeting unmet human, educational, or environmental needs (particularly needs related to poverty) or in the community where volunteer service is to be performed; or

(3) encompass the focuses and services described in both paragraphs (1) and (2).

(b) INELIGIBLE SERVICE CATEGORIES.—To be eligible to receive assistance under this subtitle, the activities conducted through programs referred to in subsection (a) shall not be conducted by any—

(1) business organized for profit;

(2) labor union;

(3) partisan political organization;

(4) organization engaged in religious activities, unless such activities do not involve the use of funds provided under this title by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization; or

(5) domestic or personal service company or organization.

(c) LIMITATION ON SERVICE.—No participant shall perform services in any project for more than a 1-year period.

SEC. 125. RELATED PROGRAMS.

An activity administered under the authority of the Secretary of Health and Human Services, that is operated for the same purpose as a program eligible to be carried out under this subtitle, is encouraged to use services available under this subtitle.

SEC. 126. PUBLIC LANDS OR INDIAN LANDS.

(a) LIMITATION.—To be eligible to receive assistance through a grant provided under this subtitle, a program shall carry out activities on public lands or Indian lands, or result in a public benefit.

(b) REVIEW OF APPLICATIONS.—In reviewing applications submitted under section 123 that propose programs or projects to be carried out on public lands or Indian lands, the Commission shall consult with the Secretary of the Interior.

(c) CONSISTENCY.—A program carried out with assistance provided under this subtitle for conservation, rehabilitation, or improvement of any public lands or Indian lands shall be consistent with—

(1) the provisions of law and policies relating to the management and administration of such lands, and all other applicable provisions of law; and

(2) all management, operational, and other plans and documents that govern the administration of such lands.

(d) RESERVATION.—The Commission shall reserve not to exceed 5 percent of the amounts appropriated in each fiscal year under section 401(a)(2) to make grants under this subtitle for Federal disaster relief programs.

SEC. 127. TRAINING AND EDUCATION SERVICES.

(a) ASSESSMENT OF SKILLS.—Each program agency shall assess the educational level of participants at the time of their entrance into the program, using any available records or simplified assessment means or methodology and shall, where appropriate, refer such participants for testing for specific learning disabilities.

(b) ENHANCEMENT OF SKILLS.—Each program agency shall, through the programs and activities administered under this subtitle, enhance the educational skills of participants.

(c) PROVISION OF PRE-SERVICE AND IN-SERVICE TRAINING AND EDUCATION.—

(1) REQUIREMENT.—Each program agency shall use not less than 10 percent of the assistance made available to such agency under this subtitle in each fiscal year to provide pre-service and in-service training and educational materials and services for participants in such a program. Program participants shall be provided with information concerning the benefits to the community that result from the activities undertaken by such participants.

(2) AGREEMENTS FOR ACADEMIC STUDY.—A program agency may enter into arrangements with academic institutions or education providers, including—

(A) local education agencies;

(B) community colleges;

(C) 4-year colleges;

(D) area vocational-technical schools; and

(E) community based organizations;

to evaluate the basic skills of participants and to make academic study available to participants to enable such participants to upgrade literacy skills, to obtain high school diplomas or the equivalent of such diplomas, to obtain college degrees, or to enhance employable skills.

(3) COUNSELING.—Career and educational guidance and counseling shall be provided to a participant during a period of in-service training as described in this subsection.

(4) PRIORITY FOR PARTICIPANTS WITHOUT HIGH SCHOOL DIPLOMAS.—A program agency shall give priority to participants who have not obtained a high school diploma or the equivalent of such diploma, in providing services under this subsection.

(d) POST-SERVICE EDUCATION AND TRAINING ASSISTANCE.—

(1) USE OF FUNDS.—A program that receives assistance under this subtitle shall use not less than 10 percent of such assistance to comply with the requirements of section 131 for post-service education and training assistance.

(2) ACTIVITIES.—The activities conducted under this section may include activities available to an eligible participant under in-service education and training assistance programs, career and vocational counseling, assistance in entering a program under the Job Training Partnership Act (29 U.S.C. 1501 et seq.), and assistance for other activities considered appropriate for such participant by the appropriate program agency and the Commission.

(e) STANDARDS AND PROCEDURES.—

(1) CONSISTENCY WITH STATE AND LOCAL REQUIREMENTS.—Appropriate State and local officials shall certify that standards and procedures with respect to the awarding of academic credit and the certification of educational attainment in programs conducted under subsection (c) are consistent with the requirements of applicable State and local law and regulations.

(2) ACADEMIC STANDARDS.—The standards and procedures described in paragraph (1) shall provide that an individual serving in a program that receives assistance under this subtitle—

(A) who is not a high school graduate, participate in an educational curriculum so that such individual can earn a high school diploma or the equivalent of such diploma; and

(B) may arrange to receive academic credit in recognition of the education and skills obtained from service satisfactorily completed.

SEC. 128. AMOUNT OF AWARD.

In determining the amount of a grant to be awarded to an applicant under this subtitle, the Commission shall consider—

(1) the number of the unemployed youth population of the area to be served; and

(2) the type of project or service proposed to be carried out with the amounts appropriated under section 401(a)(2).

SEC. 129. PREFERENCE FOR CERTAIN PROJECTS.

In the consideration of applications submitted under section 123, the Commission shall give preference to programs that—

(1) will provide long-term benefits to the public;

(2) will instill a work ethic and a sense of public service in the participants;

(3) will be labor intensive, and involve youth operating in crews;

(4) can be planned and initiated promptly; and

(5) will enhance skills development and educational level and opportunities for the participants.

SEC. 130. AGE AND CITIZENSHIP CRITERIA FOR ENROLLMENT.

Enrollment in programs that receive assistance under this subtitle shall be limited to individuals who, at the time of enrollment, are—

(1) not less than 16 years nor more than 25 years of age, except that summer programs may include individuals not less than 15 years nor more than 21 years of age at the time of the enrollment of such individuals; and

(2) citizens or nationals of the United States (including those citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau) or lawful permanent resident aliens of the United States.

SEC. 131. POST-SERVICE BENEFITS.

The program agency shall provide post-service education and training benefits (such as scholarships and grants) for each participant in an amount that is not in excess of $100 per week, or in excess of $5,000 per year, whichever is less.

SEC. 132. LIVING ALLOWANCE.

(a) FULL-TIME SERVICE.—

(1) IN GENERAL.—From assistance provided under this subtitle, each participant in a full-time youth service corps program that receives assistance under this subtitle shall receive a living allowance of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).

(2) NON-FEDERAL SOURCES.—Notwithstanding paragraph (1), a program agency may provide participants with additional amounts that are made available from non-Federal sources.

(b) REDUCTION IN EXISTING PROGRAM BENEFITS.—Nothing in this section shall be construed to require a program in existence on the date of enactment of this Act to decrease any stipends, salaries, or living allowances provided to participants under such program.

(c) HEALTH INSURANCE.—In addition to the living allowance provided under subsection (a), program agencies are encouraged to provide health insurance to each participant in a full-time youth service corps program who does not otherwise have access to health insurance.

(d) FACILITIES, SERVICES, AND SUPPLIES.—

(1) IN GENERAL.—The program agency may deduct, from amounts provided under subsections (a) and (c) to a participant, a reasonable portion of the costs of the rates for any room and board that is provided for such participant at a residential facility.

(2) EVALUATION.—The program agency shall establish the amount of the deductions and rates under paragraph (1) after evaluating the costs of providing such room and board to the participant.

(3) DUTIES OF PROGRAM AGENCY.—A program agency may provide facilities, quarters, and board and shall provide limited and emergency medical care, transportation from administrative facilities to work sites, accommodations for individuals with disabilities, and other appropriate services, supplies, and equipment to each participant.

(e) GUIDANCE AND PLACEMENT.—

(1) IN GENERAL.—Each program agency shall provide such job and educational guidance and placement information and assistance for each participant as may be necessary, including referrals of such participants to organizations where such participants may receive basic skills training or be tested and receive services for specific learning disabilities.

(2) COORDINATION WITH OTHER ENTITIES.—Assistance under paragraph (1) shall be provided in coordination with appropriate State, local, and private agencies and organizations.

SEC. 133. JOINT PROGRAMS.

(a) DEVELOPMENT.—The Commission may develop, in cooperation with the heads of other Federal agencies, regulations designed to permit, where appropriate, joint programs in which activities supported with assistance made available under this subtitle are coordinated with activities supported with assistance made available under programs administered by the heads of such agencies (including the Job Training Partnership Act (29 U.S.C. 1501 et seq.)).

(b) STANDARDS.—Regulations promulgated under subsection (a) shall establish standards for the approval of joint programs that meet both the purposes of this title and the purposes of such statutes under which assistance is made available to support such projects.

SEC. 134. FEDERAL AND STATE EMPLOYEE STATUS.

(a) IN GENERAL.—Participants and crew leaders shall be responsible to, or be the responsibility of, the program agency administering the program on which such participants, crew leaders, and volunteers work.

(b) NON-FEDERAL EMPLOYEES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, a participant or crew leader in a program that receives assistance under this subtitle shall not be considered a Federal employee and shall not be subject to the provisions of law relating to Federal employment.

(2) WORK-RELATED INJURY.—For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to the compensation of Federal employees for work injuries, a participant or crew leader serving in a program that receives assistance under this subtitle shall be considered an employee of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provision of that subchapter shall apply, except—

(A) the term "performance of duty", as used in such subchapter, shall not include an act of a participant or crew leader while absent from the assigned post of duty of such participant or crew leader, except while participating in an activity authorized by or under the direction and supervision of a program agency (including an activity while on pass or during travel to or from such post of duty); and

(B) compensation for disability shall not begin to accrue until the day following the date that the employment of the injured participant or crew leader is terminated.

(3) TORT CLAIMS PROCEDURE.—For purposes of chapter 171 of title 28, United States Code, relating to tort claims procedure, a participant or crew leaders assigned to a youth service corps program for which a grant has been made to the Secretary of Agriculture, Secretary of the Interior, or the Director of ACTION, shall be considered an employee of the United States within the meaning of the term "employee of the government" as defined in section 2671 of such title.

(4) ALLOWANCE FOR QUARTERS.—For purposes of section 5911 of title 5, United States Code, relating to allowances for quarters, a participant or crew leader shall be considered an employee of the United

States within the meaning of the term "employee" as defined in paragraph (3) of subsection (a) of such section.

Subtitle D—National and Community Service

SEC. 140. SHORT TITLE.

This subtitle may be cited as the "National and Community Service Act".

SEC. 141. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States for the creation of full- and part-time national and community service programs.

SEC. 142. GRANTS.

(a) TERM OF GRANT.—The term of a grant awarded under section 141 shall not extend beyond September 30, 1991.

(b) CRITERIA FOR RECEIVING APPLICATIONS.—In determining whether to award a grant to a State under section 141, the Commission shall consider—

(1) the ability of the proposed program of such State to serve as an effective model for a large-scale national service program;

(2) the quality of the application of such State, including the plan of such State for training, recruitment, placement, and data collection;

(3) the extent that the proposed program builds on existing programs; and

(4) the expediency with which the State proposes to make the program operational.

(c) DIVERSITY.—The Commission shall ensure that programs receiving assistance under this subtitle are geographically diverse and include programs in both urban and rural States.

(d) ALTERNATIVE VOUCHER OPTION LIMITED.—The Commission shall ensure that not to exceed 25 percent of States receiving a grant under section 141 are authorized to exercise the alternative voucher authorized under section 146(e)(3).

(e) COMPOSITION OF PROGRAMS.—The Commission shall ensure that not less than 25 percent of the programs that receive assistance under this subtitle include full-time, part-time and special senior service participants.

(f) STATE APPLICATION FOR GRANT.—To receive a grant under section 141, a State shall prepare and submit, to the Commission, an application at such time, in such manner, and containing such information as the Commission may reasonably require, including—

(1) a description of the State administrative plan for the implementation of a program with assistance provided under this subtitle, including such functions, if any, that will be carried out by public and private nonprofit organizations pursuant to a grant or contract;

(2) a description of the manner in which an ethnically and economically diverse group of participants, including economically and educationally disadvantaged individuals, college-bound youth, individuals with disabilities, youth in foster care, and employed individuals, shall be recruited and selected for participation in a program receiving assistance under this subtitle;

(3) a description of the procedures for training supervisors and participants and for supervising and organizing participants in such program;

(4) a description of the procedures to ensure that the program provides participants with an opportunity to reflect on their service experience;

(5) a description of the geographical areas within such State in which the program would be operated to provide the optimum match between the need for services and the anticipated supply of participants;

(6) a description of the plan for placing such participants in teams or making individual placements in such program;

(7) assurances that, prior to such placement, the State will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program;

(8) assurances that, prior to such placement, such State will consult with employees at the proposed project site who are engaged in the same or similar work as that proposed to be carried out by such program;

(9) a description of the anticipated number of full- and part-time participants and special senior service members in such program;

(10) a plan for the recruitment and selection of sponsoring organizations that will receive participants under programs that receive assistance under this subtitle;

(11) a description of the procedures for matching such participants with such sponsoring organizations;

(12) a description of the procedures to be used to assure that sponsoring organizations that are not matched with participants shall be provided with information concerning the VISTA program and the programs established under title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001 et seq.);

(13) the State budget for the program;

(14) a description of whether the State desires to exercise the voucher alternative option authorized under section 146(e)(3);

(15) a plan for evaluating the program and assurances that such State will fully cooperate with any evaluation undertaken by the Commission pursuant to section 178; and

(16) any other information as the Commission may reasonably require.

(g) NUMBER OF STATES.—

(1) IN GENERAL.—The Commission shall ensure that not more than five States are authorized to operate full-time programs and not more than five States are authorized to operate part-time programs in fiscal year 1991 under this subtitle.

(2) SINGLE PROGRAM.—For purposes of this paragraph (1), a State operating a single national service program with both full- and part-time options shall be counted as a State operating a full-time program and a State operating a part-time program.

(3) COOPERATIVE ARRANGEMENT.—For purposes of this paragraph (1), a State operating a national service program involving a cooperative arrangement with a multi-State organization or with sites in more than one State shall be counted as a single State.

(h) INDIAN TRIBES.—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

SEC. 143. TYPES OF NATIONAL SERVICE.

(a) IN GENERAL.—A participant in a program that receives assistance under this subtitle shall perform national service to meet unmet educational, human, environmental, and public safety needs, especially those needs relating to poverty.

(b) TYPES OF NATIONAL SERVICE.—National service performed under subsection (a) may include—

(1) educational service, such as service in literacy programs, the Head Start program (as established under the Head Start Act (42 U.S.C. 9831)) and other early childhood education programs, tutorial assistance, and service in schools, libraries, and adult education centers;

(2) human service, such as—

(A) service in hospitals, hospices, clinics, community health centers, public health organizations, facilities serving individuals with acquired immune deficiency syndrome, homes for elderly individuals, programs serving individuals with disabilities, and child-care programs;

(B) service in programs to assist elderly, disabled, poor, and homeless individuals, including programs to build, restore, and maintain housing for poor or homeless individuals and self-help programs;

(C) service in programs engaged in the education, prevention, and treatment of drug and alcohol abuse, including care programs for cocaine-addicted babies; and

(D) service in programs to assist elderly, disabled, poor, and homeless individuals obtain meaningful employment;

(3) environmental service, such as service in programs to conserve, recycle, maintain, and restore natural resources in urban and rural environments, to provide recreational opportunities, and to encourage community betterment or beautification;

(4) public safety service, including placement with police and fire departments, courts, the border patrol, and prisons; and

(5) in the case of special senior service members, service to assist a State in administering a program, including mentoring, supervision, and other functions.

SEC. 144. TERMS OF SERVICE.

(a) LENGTH OF SERVICE.—

(1) PART-TIME.—An individual performing part-time national service under this subtitle shall agree to perform community service for not less than 2 years.

(2) FULL-TIME.—An individual performing full-time national service under this subtitle shall agree to perform community service for not less than 1 year nor more than 2 years, at the discretion of such individual.

(3) SPECIAL SENIOR SERVICE.—A special senior service participant performing national service under this subtitle shall serve for a period of time as determined by the Commission.

(b) PARTIAL COMPLETION OF SERVICE.—If the State releases a participant from completing a term of service in a program receiving assistance under this subtitle for compelling personal circumstances as demonstrated by such participant, the Commission may provide such participant with that portion of the financial assistance described in section 146 that corresponds to the quantity of the service obligation completed by such individual.

(c) TERMS OF SERVICE.—

(1) PART-TIME.—A participant performing part-time national service under this subtitle shall serve for—

(A) 2 weekends each month and 2 weeks during the year; or

(B) an average of 9 hours per week each year of service.

(2) FULL-TIME.—A participant performing full-time national service under this subtitle shall serve for not less than 40 hours per week each year of service.

(3) SPECIAL SENIOR SERVICE.—A special senior service participant performing national service under this subtitle shall serve either part- or full-time as permitted by the Commission.

SEC. 145. ELIGIBILITY.

(a) PART-TIME.—

(1) REQUIREMENTS.—An individual may serve in a part-time national service program under this subtitle if such individual—

(A) is 17 years of age or older; and

(B) is a citizen of the United States or lawfully admitted for permanent residence.

(2) PRIORITY.—In selecting applicants for a part-time program, States shall give priority to applicants who are currently employed.

(b) FULL-TIME.—An individual may serve in a full-time national service program under this subtitle if such individual—

(1) is 17 years of age or older;

(2) has received a high school diploma or the equivalent of such diploma, or agrees to achieve a high school diploma or the equivalent of such diploma while participating in the program; and

(3) is a citizen of the United States or lawfully admitted for permanent residence.

(c) SPECIAL SENIOR SERVICE.—An individual may serve as a special senior service member under this subtitle if such individual—

(1) is 60 years of age or older; and

(2) meets the eligibility criteria for special senior service membership established by the Commission.

SEC. 146. VOUCHERS.

(a) PART-TIME.—

(1) IN GENERAL.—Subject to subsection (d), the Commission shall annually provide to each part-time participant a non-transferable voucher that is equal in value to $2,000 for each year of service that such participant provides to the program.

(2) WAIVER.—A State may apply for a waiver to reduce the amount of a voucher provided under paragraph (1) to an amount that is equal in value to not less than the average annual tuition and required fees at 4-year public institutions of higher education within such State.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed to prevent a State from using funds made available from non-Federal sources to increase the amount of a voucher provided under paragraph (1) to an amount in excess of that described in such paragraph.

(b) FULL-TIME.—

(1) IN GENERAL.—Subject to subsection (d), the Commission shall annually provide to each full-time participant a non-transferable voucher that is equal in value to $5,000 for each year of service that such participant provides to the program.

(2) WAIVER.—A State may apply for a waiver to reduce the amount of a voucher provided under paragraph (1) to an amount that is equal in value to not less than the average annual tuition, required fees, and room and board costs at 4-year public institutions of higher education within such State.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed to prevent a State from using funds made available from non-Federal sources to increase the amount of a voucher provided under paragraph (1) to an amount in excess of that described in such paragraph.

(c) SPECIAL SENIOR SERVICE PARTICIPANT.—A special senior service participant shall be ineligible to receive a voucher under this section.

(d) INDEXING.—The Commission shall increase the value of vouchers provided under this section in each fiscal year based on the increase in the costs associated with attending a 4-year institution of higher education during that fiscal year. The Commission shall determine such increases in costs based on information made available by the Bureau of Labor Statistics and the National Center for Education Statistics.

(e) USE OF VOUCHER.—

(1) PART-TIME.—A voucher provided under subsection (a) shall only be used for—

(A) payment of a student loan from Federal or non-Federal sources;

(B) downpayment or closing costs associated with purchasing a first home;

(C) downpayment, closing costs, or other costs associated with purchasing a small business concern; or

(D) tuition at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(2) FULL-TIME.—A voucher provided under subsection (b) shall only be used for—

(A) payment of a student loan from Federal or non-Federal sources;

(B) downpayment or closing costs associated with purchasing a first home;

(C) downpayment, closing costs, or other costs associated with purchasing a small business concern; or

(D) tuition, room and board, books and fees, and other costs associated with attendance (pursuant to section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll)) at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(3) ALTERNATIVE VOUCHER OPTION.—A State administering a full-time national service program under this subtitle may apply to the Commission for authorization to offer an alternative voucher option limiting the use of vouchers for education, housing, or costs associated with the purchase of a small business concern, including downpayment or closing costs.

(4) DEFINITION.—As used in this subsection, the term "small business concern" shall have the same meaning given such term in section 3(a)(1) of the Small Business Act (15 U.S.C. 632(a)(1)).

SEC. 147. LIVING ALLOWANCE.

(a) FULL-TIME SERVICE.—

(1) IN GENERAL.—From assistance provided under this subtitle, each participant in a full-time national service program receiving assistance under this subtitle shall receive a living allowance of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).

(2) NON-FEDERAL SOURCES.—Notwithstanding paragraph (1), a program agency may provide participants with additional amounts that are made available from non-Federal sources.

(b) REDUCTION IN EXISTING PROGRAM BENEFITS.—Nothing in this section shall be construed to require a program in existence on the date of enactment of this Act to decrease any stipends, salaries, or living allowances provided to participants under such program.

(c) HEALTH INSURANCE.—In addition to the living allowance provided under subsection (a), grantees are encouraged to provide health insurance to each participant in a full-time national service program who does not otherwise have access to health insurance.

(d) SPECIAL SENIOR SERVICE PARTICIPANT.—

(1) FULL-TIME.—Each full-time special senior service participant shall receive a living allowance equal to the living allowance provided to full-time participants under subsection (a), and such other assistance as the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

(2) PART-TIME.—Each part-time special senior service participant shall receive a living allowance equal to a share of such allowance offered to a full-time special senior service participant under paragraph (1), that has been prorated according to the number of hours such part-time participant serves in the program, and such other assistance that the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

SEC. 148. TRAINING.

(a) PROGRAM TRAINING.—

(1) IN GENERAL.—Each participant shall receive 3 weeks of training provided by the Commission in cooperation with the State.

(2) CONTENTS OF TRAINING SESSION.—Each training session described in paragraph (1) shall—

(A) orient each participant in the nature, philosophy, and purpose of the program;

(B) build an ethic community service; and

(C) train each participant to effectively perform the assigned program task of such participant by providing—

(i) general training in citizenship and civic and community service; and

(ii) if feasible, specialized training for the type of national service that each participant will perform.

(b) ADDITIONAL TRAINING.—Each State may provide additional training for participants as such State determines necessary.

(c) AGENCY OR ORGANIZATION TRAINING.—Each participant shall receive training from the sponsoring organization in skills relevant to the work to be conducted.

(d) ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES.—In accordance with the nondiscrimination provisions of section 174, each training program shall provide reasonable accommodations for individuals with disabilities.

SEC. 149. PUBLIC-PRIVATE PARTNERSHIP.

The Commission shall consider and develop opportunities for cooperation between public and private entities in the funding and implementation of a program receiving assistance under this subtitle, including cost-sharing arrangements with sponsoring organizations.

SEC. 150. IN-SERVICE EDUCATION BENEFITS.

Each State that receives assistance under this subtitle shall provide to each participant enrolled in a full-time program in-service educational services and materials to enable such participant to obtain a high school diploma or the equivalent of such diploma.

Subtitle E—Innovative Service Programs

SEC. 160. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States for the creation of innovative national and community service programs.

SEC. 161. GRANTS.

(a) CRITERIA FOR RECEIVING APPLICATIONS.—In determining whether to award a grant to a State under section 160, the Commission shall consider—

(1) the ability of the proposed program of such State to serve as an effective model for other States;

(2) the quality of the application of such State, including the plan of such State for training, recruitment, placement, and data collection;

(3) the extent that the proposed program builds on existing programs; and

(4) the degree to which the program responds to State and community human, educational, environmental and public safety needs in an innovative manner.

(c) STATE APPLICATION FOR GRANT.—To receive a grant under this subtitle, a State shall prepare and submit, to the Commission, an application at such time, in such manner, and containing such information as the Commission may reasonably require, including—

(1) a description of the proposed program to be established with assistance provided under the grant;

(2) a description of the human, educational, environmental or public safety service that participants will perform and the State or community need that will be addressed under such proposed program;

(3) a description of the target population of participants and how they will be recruited;

(4) a description of the procedure for training supervisors and participants and for supervising and organizing participants in such proposed program;

(5) a description of the procedures to ensure that the proposed program provides participants with an opportunity to reflect on their service experiences;

(6) a description of any stipend or benefit that participants will receive, if any;

(7) an estimate of the anticipated number of participants and the anticipated number of hours of service such participants will perform;

(8) a description of the State budget for the program;

(9) assurances that, prior to the placement of a participant in a project, the State will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such project; and

(10) assurances that, prior to the placement of a participant in a project, the State will consult with employees at the proposed project site who are engaged in the same or similar work as that proposed to be carried out by such project.

(d) INDIAN TRIBES.—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

Subtitle F—Administrative Provisions

SEC. 170. LIMITATION ON NUMBER OF GRANTS.

(a) IN GENERAL.—The Commission shall not award more than one grant during each fiscal year to each State under section 102.

(b) NUMBER OF APPLICATIONS.—In submitting applications for a grant under section 102, a State shall consolidate all of the applications of such State for the conduct of programs under subtitles B through E, into a single application that meets the requirements of such subtitles.

(c) MULTIPLE USE.—A grant awarded under section 102 to a State may be used by the State in accordance with the applications consolidated, submitted, and approved under subtitles (B) through (E).

SEC. 171. REPORTS.

(a) STATE REPORTS.—

(1) IN GENERAL.—Each State receiving assistance under this title shall prepare and submit, to the Commission, an annual report concerning the status of the national and community service programs that receive assistance under such title in such State.

(2) LOCAL GRANTEES.—Each State may require local grantees that receive assistance under this title to supply such information to the State as is necessary to enable the State to complete the report required under paragraph (1), including a comparison of actual accomplishments with the goals established for the program, the number of participants in the program, the number of service hours generated, and the existence of any problems, delays or adverse conditions that have affected or will affect the attainment of program goals.

(3) REPORT DEMONSTRATING COMPLIANCE.—

(A) IN GENERAL.—Each State receiving assistance under this title shall include information in the report required under paragraph (1) that demonstrates the compliance of the State with the provisions of section 176 and 113(9).

(B) LOCAL GRANTEES.—Each State may require local grantees to supply such information to the State as is necessary to enable the State to comply with the requirement of paragraph (1).

(4) AVAILABILITY OF REPORT.—Reports submitted under paragraph (1) shall be made available to the public on request.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 120 days after the end of each fiscal year, the Commission shall prepare and submit, to the appropriate authorizing and appropriation Committees of Congress, a report concerning the programs that receive assistance under this title.

(2) CONTENT.—Reports submitted under paragraph (1) shall contain a summary of the information contained in the State reports submitted under subsection (a), and shall reflect the findings and actions taken as a result of any evaluation conducted by the Commission.

SEC. 172. SUPPLEMENTATION.

(a) IN GENERAL.—Assistance provided under this title shall be used to supplement the level of State and local public funds expended for services of the type assisted under this title in the previous fiscal year.

(b) AGGREGATE EXPENDITURE.—Subsection (a) shall be satisfied, with respect to a particular program, if the aggregate expenditure for such program for the fiscal year in which services are to be provided will not be less than the aggregate expenditure for such program in the previous fiscal year, excluding the amount of Federal assistance provided and any other amounts used to pay the remainder of the costs of programs assisted under this title.

SEC. 173. PROHIBITION ON USE OF FUNDS.

(a) IN GENERAL.—Assistance provided under this title shall not be used by program participants and program staff to—

(1) provide religious instruction, conduct worship services, or engage in any form of proselytization, but nothing in this Act shall be construed to prevent any church or other religious entity from—

(A) displaying religious symbols or decorations;

(B) allowing persons to pray voluntarily, whether silently or vocally;

(C) allowing persons to sing religious hymns; or

(D) affirming or promoting any moral tenet that may be based on religious precepts;

So long as no funds provided under this Act are used by program participants and program staff for such activities and so long as these activities are conducted in a manner consistent with the Constitution.

(2) assist, promote, or deter union organizing; and

(3) finance, directly or indirectly, any activity designed to influence the outcome of an election to Federal office or the outcome of an election to a State or local public office.

(b) CONTRACTS OR COLLECTIVE BARGAINING AGREEMENTS.—A program that receives assistance under this title shall not impair existing contracts for services or collective bargaining agreements.

SEC. 174. NONDISCRIMINATION.

(a) IN GENERAL.—Any assistance provided under this title shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), and the regulations issued under such Acts.

(b) NONDISCRIMINATION.—Any individual with responsibility for the administration of a program that receives assistance under this title shall not discriminate in the selection of participants to such program on the basis of race, religion, color, national origin, sex, age, disability, or political affiliation, except that nothing in this Act shall prohibit a church or other religious entity from requiring that participants adhere to the religious tenets and teachings of such organization and further, such organization may require that participants adhere to rules forbidding the use of drugs or alcohol.

(c) QUALIFIED APPLICANTS.—If two or more prospective participants are qualified for any position with a church or other religious entity that is funded under part A of title I or titles II or III, nothing in this Act shall prohibit such organization from accepting a prospective participant for such position who is already participating on a regular basis in other activities of the church or other religious entity.

(d) RULES AND REGULATIONS.—The Commission shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.

(e) RIGHT OF ACTION.—

(1) SENSE OF THE SENATE.—It is the sense of the Senate—

(A) to deplore the practice of boycotting businesses on the basis of the race, religion, national origin, gender, age, or disability of the owner, operator, employees, or patrons of such entities;

(B) that the programs assisted under this Act should not be used to fund such boycotts; and

(C) that the rights of all persons to engage in free speech protected by the Constitution should be protected.

(2) LIMITATION.—None of the amounts appropriated under this Act shall be used to engage in a boycott of any entity on the basis of the race, religion, national origin, gender, age, or disability, of the owner, operator, employees or patrons of such entity.

(3) ATTORNEY GENERAL.—Notwithstanding any other provision of law, the Attorney General may file an action under this subsection, in the appropriate district court of the United States, against any organization or entity to recover the amount of assistance provided to such organization or entity under this Act that is used in violation of this subsection.

SEC. 175. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) IN GENERAL.—

(1) SUSPENSION OF PAYMENTS.—The Commission may in accordance with the provisions of this title, suspend or terminate payments under a contract or grant providing assistance under this title whenever the Commission determines there is a material failure to comply with this title or the applicable terms and conditions of any such grant or contract issued pursuant to this title.

(2) PROCEDURES TO ENSURE ASSISTANCE.—The Commission shall prescribe procedures to ensure that—

(A) assistance provided under this title shall not be suspended for failure to comply with the applicable terms and conditions of this title except, in emergency situations, a suspension may be granted for 30 days; and

(B) assistance provided under this title shall not be terminated for failure to comply with applicable terms and conditions of this title unless the recipient of such assistance has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) HEARINGS.—Hearings or other meetings that may be necessary to fulfill the requirements of this section shall be held at locations convenient to the recipient of assistance under this title.

(c) TRANSCRIPT OR RECORDING.—A transcript or recording shall be made of a hearing conducted under this section and shall be available for inspection by any individual.

(d) STATE LEGISLATION.—Nothing in this title shall be construed to preclude the enactment of State legislation providing for the implementation, consistent with this title, of the programs administered under this title.

(e) GRIEVANCE PROCEDURE—

(1) IN GENERAL.—State and local applicants that receive assistance under this title shall establish and maintain a procedure to adjudicate grievances from participants, labor organizations, and other interested individuals concerning programs that receive assistance under this title, including grievances regarding proposed placements of such participants in such projects.

(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance shall be made not later than 1 year after the date of the alleged occurrence.

(3) DEADLINE FOR HEARING AND DECISION.—

(A) HEARING.—A hearing on any grievance conducted under this subsection shall be conducted not later than 30 days of filing such grievance.

(B) DECISION.—A decision on any grievance shall be made not later than 60 days after the filing of such grievance.

(4) ARBITRATION.—

(A) IN GENERAL.—On the occurrence of an adverse grievance decision, or 60 days after the filing of such grievance if no decision has been reached, the party filing the grievance shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.

(B) DEADLINE FOR PROCEEDING.—An arbitration proceeding shall be held not later than 45 days after the request for such arbitration.

(C) DEADLINE FOR DECISION.—A decision concerning such grievance shall be made not later than 30 days after the date of such arbitration proceeding.

(D) COST.—The cost of such arbitration proceeding shall be divided evenly between the parties to the arbitration.

(5) PROPOSED PLACEMENT.—If a grievance is filed regarding a proposed placement of a participant in a program that receives assistance under this title, such placement shall not be made unless it is consistent with the resolution of the grievance pursuant to this subsection.

(6) REMEDIES.—Remedies for a grievance filed under this subsection include—

(A) suspension of payments for assistance under this title;

(B) termination of such payments; and

(C) prohibition of such placement described in paragraph (5).

SEC. 176. NONDUPLICATION AND NONDISPLACEMENT.

(a) NONDUPLICATION.—

(1) IN GENERAL.—Assistance provided under this title shall be used only for a program that does not duplicate, and is in addition to, an activity otherwise available in the locality of such program.

(2) PRIVATE NONPROFIT ENTITY.—Assistance made available under this title shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met.

(b) NONDISPLACEMENT.—

(1) IN GENERAL.—An employer shall not displace an employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program receiving assistance under this title.

(2) SERVICE OPPORTUNITIES.—A service opportunity shall not be created under this title that will infringe in any manner on the promotional opportunity of an employed individual.

(3) LIMITATION ON SERVICES.—

(A) DUPLICATION OF SERVICES.—A participant in a program receiving assistance under this title shall not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.

(B) SUPPLANTATION OF HIRING.—A participant in any program receiving assistance under this title shall not perform any services or duties or engage in activities that will supplant the hiring of employed workers.

(C) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant in any program receiving assistance under this title shall not perform services or duties that have been performed by or were assigned to any—

(i) presently employed worker;

(ii) employee who recently resigned or was discharged;

(iii) employee who is subject to a reduction in force;

(iv) employee who is on leave (terminal, temporary, vacation, emergency, or sick); or

(v) employee who is on strike or who is being locked out.

SEC. 177. STATE ADVISORY BOARD.

(a) FORMATION OF BOARD.—Each State that applies for assistance under this title is encouraged to establish a State Advisory Board for National and Community Service.

(b) MEMBERS.—

(1) IN GENERAL.—The chief executive officer of a State referred to in subsection (a) shall appoint members to such Advisory Board from among—

(A) representatives of State agencies administering community service, youth service, education, social service, and job training programs; and

(B) representatives of labor, business, agencies working with youth, community-based organizations such as community action agencies, students, teachers, Older American Volunteer Programs as established under title II of the Domestic Volunteer Act of 1973 (42 U.S.C. 5001 et seq.), full-time youth service corps programs, school-based community service programs, higher education institutions, local educational agencies, volunteer public safety organizations, educational partnership programs, and other organizations working with volunteers.

(2) BALANCE OF MEMBERSHIP.—To the extent practicable, the chief executive officer of a State referred to in subsection (a) shall ensure that the membership of the Advisory Board is balanced according to race, ethnicity, and gender.

(c) DUTIES OF BOARD.—A State Advisory Board for National and Community Service established under subsection (a) shall assist the State agency administering a program receiving assistance under this title in—

(1) coordinating programs that receive assistance under this title and related programs within the State;

(2) disseminating information concerning service programs that receive assistance under this title;

(3) recruiting participants for programs that receive assistance under this title; and

(4) developing programs, training methods, curriculum materials, and other materials and activities related to programs that receive assistance under this title.

SEC. 178. EVALUATION.

(a) IN GENERAL.—The Commission shall provide, through grants or contracts, for the continuing evaluation of programs that receive assistance under this title, including evaluations that measure the impact of such programs, to determine—

(1) the effectiveness of such programs in achieving stated goals and the costs associated with such;

(2) for purposes of the reports required by subsection (h), the impact of such programs, in each State in which a program is conducted, on the ability of—

(A) the VISTA and older American volunteer programs (established under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 4950 et seq.));

(B) each regular component of the armed forces (as defined in section 101(4) of title 10, United States Code);

(C) each of the reserve components of the armed forces (as described in section 216(a) of title 5, United States Code); and

(D) the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.));

to recruit individuals residing in such State to serve in such program; and

(3) the structure and mechanisms for delivery of services for such programs.

(b) COMPARISONS.—The Commission shall provide for inclusion in the evaluations required under subsection (a), where appropriate, comparisons of participants in such programs with individuals who have not participated in such programs.

(c) CONDUCTING EVALUATIONS.—Evaluations of programs under subsection (a) shall be conducted by individuals who are not directly involved in the administration of such program.

(d) PROGRAM OBJECTIVES.—The Commission shall ensure that programs that receive

assistance under subtitle D are evaluated to determine their effectiveness in—

(1) recruiting and enrolling diverse participants in such programs, consistent with the requirements of section 145, based on economic background, race, ethnicity, age, marital status, education levels, and disability;

(2) promoting the educational achievement of each participant in such programs, based on earning a high school diploma or the equivalent of such diploma and the future enrollment and completion of increasingly higher levels of education;

(3) encouraging each participant to engage in public and community service after completion of the program based on career choices and service in other service programs such as the Volunteers in Service to America Program and older American volunteer programs established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.), the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), the military, and part-time volunteer service;

(4) promoting of positive attitudes among each participant regarding the role of such participant in solving community problems based on the view of such participant regarding the personal capacity of such participant to improve the lives of others, the responsibilities of such participant as a citizen and community member, and other factors;

(5) enabling each participant to finance a lesser portion of the higher education of such participant through student loans;

(6) providing services and projects that benefit the community;

(7) supplying additional volunteer assistance to community agencies without overloading such agencies with more volunteers than can effectively be utilized;

(8) providing services and activities that could not otherwise be performed by employed workers and that will not supplant the hiring of, or result in the displacement of, employed workers or impair the existing contracts of such workers; and

(9) attracting a greater number of citizens to public service, including service in the active and reserve components of the Armed Forces, the National Guard, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), and the VISTA and older American volunteer programs established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

(e) COMPARISON OF PROGRAM MODELS.—The Commission shall evaluate and compare the effectiveness of different program models in meeting the program objectives described in subsection (d) including full- and part-time programs, programs involving different types of national service, programs using different recruitment methods, programs offering alternative voucher options, and programs utilizing individual placements and teams.

(f) OBTAINING INFORMATION.—

(1) IN GENERAL.—In conducting the evaluations required under subsection (d), the Commission may require each program participant and State or local applicant to provide such information as may be necessary to carry out the requirements of this section.

(2) CONFIDENTIALITY.—The Commission shall keep information acquired under this section confidential.

(g) DEADLINE.—The Commission shall complete the evaluations required under subsection (d) not later than 2 years after the date of enactment of this Act.

(h) REPORTS.—

(1) INITIAL REPORT.—Not later than 24 months after the date on which the first program is initiated under this title, the Commission shall prepare and submit, to the appropriate Committees of Congress, a report containing the results of the evaluations conducted under subsection (a)(2) with respect to the first 18 months after such initiation date.

SEC. 179. ENGAGEMENT OF PARTICIPANTS.

A State shall not engage a participant to serve in any program that receives assistance under this title unless and until amounts have been appropriated under section 401 for the provision of vouchers and for the payment of other necessary expenses and costs associated with such participant.

SEC. 180. NATIONAL SERVICE DEMONSTRATION PROGRAM AMENDMENTS.

(a) TREATMENT OF EDUCATION AND HOUSING VOUCHER.—For purposes of determining eligibility for programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) (hereafter in this section referred to as the "Act"), vouchers received under this Act shall be considered as estimated financial assistance as defined in section 428(a)(2)(C)(i) of title IV of the Act (20 U.S.C. 1078(a)(2)(C)(i)), except that in no case shall such a voucher be considered as—

(1) annual adjusted family income as defined in section 411F(1) of subpart 1 of part A of title IV of such Act (20 U.S.C. 1070a-6); or

(2) total income as defined in section 480(a) of part F of title IV of such Act (20 U.S.C. 1087vv(a)).

(b) TREATMENT OF STIPEND FOR LIVING EXPENSES.—In no case shall stipends received under this Act be considered in the determination of expected family contribution or independent student status under—

(1) subpart 1 of part A of title IV of such Act (20 U.S.C. 1070a et seq.); or

(2) part F of title IV of such Act (20 U.S.C. 1087kk et seq.).

(c) CONTINGENT EXTENSION.—Section 414 of the General Education Provisions Act (20 U.S.C. 1226a) shall apply to this Act.

SEC. 181. PARTNERSHIPS WITH SCHOOLS.

(a) DEFINITIONS.—As used in this section:

(1) PARTNERSHIP PROGRAM.—The term "partnership program" means a cooperative effort between an agency or department of the Federal government and an educational institution to enhance the education of students.

(2) SCHOOL VOLUNTEER.—The term "school volunteer" means an individual, beyond the age of compulsory schooling, working without financial remuneration under the direction of professional staff within a school or school district.

(b) DESIGN OF PROGRAMS.—The head of each Federal agency and department shall design and implement a comprehensive strategy to involve employees of such agencies and departments in partnership programs with elementary schools and secondary schools. Such strategy shall include—

(1) a review of existing programs to identify and expand the opportunities for such employees to be school volunteers;

(2) the designation of a senior official in each such agency and department who will be responsible for establishing school volunteer and partnership programs in each such agency and department and for developing school volunteer and partnership programs; and

(3) the encouragement of employees of such agencies and departments to participate in school volunteer and partnership programs.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, and on a regular basis thereafter, the head of each Federal agency and department shall prepare and submit, to the appropriate Committees of Congress, a report concerning the implementation of this section.

SEC. 182. SERVICE AS TUTORS.

Notwithstanding any other provision of this Act, a service opportunity through which a part-time participant serves as a classroom tutor under the supervision of a certified professional shall be considered an acceptable placement if the requirements of section 176(b) (1) and (2) and section 173 are met.

SEC. 183. CONFORMING AMENDMENTS.

The Higher Education Act of 1965 is amended—

(1) in section 411F(9) (20 U.S.C. 1070a-6(9)), by adding at the end thereof the following new subparagraph:

"(F) Annual adjusted family income does not include any stipend received by a participant in programs established under the National and Community Service Act of 1990.";

(2) in section 411F(12)(B)(vi) (20 U.S.C. 1070a-6(12)(B)(vi)), by striking "(including all sources of resources other than parents)" and inserting "(including all sources of resources other than parents and stipends received as a result of participation in a program established under the National and Community Service Act of 1990.)";

(3) in section 480(f) (20 U.S.C. 1087vv(f)), by—

(A) striking "and" at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting a semicolon and "and"; and

(C) adding at the end thereof the following new paragraph:

"(3) any stipend received by a participant in a program established under the National and Community Service Act of 1990."; and

(4) in section 480(d)(2)(F) (20 U.S.C. 1087vv(d)(2)(F)), by inserting after "other than parents" "and stipends received as a result of participation in a program established under the National and Community Service Act of 1990)".

Subtitle G—Commission on National and Community Service

SEC. 190. COMMISSION ON NATIONAL AND COMMUNITY SERVICE.

(a) ESTABLISHMENT.—There is established a Commission on National and Community Service that shall administer the programs established under this title.

(b) BOARD OF DIRECTORS.—

(1) COMPOSITION.—The Commission shall be administered by a Board of Directors (hereinafter referred to in this section as the "Board") that shall be composed of 21 members, to be appointed by the President with the advice and consent of the Senate, who shall be individuals who have extensive experience in volunteer and service opportunity programs and who represent a broad range of viewpoints. The membership of the Board shall be balanced according to the race, ethnicity and gender of its members.

(2) POLITICAL PARTIES.—Not more than 11 members of the Board shall belong to the same political party.

(3) TERMS.—Each member of the Board shall serve for a term of 2 years, except that, subject to the provisions of paragraph (4), eleven of the initial members of the

Board shall serve for a term of 1 year, as designated by the President.

(4) VACANCIES.—

(A) IN GENERAL.—As vacancies occur on the Board, new members shall be appointed by the President with the advice and consent of the Senate and serve for the remainder of the term for which the predecessor of such member was appointed.

(5) CHAIRPERSON.—The Board shall elect a chairperson and vice-chairperson from among its membership.

(6) MEETINGS.—The Board shall meet not less than three times each year. The Board shall hold additional meetings if seven members of the Board request such meetings in writing. A majority of the Board shall constitute a quorum.

(7) EXPENSES.—While away from their homes or regular places of business on the business of the Board, members of such Board may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c) DUTIES.—The Board shall—

(1) advise the President and the Congress concerning developments in national and community service that merit the attention of the President and the Congress;

(2) design and administer the programs or initiatives established under this title;

(3) shall consult with appropriate Federal agencies in administering programs that receive assistance under title I;

(4) may delegate authority to administer the programs established under this title to any other agency or entity of the Federal Government, on the agreement of such agency or entity, as the Board determines appropriate;

(5) shall provide, directly or through contract with public or private nonprofit organizations with extensive experience in service programs, training and technical assistance to States, school and community-based service programs, full-time youth service corps, and national service demonstration programs;

(6) shall arrange for the evaluation of programs established under this title, in accordance with section 178;

(7) coordinate with the Secretary of Defense in evaluating the effect of the national service demonstration program on the recruitment efforts of the active and reserve components of the Armed Forces; and

(8) carry out any other activities determined appropriate by the Secretary.

(d) EXECUTIVE DIRECTOR OF THE BOARD.—

(1) IN GENERAL.—The Board shall appoint an individual to serve as Executive Director of the Board (hereinafter referred to in this section as the "Director").

(2) DUTIES.—The Director shall advise the Board concerning developments in volunteer or national service that the Director determines merits the attention of the Board, identify promising service initiatives, and coordinate the work of the Board with the work of other Federal agencies involved in service activities and in the design of a competitive grant to provide assistance as authorized under this title.

(e) TECHNICAL EMPLOYEES.—The Director may, at the discretion of the Board, appoint not more than 10 technical employees to administer the Committee. Such employees shall be appointed for terms that shall not exceed 2 years, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(f) CLEARINGHOUSES.—

(1) IN GENERAL.—The Board shall provide assistance to not less than three national or regional service clearinghouses.

(2) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—Public and private nonprofit agencies that have extensive experience in community service, adult volunteer and partnership programs, youth service, and other volunteer programs shall be eligible to receive funds under paragraph (1).

(3) FUNCTION OF CLEARINGHOUSES.—National and regional clearinghouses that receive assistance under paragraph (1) shall—

(A) assist State and local community service programs with needs assessments and planning;

(B) conduct research and evaluations concerning community service;

(C) provide leadership development and training to State and local community service program administrators, supervisors, and participants;

(D) administer award and recognition programs for outstanding community service programs and participants; and

(E) facilitate communication amongst community service programs and participants.

(4) GRANTS.—

(A) IN GENERAL.—The Board may make grants to national model service programs.

(B) ELIGIBILITY.—States, education institutions, local government agencies, community-based agencies, nonprofit organizations, or consortia composed thereof shall be eligible to receive grants under subparagraph (A).

(C) DISSEMINATION OF INFORMATION.—The Board shall widely disseminate information concerning national model service programs that receive assistance under subparagraph (A).

(5) INNOVATIVE CURRICULUM MATERIALS.—The Board may make grants for the development of innovative curriculum materials for use in youth community service and adult volunteer partnership programs.

(g) PRESIDENTIAL AWARDS FOR SERVICES.—

(1) PRESIDENTIAL AWARDS.—

(A) IN GENERAL.—The President, acting through the Commission, is authorized to make Presidential Awards for service to individuals demonstrating outstanding community service and to outstanding service programs.

(B) NUMBER OF AWARDS.—The President is authorized to make one individual and one program award in each Congressional district, and one Statewide program award in each State.

(C) CONSULTATION.—The President shall consult with the Governor of each State, and with the Board, in the selection of individuals and programs for Presidential Awards.

(D) PARTICIPANTS IN PROGRAMS.—An individual receiving an award under this subsection need not be a participant in a program assisted under this title.

(2) INFORMATION.—The President shall ensure that information concerning individuals and programs receiving awards under this subsection is widely disseminated.

(h) DETAIL OF EMPLOYEES.—Any Federal government employee may be detailed to the Commission without payment of reimbursement to the detailing agency. Such detail of a Federal employee shall not result in the interruption or loss of civil service status or privilege of such employee.

(i) LIMITATION.—In each fiscal year the Commission shall limit the value of any benefits conferred under this Act, to an amount that is not in excess of the appropriations for such fiscal year to carry out this Act, and if the fulfillment of the requirements of this Act requires amounts in excess of the limitation described in this subsection, such benefits shall be reduced to the extent necessary to comply with the requirements of this subsection.

TITLE II—MODIFICATIONS OF EXISTING EDUCATION PROGRAMS

SEC. 201. REFERENCES.

Whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965.

Subtitle A—Higher Education

SEC. 210. INNOVATIVE PROJECTS FOR COMMUNITY SERVICE.

(a) PURPOSE.—Section 1061 of the Act (20 U.S.C. 1135e) is amended by striking out "projects in exchange" and all that follows through the end thereof, and inserting in lieu thereof "activities before, during, or after the completion of such student's higher education.".

(b) USE OF GRANTS.—Section 1062 of the Act (20 U.S.C. 1135e-1) is amended to read as follows:

"SEC. 1062. INNOVATIVE PROJECTS FOR COMMUNITY SERVICE.

"(a) GENERAL AUTHORITY.—The Secretary is authorized, in accordance with the provisions of this part, to make grants to, and enter into contracts with, institutions of higher education (including combinations of such institutions), and other public agencies and nonprofit organizations working in partnership with institutions of higher education, for purposes including—

"(1) encouraging students to participate in community service activities that will engender a sense of social responsibility and commitment to the community;

"(2) encouraging students to assist in the teaching of individuals with limited basic skills or an inability to read and write;

"(3) creating opportunities for students to engage in community service activities in exchange for financial assistance that reduces the debt acquired by students in the course of completing postsecondary education;

"(4) encouraging student-initiated and student designated community service projects; and

"(5) encouraging the integration of community service into academic curricula.

"(b) ADMINISTRATIVE PROVISIONS.—

"(1) APPLICATION.—No grant may be made, and no contract may be entered into, under this section unless an application is made to the Director of the Fund for Improvement of Postsecondary Education (hereinafter referred to as the 'Director') at such time, in such manner, and contained or accompanied by such information as the Director may reasonably require. Such applications shall include plans that describe the manner in which appropriate training is to be provided to participants and supervisors.

"(2) ADVISE.—Consistent with the provisions of section 1003(c), the National Board of the Fund for the Improvement of Postsecondary Education shall advise the Director on programs, priorities, and the selection of projects developed under the authority of this section.

"(3) TECHNICAL EMPLOYEES.—

"(A) IN GENERAL.—The Secretary may appoint, for terms of not to exceed 2 years, without regard to the provisions of title 5, United States Code governing appointments in the competitive service, technical employees to administer this part who may be paid without regard to the provisions of chapter 51, and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

"(B) LIMITATION.—The Secretary may appoint not more than 1 technical employee for each $2,000,000 appropriated under section 1063.

"(4) APPLICATION OF OTHER SECTION.—The provisions of section 1004(b) shall apply to grants made under this section.

"(5) CONSTRUCTION.—Nothing in this part shall be construed as requiring an institution of higher education to offer academic credit as a requirement of receiving assistance under this part.".

Subtitle B—State Student Incentive Grant and Work Study Programs

SEC. 220. ADDITIONAL RESERVATION FOR CAMPUS-BASED COMMUNITY WORK LEARNING STUDY JOBS.

Section 415B(a) of such Act (20 U.S.C. 1070c-1(a)) is amended by inserting the following new paragraph at the end thereof:

"(3)(A) If the amount appropriated to carry out this subpart exceeds $75,000,000, the Secretary shall, notwithstanding the provisions of section 415(C)(b)(3)(A), allot 50 percent of such excess to the States for the purpose described in section 415(C)(b)(3)(B).

"(B) The Secretary shall make the allotment required under subparagraph (A) based on the number of students participating in campus-based community work learning study jobs assisted under this subpart in each State as compared to the total number of students participating in such jobs in all States.".

SEC. 221. WORK STUDY PROGRAMS.

(a) WORK STUDY PROGRAMS.—Section 443(b)(5) of such Act (42 U.S.C. 2753(b)(5)) is amended by striking "and 70 percent for academic year 1990-1991" and inserting "70 percent for academic years 1990-1991 and 1991-1992, and 60 percent for academic year 1992-1993".

(b) COMMUNITY SERVICE LEARNING PROGRAMS.—Section 443(b)(5)(B) of such Act is amended by striking "90" and inserting "100".

SEC. 222. PUBLIC HEALTH AMENDMENT.

Section 361(a) of the Public Health Service Act (42 U.S.C. 264(a)) is amended by striking out "The" and inserting in lieu thereof "Notwithstanding any other provision of Federal law, the".

Subtitle C—Publication

SEC. 230. INFORMATION FOR STUDENTS.

(a) INSTITUTIONAL AND FINANCIAL.—Section 485(a)(1) of such Act (20 U.S.C. 1092(a)(1)) is amended—

(1) by striking out "and" at the end of subparagraph (J);

(2) by striking out the period at the end of subparagraph (K) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following new subparagraph:

"(L) the terms and conditions under which students receiving guaranteed student loans under part B of this title or direct student loans under part E of this title, or both, may—

"(i) obtain deferral of the repayment of the principal and interest for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness, and

"(ii) obtain partial cancellation of the student loan for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.).".

(b) PARTICIPATION AGREEMENTS.—Section 487(a)(7) of such Act (20 U.S.C. 1094(a)(7)) is amended by inserting before the period a comma and the following: "particularly the requirements of subsection (a)(1)(L) of such section".

SEC. 231. EXIT COUNSELING FOR BORROWERS.

Section 485(b) of such Act (20 U.S.C. 1092(b)) is amended—

(1) by striking "and" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and "and"; and

(3) by inserting after paragraph (2) the following new paragraph:

"(3) the terms and conditions under which the student may obtain partial cancellation or defer repayment of the principal and interest for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness.".

SEC. 232. DEPARTMENT INFORMATION ON DEFERMENTS AND CANCELLATIONS.

Section 485(d) of such Act (20 U.S.C. 1092(d)) is amended by inserting before the last sentence the following new sentence: "The Secretary shall provide information concerning the specific terms and conditions under which students may obtain partial cancellation or defer repayment of loans for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) and the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax-exempt organization of demonstrated effectiveness, shall indicate (in terms of the Federal minimum wage) the maximum level of compensation and allowances that a student borrower may receive from a tax-exempt organization to qualify for a deferment, and shall explicitly state that students may qualify for such partial cancellations or deferments when they serve as a paid employee of a tax-exempt organization.".

SEC. 233. DATA ON DEFERMENTS AND CANCELLATIONS.

Section 485B(a) of such Act (20 U.S.C. 1092b(a)) is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding the following new paragraph after paragraph (4):

"(5) the exact amount of loans partially canceled or in deferment for service under the Peace Corps Act (22 U.S.C. 2501 et seq.)), for service under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), and for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness.".

Subtitle D—Direct Loans to Students in Institutions of Higher Education

SEC. 240. LOAN CANCELLATION AUTHORIZED.

(a) CANCELLATION FOR CERTAIN SERVICE.—Section 465(a)(2) of such Act (20 U.S.C.1087ee(a)(2)) is amended—

(1) by striking out "or" at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof a semicolon and the word "or"; and

(3) by adding at the end thereof the following new subparagraph:

"(F) as a full-time volunteer in service comparable to service referred to in subparagraph (E) for an organization of demonstrated effectiveness which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code 1986.".

(b) CANCELLATION PERCENTAGE.—Section 465(a)(3)(A) of such Act (20 U.S.C. 1087ee(a)(3)(A)) is amended—

(1) by striking out "or" at the end of clause (iii);

(2) by striking out the period at the end of clause (iv) and inserting in lieu thereof a semicolon and the word "or"; and

(3) by adding at the end thereof the following new clause:

"(v) in the case of service described in subparagraph (F) of paragraph (2) at the rate of 15 percent for the first or second year of such service and 20 percent of the third or fourth year of such service.".

SEC. 241. EFFECTIVE DATE.

The amendments made by section 240 shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this subtitle.

Subtitle E—Loan Forgiveness

SEC. 250. LOAN FORGIVENESS.

(a) IN GENERAL.—Part B of title IV of such Act is amended by inserting after section 432 (20 U.S.C. 1082) the following new section:

"SEC. 432A. TREATMENT OF STUDENT VOLUNTEERS.

"(a) IN GENERAL.—Notwithstanding any other provision of law except subsection (c), a loan insurable under section 427, or the student loan insurance program of a State, institution, or organization under section 428, shall provide that, in the case of any student borrower who, prior to the beginning of the repayment period, agrees in writing to volunteer for service under the Peace Corps Act (22 U.S.C. 2501 et seq.) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax exempt organization of demonstrative effectiveness, for the payment by the United States of the percent of the amount of loans specified in subsection (b).

"(b) PARTIAL CANCELLATION AUTHORITY.—

"(1) AGREEMENT.—The Secretary shall enter into an agreement with any student borrower described in section 427(a)(2)(H) or 428(b)(1)(V) under which the borrower shall agree to serve as a volunteer under the Peace Corps Act (22 U.S.C. 2501 et seq.) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax-exempt organization of demonstrated effectiveness.

"(2) ASSURANCES.—The agreement entered into under paragraph (1) shall contain provisions designed to assure that—

"(A) the Secretary will assume the obligation of paying the percent of any loan made, insured, or guaranteed under this part,

except those described in sections 428A, 428B and 428C, pursuant to the schedule described in paragraph (5); and

"(B) the student borrower who fails to volunteer for service in accordance with the agreement will assume the obligation of paying the amount of any such loan attributable to the period for which the student borrower failed to comply with the agreement.

"(3) PAYMENT.—The Secretary shall in each fiscal year pay to the holder of each loan for which the Secretary assumes responsibility under this subsection the amount specified in paragraph (5).

"(4) WAIVER OR SUSPENSION.—The Secretary shall waive or suspend any obligation of service or payment of any loan, or any part thereof, to which the United States is entitled under paragraph (2)(A) whenever the Secretary determines that compliance by an individual with the agreement is impossible or would involve extreme hardship to the individual.

"(5) AMOUNT OF PAYMENT.—

"(A) IN GENERAL.—The percentage of a loan that shall be paid by the United States under paragraph (2)(A) shall be 15 percent for the first or second year of service and 20 percent for the third or fourth year of service as described in paragraph (1).

"(B) INTEREST.—If a portion of the loan is paid by the Secretary under this subsection for any year, the entire amount of interest on such loan which accrues for such year shall be paid by the Secretary.

"(C) CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the refunding of any repayment on the loan.

"(c) LIMITATION.—In each fiscal year, the Secretary shall limit the value of any benefits conferred under this section to an amount that is not in excess of the appropriation for such fiscal year to carry out this section, and if the fulfillment of the requirements of this section requires amounts in excess of this limitation described in this subsection, such benefits shall be reduced to the extent necessary to comply with the requirements of this subsection.".

(c) TECHNICAL AMENDMENTS.—

(1) STUDENT VOLUNTEER.—

(A) NOTE.—Section 427(a)(2)(B)(ii) of such Act (20 U.S.C. 1077(a)(2)(B)(ii)) is amended by inserting after "that" a comma and the following: "subject to the provisions of subparagraph (H),".

(B) PAYMENT BY FEDERAL GOVERNMENT.—Section 427(a)(2) of such Act (20 U.S.C. 1077(a)(2)(B)(ii)) is amended by—

(i) striking out "and" at the end of subparagraph (G);

(ii) redesignating subparagraph (H) as subparagraph (I); and

(iii) inserting after subparagraph (G) the following new subparagraph:

"(H) complies with section 432A.".

(2) FEDERAL PAYMENT TO REDUCE INTEREST.—

(A) INSURANCE PROGRAM REQUIREMENT.—Section 428(b)(1)(D) of such Act (20 U.S.C. 1078(b)(1)(D)) is amended by inserting after "paragraph" the following: "and subject to subparagraph (V)".

(B) PAYMENT BY FEDERAL GOVERNMENT.—Section 428(b)(1) of such Act (20 U.S.C. 1078(b)(1)(D)) is amended by—

(i) striking out "and" at the end of subparagraph (T);

(ii) striking out the period at the end of subparagraph (U) and by inserting in lieu thereof a semicolon and "and"; and

(iii) adding at the end thereof the following new subparagraph:

"(V) complies with section 432A.".

SEC. 251. EFFECTIVE DATE.

The amendments made by section 250 shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this Act.

TITLE III—POINTS OF LIGHT INITIATIVE FOUNDATION

SEC 301. SHORT TITLE.

This title may be cited as the "Points of Light Initiative Foundation Act".

SEC. 302. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) community service and service to others is an integral part of American tradition;

(2) existing volunteers and volunteer programs should be praised for their efforts in helping and serving others;

(3) the definition of a successful life includes service to others;

(4) individuals should be encouraged to volunteer their time and energies in community service efforts;

(5) if asked to volunteer or participate in community service, most Americans will do so;

(6) institutions should be encouraged to volunteer their resources and energies and should encourage volunteer and community service among their members, employees, affiliates; and

(7) volunteer and community service programs are intended to complement and not replace governmental responsibilities.

(b) PURPOSE.—It is the purpose of this title—

(1) to encourage every American and every American institution to help solve our most critical social problems by volunteering their time, energies and services through community service projects and initiatives;

(2) to identify successful and promising community service projects and initiatives, and to disseminate information concerning such projects and initiatives to other communities in order to promote their adoption nationwide; and

(3) to discover and encourage new leaders and develop individuals and institutions that serve as strong examples of a commitment to serving others and to convince all Americans that a successful life includes serving others.

SEC. 303. AUTHORITY.

(a) The President is authorized to designate a private, nonprofit organization (hereafter referred to as the Foundation) to receive funds pursuant to section 401(a)(7), upon his determination that such organization is capable of carrying out the undertakings described in section 302. Any such designation by the President shall be revocable.

(b) Nothing in this Act shall be construed either (i) to cause the Foundation to be deemed an agency, establishment, or instrumentality of the United States Government, or (ii) to cause the directors, officers or employees of the Foundation to be deemed officers or employees of the United States.

SEC. 304. GRANTS TO THE FOUNDATION.

(a) Funds made available pursuant to sections 303 and 401(a)(7) shall be granted to the Foundation by a department or agency in the executive branch of the United States Government designated by the President—

(1) to assist the Foundation in carrying out the undertakings described in section 302; and

(2) for administrative expenses of the Foundation.

(b) Notwithstanding any other provision of law, the Foundation may hold funds granted to it pursuant to this Act in interest-bearing accounts, prior to the disbursement of such funds for purposes specified in subsection (a) of this section, and may retain for such purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress.

SEC. 305. ELIGIBILITY OF THE FOUNDATION FOR GRANTS.

(a) Grants may be made to the Foundation pursuant to this Act only if the Foundation agrees to comply with the requirements specified in this Act. If the Foundation fails to comply with the requirements specified in this Act, additional funds shall not be released until the Foundation brings itself into compliance with these requirements.

(b) The Foundation may use funds provided by this Act only for activities and programs consistent with the purposes set forth in sections 302 and 304.

(c) The Foundation shall not issue any shares of stock or declare or pay any dividends.

(d) No part of the funds available to the Foundation shall inure to the benefit of any board member, officer, or employee of the Foundation, except as salary or reasonable compensation for services or expenses. Compensation for board members shall be limited to reimbursement for reasonable costs of travel and expenses.

(e) No director, officer, or employee of the Foundation shall participate, directly or indirectly, in the consideration or determination of any question before the Foundation that affects his or her financial interests or the financial interests of any corporation, partnership, entity, or organization in which he or she has a direct or indirect financial interest.

(f) The Foundation shall not engage in lobbying or propaganda for the purpose of influencing legislation, and shall not participate or intervene in any political campaign on behalf of any candidate for public office.

(g) During the second fiscal year in which funds are granted to the Foundation pursuant to this Act, the Foundation shall raise from private sector donations an amount equal to at least one-fourth of any funds granted to the Foundation pursuant to this Act in that fiscal year. Funds shall be released to the Foundation during this fiscal year only to the extent that this matching requirement has been met.

(h) The accounts of the Foundation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The report of each such independent audit shall be included in the annual report required by subsection (l) of this section.

(i) So long as the Foundation is receiving grants pursuant to this Act, the accounts of the Foundation may be audited at any time by any agency designated by the President. The Foundation shall keep such records as will facilitate effective audits.

(j) So long as it is receiving grants pursuant to this Act, the Foundation shall be subject to appropriate oversight procedures of the Congress.

(k) The Foundation shall ensure—

(1) that any recipient of financial assistance provided by the Foundation from funds granted pursuant to this Act keeps separate accounts with respect to such assistance and such records as may be reasonably necessary to disclose fully (i) the amount and the disposition by such recipient of the assistance received from the Foundation, (ii) the total cost of the project or undertaking in connection with which such assistance is given or used, (iii) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and (iv) such other records as will facilitate effective audits; and

(2) that the Foundation, or any of its duly authorized representatives (including any agency designated by the President pursuant to subsection (i) of this section), shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipient that are pertinent to assistance provided from funds granted pursuant to this title.

(l) The Foundation shall submit to the President and to the Congress an annual report, which shall include a comprehensive and detailed description of the Foundation's operations, activities, financial condition, and accomplishments for the preceding fiscal year. This report shall be submitted not later than three months after the conclusion of any fiscal year in which the Foundation receives grants pursuant to this Act.

SEC. 306. POWERS AND FUNCTIONS.

The Foundation, in addition to the other powers and functions provided for in this title—

(1) shall have perpetual succession, except that such Foundation may be dissolved by an Act of Congress;

(2) may adopt, alter, and use a corporate seal;

(3) may make and perform contracts and other agreements with any individual, corporation, or other entity and with any government agency;

(4) may acquire by purchase, devise, bequest, or gift, or otherwise lease, hold, and improve, such real and personal property as the Board finds to be necessary to achieve the purposes of the Foundation;

(5) may accept money, funds, property, and services of every kind of gift, devise, bequest, grant, or otherwise;

(6) may establish and operate such programs, adopt such policies, and pursue such activities as may be determined appropriate by the Board to further the purposes of the Foundation; and

(7) shall have such other powers as may be necessary and appropriate to carrying out its powers and duties under this Act.

SEC. 307. PRINCIPAL AND BRANCH OFFICES.

The Foundation shall establish a principal office in the District of Columbia and may establish such branch offices or other offices in any place within the United States or elsewhere where the Foundation may carry out its operations.

SEC. 308. NONPROFIT NATURE OF THE FOUNDATION.

(a) IN GENERAL.—The Foundation shall be a nonprofit corporation and shall have no capital stock.

(b) REVENUE AND EARNINGS.—No part of the revenue, earnings, or other income or property of the Foundation shall inure to the benefit of the members of the Board, the officers, or the employees of the Foundation, and such revenue, earnings or other income, or property shall be used for carrying out the purposes of this title.

(c) CONFLICT OF INTEREST.—No member of the Board, officer or employee of the Foundation shall in any manner, directly or indirectly, participate in the deliberation or the determination of any question affecting the personal interests of such members, officer or employee or the interests of any corporation, partnership or organization in which such members, officer or employee is directly or indirectly interested.

(d) CONTRIBUTIONS.—The Foundation shall not contribute to or otherwise support any political party or candidate for elective public office.

SEC. 309. EXEMPTION FROM TAX.

The Foundation, including its income, shall be exempt from taxation imposed by the United States or any territory or possession thereof, or by any State, county, municipality, or local taxing authority.

SEC. 310. OVERSIGHT.

The Board shall use amounts appropriated under section 401(a)(7) to—

(1) prepare and submit, to the appropriate Committees of Congress and the President, an annual report concerning the activities of the Foundation and the expenditure of funds by such;

(2) procure audits of its activities by the Comptroller General; and

(3) participate in the Office of Management and Budget budget review process.

SEC. 311. ANNUAL BUDGET.

The Foundation shall establish an annual budget for use in allocating amounts available to the Foundation under section 401(a)(7). The Foundation may, in each fiscal year, supplement the appropriation for such fiscal year under such section (a) with private resources.

TITLE IV—AUTHORIZATION OF APPROPRIATIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act, $50,000,000 for fiscal year 1990 and $75,000,000 for fiscal year 1991, of which the Secretary shall make available—

(1) to carry out subtitle B of title I, $10,000,000 for fiscal year 1990 and $15,000,000 for fiscal year 1991;

(2) to carry out subtitle C of title I, $14,000,000 for fiscal year 1990 and $21,000,000 for fiscal year 1991;

(3) to carry out subtitle D of title I, $14,000,000 for fiscal year 1990 and $21,000,000 for fiscal year 1991;

(4) to carry out subtitle E of title I, $400,000 for fiscal year 1990 and $600,000 for fiscal year 1991;

(5) to carry out subtitle G of title I, $800,000 for fiscal year 1990 and $1,200,000 for fiscal year 1991;

(6) to establish clearinghouses under section 190(f), $800,000 for fiscal year 1990 and $1,200,000 for fiscal year 1991; and

(7) to carry out title III, $10,000,000 for fiscal year 1990 and $15,000,000 for fiscal year 1991.

(b) POINTS OF LIGHT FOUNDATION.—If any amounts made available under subsection (a)(7) are not used by the Points of Light Foundation, such amounts shall be made available to carry out subtitles B, C, and D of title I on a pro rata basis.

(c) UNUSED APPROPRIATIONS.—If an amount authorized to be appropriated in any fiscal year is not appropriated, or is appropriated but not expended in such fiscal year, such amount shall remain available to be appropriated, or expended, in the following fiscal year.

TITLE V—GENERAL PROVISIONS

SEC. 501. EMERGENCY MEDICAL SERVICES FOR CHILDREN.

Section 1910(a) of the Public Health Service Act (42 U.S.C. 300w-9(a)) is amended in the first sentence—

(1) by striking out "not more than four";

(2) by striking out "in any fiscal year"; and

(3) by striking out "in such States".

SEC. 502. PHYSICIAN'S COMPARABILITY ALLOWANCE.

The positions of the Assistant Secretary for Health, the Deputy Assistant Secretary for Health, the heads of the Public Health Services agencies, and other positions that are compensated under subchapter II of chapter 53, of title 5, United States Code, relating to the Executive Schedule, when employed as physicians shall be defined as "government physicians" for purposes of eligibility for physicians comparability allowance as defined in section 5948 of title 5, United States Code.

SEC. 503. POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Senate finds that—

(1) in recent months, dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union, and

(2) these democratic reforms will permit the preservation of our Nation's security at a cost less than current budget levels.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that funds saved as a result of reductions in military expenditures shall be used for—

(1) balancing the budget, without resorting to use of the Social Security surpluses, in order to stop the ongoing "thievery" and "embezzlement" from the Social Security Trust Funds;

(2) urgent national priorities, including investing in America's future, anti-drug and anti-crime efforts, education, health care, the environment, rebuilding the infrastructure, assisting emerging democracies, and other critical needs;

(3) tax reductions for working men and women.

SEC. 504. DRUG FREE WORKPLACE REQUIREMENTS.

All programs receiving grants provided under this Act shall be subject to the Drug-Free Workplace Requirements for Federal Grant Recipients under section 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702-707).

SEC. 505. AMEND SECTION 1-2503 OF DISTRICT OF COLUMBIA CODE.

Sec. 1-2503 of the District of Columbia Code (1981 edition) is amended by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following new subsection:

"(c)(1) Nothing in this chapter shall be construed to bar any organization or entity from denying, restricting, abridging, or conditioning the participation in any program or activity that educates, coaches or trains any minor, or holds out an adult as a role model, mentor, or companion to any minor, of any adult homosexual, bisexual or heterosexual person who has been convicted of or is charged with a sexual offense with a minor, or who otherwise poses a threat of engaging in sex with a minor or otherwise sexually abusing a minor; and

"(2) nothing in this chapter shall be construed to bar any organization or entity from denying, restricting, abridging, or conditioning the participation of any adult homosexual, bisexual or heterosexual person in any voluntary program or activity that

educates, coaches, or trains any minor, or holds out an adult as a role model, mentor, or companion to a minor, if the parent or guardian of said minor objects to the participation of such person based on the person's sexual orientation.".

SEC. 506. SENSE OF CONGRESS CONCERNING ENACTMENT OF GOOD SAMARITAN FOOD DONATION ACT.

(a) IN GENERAL.—It is the sense of Congress that each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States should—

(1) encourage the donation of apparently wholesome food or grocery products to nonprofit organizations for distribution to needy individuals; and

(2) consider the model Good Samaritan Food Donation Act (provided in subsection (c)) as a means of encouraging the donation of the food and products.

(b) DISTRIBUTION OF COPIES.—The Archivist of the United States shall distribute a copy of this section to the chief executive officer of each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(c) MODEL GOOD SAMARITAN FOOD DONATION ACT.—

(1) SHORT TITLE.—This subsection may be cited as the "Good Samaritan Food Donation Act".

(2) DEFINITIONS.—As used in this section:

(A) APPARENTLY FIT GROCERY PRODUCT.—The term "apparently fit grocery product" means a grocery product that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the product may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other condition.

(B) APPARENTLY WHOLESOME FOOD.—The term "apparently wholesome food" means food that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the food may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other condition.

(C) DONATE.—The term "donate" means to give without requiring anything of monetary value from the recipient, except that the term shall include giving by a nonprofit organization to another nonprofit organization, notwithstanding that the donor organization has charged a nominal fee to the donee organization, if the ultimate recipient or user is not required to give anything of monetary value.

(D) FOOD.—The term "food" means any raw, cooked, processed, or prepared edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for human consumption.

(E) GLEANER.—The term "gleaner" means a person who harvests for free distribution to the needy, or for donation to a nonprofit organization for ultimate distribution to the needy, an agricultural crop that has been donated by the owner.

(F) GROCERY PRODUCT.—The term "grocery product" means a nonfood grocery product, including a disposable paper or plastic product, household cleaning product, laundry detergent, cleaning product, or miscellaneous household item.

(G) GROSS NEGLIGENCE.—The term "gross negligence" means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(H) INTENTIONAL MISCONDUCT.—The term "intentional misconduct" means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(I) NONPROFIT ORGANIZATION.—The term "nonprofit organization" means an incorporated or unincorporated entity that—

(i) is operating for religious, charitable, or educational purposes; and

(ii) does not provide net earnings to, or operate in any other manner that inures to the benefit of, any officer, employee, or shareholder of the entity.

(J) PERSON.—The term "person" means an individual, corporation, partnership, organization, association, or governmental entity, including a retail grocer, wholesaler, hotel, motel, manufacturer, restaurant, caterer, farmer, and nonprofit food distributor or hospital. In the case of a corporation, partnership, organization, association, or governmental entity, the term includes an officer, director, partner, deacon, trustee, council member, or other elected or appointed individual responsible for the governance of the entity.

(3) LIABILITY FOR DAMAGES FROM DONATED FOOD AND GROCERY PRODUCTS.—A person or gleaner shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a nonprofit organization for ultimate distribution to needy individuals, except that this paragraph shall not apply to an injury to or death of an ultimate user or recipient of the food or grocery product that results from an act or omission of the donor constituting gross negligence or intentional misconduct.

(4) COLLECTION OR GLEANING OF DONATIONS.—A person who allows the collection or gleaning of donations on property owned or occupied by the person by gleaners or unpaid representatives of a nonprofit organization for ultimate distribution to needy individuals shall not be subject to civil or criminal liability that arises due to the injury of the gleaner or representative, except that this paragraph shall not apply to an injury or death that results from an act or omission of the person constituting gross negligence or intentional misconduct.

(5) PARTIAL COMPLIANCE.—If some or all of the donated food and grocery products do not meet all quality and labeling standards imposed by Federal, State, and local laws and regulations, the person or gleaner who donates the food and products shall not be subject to civil or criminal liability in accordance with this section if the nonprofit organization that receives the donated food or products—

(A) is informed by the donor of the distressed or defective condition of the donated food or products;

(B) agrees to recondition the donated food or products to comply with all the quality and labeling standards prior to distribution; and

(C) is knowledgeable of the standards to properly recondition the donated food or product.

(6) CONSTRUCTION.—This subsection shall not be construed to create any liability.

(d) EFFECT OF SECTION.—The model Good Samaritan Food Donation Act (provided in subsection (c)) is intended only to serve as a model law for enactment by the States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States. The enactment of subsection (c) shall have no force or effect in law.

SEC. 507. CONDEMNING HUMAN RIGHTS REPRESSION IN CHINA.

(a) The Senate finds that—

(1) on June 4, 1989, the Government of the People's Republic of China brutally massacred thousands of innocent Chinese nationals demonstrating in Tiananmen Square for greater personal freedom and political expression, and subsequently executed at least 40 Chinese nationals for activities in support of the Tiananmen Square pro-democracy movement;

(2) since June 4, 1989, the Government of the People's Republic of China has brutally imprisoned 10,000 to 30,000 Chinese citizens for their participation in or allegiance to the pro-democracy movement in China;

(3) consular officials, and other official and unofficial representatives of the Government of the People's Republic of China, in direct violation of United States law, are reported to have instituted systematic intimidation and harassment of Chinese nationals in the United States for supporting the pro-democracy movement in China;

(4) the Government of the People's Republic of China continues to enforce coercive population policies, including the use of forced abortions and forced sterilizations;

(5) numerous international human rights organizations, including Amnesty International, Asia Watch, and the International League for Human Rights, report continued and even increased human rights and religious freedom violations by the Government of the People's Republic of China, including the recent arrest of four Chinese Catholic priests, and the November 30, 1989, detention of ten Tibeten monks;

(b) It is therefore the sense of the Senate that—

(1) the Senate strongly reiterates its condemnation of the Government of the People's Republic of China for its brutal military repression of the peaceful prodemocracy demonstration in Tiananmen Square on June 4, 1989, and further expresses its abhorrence of the continued political and human rights repression in the People's Republic of China;

(2) the Senate notes that the harassment of Chinese nationals residing in the United States is governed by section 2756 of title 22, United States Code, Public Law 97-113, and that any continuation of these harassment activities in the United States will further adversely affect Sino-American relations;

(3) the Senate expresses condemnation of the Government of the People's Republic of China for its inhumane policy of forced abortion and sterilization;

(4) the Senate urges the President of the United States to instruct the United States representatives to international financial institutions, and specifically the World Bank, to oppose loans or other financial assistance to the People's Republic of China which are not purely natural disaster relief or basic human needs, until it is clear that the human rights practices of the Government of the People's Republic of China have dramatically improved.

SEC. 508. EXCHANGE PROGRAM WITH COUNTRIES IN TRANSITION FROM TOTALITARIANISM TO DEMOCRACY.

AUTHORIZATION OF ACTIVITIES; GRANTS OR CONTRACTS FOR EXCHANGES WITH FOREIGN COUNTRIES.—The President is authorized, when he considers that it would strengthen

international cooperative relations, to provide, by grant, contract, or otherwise, for—

(1) exchanges with countries in transition from totalitarianism to democracy, which include, but are not limited to Poland, Hungary, Czechoslovakia, Bulgaria, and Romania;

(i) by financing studies, research, instruction, and related activities—

(A) of or for American citizens and nationals in foreign countries, and

(B) of or for citizens and nationals of foreign countries in American private businesses, trade associations, unions, chambers of commerce, and local, State, and Federal Government agencies, located in or outside the United States; and

(ii) by financing visits and interchanges between the United States and countries in transition from totalitarianism to democracy; which program shall be coordinated by a White House Office, which the President is hereby authorized to establish.

(2) TRANSFER OF FUNDS.—The President is authorized to transfer to the appropriations account of the agency (agencies) administering this program such sums as he shall determine to be necessary out of the travel accounts of departments and agencies of the United States as he shall designate, which transfers shall be subject to approval of the House and Senate Committees on Appropriations and in addition he is authorized to accept such gifts or cost-sharing arrangements as may be proffered to sustain the program, and to place such gifts into an endowment fund.

SEC. 509. ENHANCE NATIONAL AND COMMUNITY SERVICES.

Any entity, including the Foundation, administering a program or project under this Act shall take appropriate action to ensure that:

(1) rural areas receive equitable treatment in the allocation and distribution of assistance;

(2) prospective grantees or fund recipients located in rural areas are treated equitably under the eligibility criteria.

MOTION OFFERED BY MR. HAWKINS

Mr. HAWKINS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HAWKINS moves to strike all after the enacting clause of the Senate bill, S. 1430, and insert in lieu thereof the text of H.R. 4330 as passed by the House, as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Service Act of 1990".

SEC. 2. DRUG TESTING REQUIREMENT.

The head of each department and of each agency participating in programs assisted under title II of this Act or under amendments made by this Act shall establish and administer a program of random testing of individuals participating in such programs for the illegal use of drugs.

TITLE I—SCHOOL-BASED AND HIGHER EDUCATION COMMUNITY SERVICE

PART A—SCHOOL-BASED COMMUNITY SERVICE

SEC. 101. SHORT TITLE.

This part may be cited as the "Schools and Service-Learning Act of 1990".

Subpart 1—School-Based Service Learning

SEC. 106. SCHOOL-BASED SERVICE LEARNING PROGRAM.

The Secretary of Education is authorized, in accordance with the provisions of this subpart, to make grants to States through their State educational agencies for—

(1) planning and building State capacity for implementing statewide, school-based, service-learning programs, including—

(A) preservice and in-service training for teachers, supervisors, and personnel from community organizations in which service opportunities will be provided;

(B) developing service-learning curricula, including age-appropriate learning components for students to analyze and apply their service experiences;

(C) forming local partnerships to develop school-based community service programs in accordance with this subpart;

(D) devising appropriate methods for research and evaluation of the educational value of youth service opportunities and the effect of youth service programs on communities;

(E) establishing effective outreach and dissemination to ensure the broadest possible involvement of nonprofit community-based organizations and youth-service agencies with demonstrated effectiveness in their communities; and

(F) integration of service-learning into academic curricula; and

(2) the implementation, operation, or expansion of statewide, school-based, service-learning programs through State distribution of not less than 80 percent of Federal funds made available under this subpart to projects and activities coordinated and operated by local partnerships of local educational agencies and other agencies and organizations in accordance with this subpart.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS; ALLOTMENTS TO STATES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purpose of carrying out the provisions of this subpart $35,000,000 for the fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

(b) RESERVATIONS.—Of the sums appropriated to carry out this subpart for any fiscal year, the Secretary shall reserve not more than 1 percent for payments to Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands, to be allotted in accordance with their respective needs.

(c) ALLOTMENT.—The remainder of such sums shall be allotted among the States as follows:

(1) From 50 percent of such remainder the Secretary shall allot to each State an amount which bears the same ratio to 50 percent of such remainder as the school-age population of the State bears to the school-age population of all States.

(2) From 50 percent of such remainder the Secretary shall allot to each State an amount which bears the same ratio to 50 percent of such remainder as allocations to the State for the previous fiscal year under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 bear to such allocations to all States.

(d) LIMITATION.—For any period during which a State is carrying out planning activities under section 106(1) prior to implementation under section 106(2), a State may be paid not more than 25 percent of its allotment under this subpart.

(e) REALLOTMENT.—The amount of any State's allotment for any fiscal year to carry out this subpart which the Secretary determines will not be required for that fiscal year shall be available for reallotment to other States as the Secretary may determine.

(f) DEFINITIONS.—For purposes of this section:

(1) The term "school-age population" means the population aged 5 through 17, inclusive.

(2) The term "State" includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 108. ASSISTANCE TO LOCAL PARTNERSHIPS.

(a) ASSISTANCE TO LOCAL PARTNERSHIPS.—From the sum made available under section 107 to a State educational agency for each fiscal year, such agency shall, through grants or contracts, provide not more than the Federal share of financial assistance to local partnerships for school-based service projects (in this subpart referred to as "partnerships") for the purpose of carrying out the projects and activities authorized by this subpart.

(b) LOCAL PARTNERSHIPS.—

(1) Each partnership shall consist of at least 1 local educational agency and at least 1—

(A) local government agency;

(B) community-based organization;

(C) institution of higher education; or

(D) private nonprofit organization.

(2) A partnership may include representation by private for-profit business organizations and private elementary and secondary schools.

(c) PRIORITY.—In providing financial assistance pursuant to this subpart, State educational agencies shall give priority consideration to proposals for projects that—

(1) are in greatest need of assistance, such as projects serving low-income areas;

(2) involve participants in the design and operation of the program, where appropriate;

(3) involve students from both public and private elementary and secondary schools and individuals of different ages, races, sexes, ethnic groups, and economic backgrounds serving together;

(4) involve adults, particularly older individuals, as mentors and in other capacities that provide significant interaction with youth performing community service in a school-based setting, including at-risk youth;

(5) involve a partnership which includes private sector employees with talents and skills in short supply in the schools; and

(6) focus on drug and alcohol abuse prevention, school drop-out prevention, or nutrition and health education.

SEC. 109. STATE APPLICATIONS.

(a) APPLICATION REQUIREMENTS.—A State educational agency which desires to receive its allotment under this subpart shall submit to the Secretary an application at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

(1) evidence of substantial cooperative efforts among local educational agencies, local government agencies, community-based organizations, the private sector, and State agencies to develop service-learning opportunities;

(2) an assurance that participation of economically and educationally disadvantaged youths, including youths in foster care who are becoming too old for foster care, youths of limited English proficiency, and youths with disabilities, will participate in service opportunities;

(3) provision for the coordination of service opportunities with other federally assisted education programs, training programs, social service programs, and other appropriate programs that serve youth;

(4) an assurance that urban, rural, and tribal areas will be served;

(5) an assurance that the State will give special consideration to providing assistance to projects that will provide academic credit to participants;

(6) an assurance that the State will keep such records and provide such information to the Secretary as may be required for fiscal audits and program evaluation; and

(7) an assurance that the State will comply with the specific requirements of this subpart.

(b) DIRECT GRANTS.—In any fiscal year in which a State does not participate in programs under this subpart, the Secretary may use the State's allotment to make direct grants for school-based service-learning projects to local applicants in that State.

(c) PARTICIPATION OF CHILDREN AND TEACHERS FROM PRIVATE SCHOOLS.—

(1) To the extent consistent with the number of children in the State or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary and secondary schools, such State or agency shall (after consultation with appropriate private school representatives) make provision—

(A) for including services and arrangements for the benefit of such children as will assure the equitable participation of such children in the purposes and benefits of this subpart; and

(B) for such training for the benefit of teachers of such children as will assure equitable participation of such teachers in the purposes and benefits of this subpart.

(2) If by reason of any provision of law, a State or local educational agency or institution of higher education is prohibited from providing for the participation of children or teachers from private nonprofit schools as required by paragraph (1), or if the Secretary determines that a State or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Secretary shall waive such requirements and shall arrange for the provision of services to such children and teachers. Such waivers shall be subject to consultation, withholding, notice, and judicial review requirements in accordance with section 1017 of the Elementary and Secondary Education Act of 1965.

SEC. 110. LOCAL PROGRAM PROPOSAL.

(a) PROPOSAL REQUIREMENT.—A partnership that desires to receive financial assistance pursuant to this subpart shall submit to the State educational agency of the State in which it is located a proposal which meets the requirements of this section. Such proposal shall be submitted at such time and in such manner as the State educational agency may reasonably require.

(b) PROPOSAL REQUIREMENTS.—Each proposal submitted under subsection (a) shall—

(1) contain a written agreement among the partners, including the entities with which students or school volunteers are affiliated, community representatives, and the local educational agency where service opportunities will be provided, which states that the program was developed by all the partners and that the program will be jointly operated by the partnership;

(2) provide for the establishment of an advisory committee consisting of representatives of community agencies, services recipients, youth serving agencies, students, parents, teachers, administrators, school board members, labor, and business, and describe the membership and role of such committee;

(3) describe the goals of the program, including goals that are quantifiable, measurable, and demonstrate benefits to both the students or school volunteers and the community;

(4) describe the service opportunities to be provided;

(5) describe how the students or school volunteers will be recruited, including special efforts to recruit school dropouts with the assistance of community-based organizations;

(6) describe how students or school volunteers were or will be involved in the design and operation of the program;

(7) state the responsibilities and qualifications of the coordinator of any program assisted under this subpart;

(8) describe preservice and in-service training to be provided to supervisors and students or school volunteers;

(9) describe potential resources that will permit continuation of the program, if necessary, upon the expiration of Federal funding;

(10) describe an age-appropriate learning component for students that includes, at a minimum, a chance for students to analyze and apply their service experiences and expected learning outcomes;

(11) indicate whether students will receive academic credit for participation;

(12) establish target numbers for—

(A) students who will participate in the program assisted under this subpart; and

(B) hours of service such students will provide individually and as a group;

(13) describe the proportion of students expected to participate who are educationally or economically disadvantaged, including students with disabilities;

(14) describe the ages and grade levels of students who are expected to participate;

(15) include other relevant demographic information about students who are expected to participate; and

(16) provide assurances that students will be provided with information (including information relating to student loan deferment and forgiveness provisions) concerning the Volunteers in Service to America program, the Peace Corps, full-time Youth Service Corps programs funded under this Act, and other appropriate civilian and military service options.

SEC. 111. FEDERAL SHARE.

(a) STATE SHARE.—

(1) The Federal share of the cost of planning and capacity building under section 106(1) may not exceed 90 percent of the total cost of such planning and capacity building.

(2) The State share of the cost of such planning and capacity building shall be in cash. The State share shall be provided through public or private non-Federal sources and may not be provided by any local public agency.

(b) LOCAL SHARE.—

(1) The Federal share of a grant or contract for a project under this subpart may not exceed—

(A) 90 percent of the total cost of a project for the first year for which the project receives assistance under this subpart;

(B) 80 percent of the total cost of a project for the second year for which the project receives assistance under this subpart;

(C) 70 percent of the total cost of a project for the third year for which the project receives assistance under this subpart; and

(D) 50 percent of the total cost of a project for the fourth year and each succeeding year for which the project receives assistance under this subpart.

(2) The State and local share of the costs of a project may be in cash or in kind fairly evaluated, including facilities, equipment, or services.

(c) WAIVER.—The Secretary may waive the requirements of subsection (b) with respect to any project in any fiscal year if the Secretary determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

SEC. 112. USES OF FUNDS; LIMITATIONS.

(a) STATE USES OF FUNDS.—The State educational agency may reserve, from funds made available to such agency under this subpart—

(1) not more than 5 percent of such funds for administrative costs for any fiscal year; and

(2) to build capacity through training, technical assistance, curriculum development, and coordination activities, not more than—

(A) 15 percent of such funds in the first year in which a State operates a program under this subpart;

(B) 10 percent of such funds in each of the second and third years in which a State operates a program under this subpart; and

(C) 5 percent in the fourth year and each succeeding year in which a State operates a program under this subpart.

(b) AUTHORIZED ACTIVITIES FOR LOCAL PROJECTS.—

(1) Local projects may use funds made available under this subpart for supervision of participating students, program administration, training, reasonable transportation costs, insurance, and other reasonable expenses.

(2) Funds made available under this subpart may not be used to pay any stipend, allowance, or other financial support to any participant, except reimbursement for transportation, meals, and other reasonable out-of-pocket expenses directly related to participation in a program assisted under this subpart.

Subpart 2—Youthbuild Projects

SEC. 116. STATEMENT OF PURPOSE.

It is the purpose of this subpart—

(1) to provide economically disadvantaged young adults with opportunities for meaningful service to their communities in helping to meet the housing needs of homeless individuals and low-income families; and

(2) to enable economically disadvantaged young adults to obtain the education and employment skills necessary to achieve economic self-sufficiency.

SEC. 117. AUTHORIZATION OF PROGRAM.

(a) FINANCIAL ASSISTANCE.—The Director of the ACTION Agency, in consultation with the Secretary of Labor, may provide grants to pay the Federal share of the cost of carrying out Youthbuild projects in accordance with this subpart.

(b) FEDERAL SHARE.—The Federal share under subsection (a) for each fiscal year shall not exceed 90 percent.

SEC. 118. SERVICE IN CONSTRUCTION AND REHABILITATION PROJECTS.

(a) CONSTRUCTION AND REHABILITATION PROJECTS.—Eligible participants serving in Youthbuild projects receiving assistance under this subpart shall be employed in the construction, rehabilitation, or improvement of real property to be used for purposes of providing—

(1) residential rental housing that is occupied solely by, or available for occupancy solely by, homeless individuals and low-income families;

(2) transitional housing for homeless individuals;

(3) facilities for the provision of health, education, and other social services to low-income families, including—

(A) senior citizen centers;

(B) youth recreation centers;

(C) Head Start or child care centers; and

(D) community health centers.

(b) REQUIREMENTS FOR COMMUNITY FACILITIES.—No assistance may be provided under this subpart to support the construction, rehabilitation, or improvement of real property to be used to provide facilities described in subsection (a) unless the property—

(1) is used principally by or for the benefit of low-income families;

(2) is owned and occupied solely by public or private nonprofit entities; and

(3) is located in census tracts, or identifiable neighborhoods within census tracts, in which the median family income is not more than 80 percent of the median family income of the area in which the facility is located, as such median family income and area are determined for the purposes of assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(c) RESTRICTION OF USE.—Participants under this subpart may not be employed in the construction, operation, or maintenance of any facility used for sectarian instruction or religious worship.

SEC. 119. EDUCATION AND JOB TRAINING SERVICES.

(a) IN GENERAL.—Assistance provided under this part shall be used by each Youthbuild project to provide to participants the following:

(1) SERVICE OPPORTUNITIES.—Service opportunities in the construction or rehabilitation projects described in section 118, which shall be integrated with appropriate skills training and coordinated with, to the extent feasible, preapprenticeship and apprenticeship programs.

(2) EDUCATIONAL SERVICES.—Services and activities designed to meet the educational needs of participants, including—

(A) basic skills instruction and remedial education;

(B) bilingual education for individuals with limited English proficiency; and

(C) secondary education services and activities designed to lead to the attainment of a high school diploma or its equivalent.

(3) PERSONAL AND PEER SUPPORTS.—Counseling services and other activities designed to—

(A) ensure that participants overcome personal problems that would interfere with their successful participation; and

(B) develop a strong, mutually supportive peer context in which values, goals, cultural heritage, and life skills can be explored and strengthened.

(4) LEADERSHIP DEVELOPMENT.—Opportunities to develop the decisionmaking, speaking, negotiating, and other leadership skills of participants, such as the establishment and operation of a youth council with meaningful decisionmaking authority over aspects of the project.

(5) PREPARATION FOR AND PLACEMENT IN UNSUBSIDIZED EMPLOYMENT.—Activities designed to maximize the value of participants as future employees and to prepare participants for seeking, obtaining, and retaining unsubsidized employment.

(6) NECESSARY SUPPORT SERVICES.—To provide support services and need-based stipends necessary to enable individuals to participate in the program and, for a period not to exceed 6 months after completion of training, to assist participants through support services in retaining employment.

(b) CONDITIONS.—The provision of service opportunities to participants in Youthbuild projects shall be made conditional upon attendance and participation by such individuals in the educational services and activities described in subsection (a). The duration of participation for each individual in educational services and activities shall be at least equal to the total number of hours for which a participant serves and is paid wages by a Youthbuild project.

SEC. 120. USES OF FUNDS.

(a) FUNDS.—Funds provided under this subpart may be used only for activities that are in addition to activities that would otherwise be available in the absence of such funds.

(b) ASSISTANCE CRITERIA.—Assistance provided to each Youthbuild project under this part shall be used only for—

(1) education and job training services and activities described in paragraphs (2), (3), (4), (5), and (6) of section 119(a);

(2) wages and benefits paid to participants in accordance with sections 119(a) and 122; and

(3) administrative expenses incurred by the project, in an amount not to exceed 15 percent of the total cost of the project.

SEC. 121. ELIGIBLE PARTICIPANTS.

(a) IN GENERAL.—An individual shall be eligible to participate in a Youthbuild project receiving assistance under this subpart if such individual is—

(1) 16 to 24 years of age, inclusive;

(2) economically disadvantaged; and

(3) except as is provided in subsection (b), an individual who has dropped out of high school whose reading and mathematics skills are at or below the 8th grade level.

(b) EXCEPTIONS.—Not more than 25 percent of the participants in a Youthbuild project receiving assistance under this subpart may be individuals who do not meet the requirements of subsection (a)(3) if such individuals—

(1) have not attained a high school diploma or its equivalent; or

(2) have educational needs despite the attainment of a high school diploma or its equivalent.

(c) PARTICIPATION LIMITATION.—Any eligible individual selected for full-time participation in a Youthbuild project may participate full-time for a period of not less than 6 months and not more than 18 months.

SEC. 122. WAGES, LABOR STANDARDS, AND NONDISCRIMINATION.

(a) WAGES AND LABOR STANDARDS.—To the extent consistent with the provisions of this subpart, sections 142 and 143 of the Job Training Partnership Act (29 U.S.C. 1552, 1553, and 1577), relating to wages and benefits and labor standards, shall apply to the projects conducted under this subpart as if such projects were conducted under the Job Training Partnership Act (29 U.S.C. 1501 et seq.).

(b) NONDISCRIMINATION.—(1) Except as provided in paragraph (2), an individual with responsibility for the operation of a Youthbuild project shall not discriminate on the basis of religion against a participant or a member of the project staff who is paid with funds under this title.

(2) Paragraph (1) shall not apply to the employment, with funds provided under this title, of any member of the staff of a Youthbuild project who was employed with the organization operating the project on the date the grant funded under this title was awarded.

SEC. 123. CONTRACTS.

Each Youthbuild project shall carry out the services and activities under this subpart directly or through arrangements or under contracts with administrative entities designated under section 103(b)(1)(B) of the Job Training Partnership Act (29 U.S.C. 1501(b)(1)(B)), with State and local educational agencies, institutions of higher education, State and local housing development agencies, and with other public agencies and private organizations.

SEC. 124. PERFORMANCE STANDARDS.

(a) IN GENERAL.—The Director, in consultation with the Secretary of Labor, shall prescribe standards for evaluating the performance of Youthbuild projects receiving assistance under this subpart, including the following factors:

(1) Placement in unsubsidized employment.

(2) Retention in unsubsidized employment.

(3) An increase in earnings.

(4) Improvement of reading and other basic skills.

(5) Attainment of a high school diploma or its equivalent.

(b) VARIATIONS.—The Director shall prescribe variations to the standards determined under subsection (a) by taking into account the economic conditions of the areas in which Youthbuild projects are located and appropriate special characteristics, such as the extent of English language proficiency and offender status of Youthbuild participants.

SEC. 125. APPLICATIONS.

(a) SUBMISSION.—To apply for a grant under this subpart, an eligible entity shall submit an application to the Director in accordance with procedures established by the Director.

(b) CRITERIA.—Each such application shall—

(1) describe the educational services, job training, supportive services, service opportunities, and other services and activities that will be provided to participants;

(2) describe the proposed construction of rehabilitation activities to be undertaken and the anticipated schedule for carrying out such activities;

(3) describe the manner in which eligible youths will be recruited and selected, including a description of arrangements which will be made with community-based organizations, State and local educational agencies, public assistance agencies, the courts of jurisdiction for status and youth offenders, homeless shelters and other agencies that serve homeless youth, foster care agencies, and other appropriate public and private agencies;

(4) describe the special outreach efforts that will be undertaken to recruit eligible young women (including young women with dependent children);

(5) describe how the proposed project will be coordinated with other Federal, State, and local activities, including vocational, adult and bilingual education programs, job training supported by funds available under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) and the Family Support Act of 1988, housing and economic development, and programs that receive assistance under section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306);

(6) provide assurances that there will be a sufficient number of supervisory personnel on the project and that the supervisory personnel are trained in the skills needed to carry out the project;

(7) describe activities that will be undertaken to develop the leadership skills of participants;

(8) set forth a detailed budget and describe the system of fiscal controls and auditing and accountability procedures that will be used to ensure fiscal soundness; and

(9) set forth assurances, arrangements, and conditions the Director determines are necessary to carry out this subpart.

SEC. 126. SELECTION OF PROJECTS.

In approving applications for assistance under this subpart, the Director shall give priority to applicants that demonstrate the following:

(1) POTENTIAL FOR SUCCESS.—The greatest likelihood of success, as indicated by such factors as the past experience of an applicant with housing rehabilitation or construction, youth and youth education and employment training programs, management capacity, fiscal reliability, and community support.

(2) NEED.—Have the greatest need for assistance, as determined by factors such as—

(A) the degree of economic distress of the community from which participants would be recruited, including—

(i) the extent of poverty;

(ii) the extent of youth unemployment; and

(iii) the number of individuals who have dropped out of high school; and

(B) the degree of economic distress of the locality in which the housing would be rehabilitated or constructed, including—

(i) objective measures of the incidence of homelessness;

(ii) the relation between the supply of affordable housing for low-income families and the number of such families in the locality;

(iii) the extent of housing overcrowding; and

(iv) the extent of poverty.

SEC. 127. MANAGEMENT AND TECHNICAL ASSISTANCE.

(a) DIRECTOR ASSISTANCE.—The Director may enter into contracts with a qualified public or private nonprofit agency to provide assistance to the Director in the management, supervision, and coordination of Youthbuild projects receiving assistance under this subpart.

(b) SPONSOR ASSISTANCE.—The Director shall enter into contracts with a qualified public or private nonprofit agency to provide appropriate training, information, and technical assistance to sponsors of projects assisted under this subpart.

(c) APPLICATION PREPARATION.—Technical assistance may also be provided in the development of project proposals and the preparation of applications for assistance under this subpart to eligible entities which intend or desire to submit such applications. Community-based organizations shall be given first priority in the provision of such assistance.

(d) RESERVATION OF FUNDS.—The Director shall reserve 5 percent of the amounts available in each fiscal year under section 130 to carry out subsections (b) and (c) of this section.

SEC. 128. DEFINITIONS.

For purposes of this subpart:

(1) COMMUNITY-BASED ORGANIZATIONS.—The term "community-based organizations" has the meaning given the term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).

(2) DIRECTOR.—The term "Director" means the Director of the ACTION agency.

(3) DROPPED OUT OF HIGH SCHOOL.—The term "individual who has dropped out of high school" means an individual who is neither attending any school nor subject to a compulsory attendance law and who has not received a secondary school diploma or a certificate of equivalency for such diploma, but does not include any individual who has attended secondary school at any time during the preceding 6 months.

(4) ECONOMICALLY DISADVANTAGED.—The term "economically disadvantaged" has the meaning given the term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).

(5) ELIGIBLE ENTITY.—The term "eligible entity" means a public or private nonprofit agency, such as—

(A) community-based organizations;

(B) administrative entities designated under section 103(b)(1)(B) of the Job Training Partnership Act (29 U.S.C. 1501(b)(1)(B));

(C) community action agencies;

(D) State and local housing development agencies;

(E) State and local youth service and conservation corps; and

(F) any other entity that is eligible to provide education and employment training under other Federal employment training programs.

(6) HOMELESS INDIVIDUAL.—The term "homeless individual" has the meaning given the term in section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302).

(7) HOUSING DEVELOPMENT AGENCY.—The term "housing development agency" means any agency of a State or local government, or any private nonprofit organization that is engaged in providing housing for the homeless or low-income families.

(8) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(9) LIMITED ENGLISH PROFICIENCY.—The term "limited English proficiency" has the meaning given the term in section 7003 of the Bilingual Education Act (20 U.S.C. 3223).

(10) LOW-INCOME FAMILY.—The term "low-income family" has the meaning given the term "lower income families" in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(11) OFFENDER.—The term "offender" means any adult or juvenile with a record of arrest or conviction for a criminal offense.

(12) QUALIFIED NONPROFIT AGENCY.—The term "qualified public or private nonprofit agency" means any nonprofit agency that has significant prior experience in the operation of projects similar to the Youthbuild program authorized under this subpart and that has the capacity to provide effective technical assistance under this section.

(13) RESIDENTIAL RENTAL PURPOSES.—The term "residential rental purposes" includes a cooperative or mutual housing facility that has a resale structure that enables the cooperative to maintain affordability for low-income individuals and families.

(14) SERVICE OPPORTUNITY.—The term "service opportunity" means the opportunity to perform work in return for wages and benefits in the construction or rehabilitation of real property in accordance with this subpart.

(15) STATE.—The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Somoa, the Trust Territories of the Pacific Islands, or any other territory or possession of the United States.

(16) TRANSITIONAL HOUSING.—The term "transitional housing" means a project that has as its purpose facilitating the movement of homeless individuals and families to independent living within a reasonable amount of time. Transitional housing includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals with mental or physical disabilities and homeless families with children.

(17) YOUTHBUILD PROJECT.—The term "Youthbuild project" means any project that receives assistance under this subpart and provides disadvantaged youth with opportunities for service, education, and training in the construction or rehabilitation of housing for homeless and other low-income individuals.

SEC. 129. REGULATIONS.

The Secretary shall issue any regulations necessary to carry out this subpart.

SEC. 130. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the provisions of this subpart $10,000,000 for fiscal year 1991 and such sums as may be necessary for each of the 3 succeeding fiscal years. Amounts appropriated under this section shall remain available until expended.

Subpart 3—Other Federal Volunteer Service Programs

SEC. 131. RURAL YOUTH SERVICE DEMONSTRATION PROJECT.

(a) IN GENERAL.—The Secretary is authorized, in accordance with the provisions of this subpart, to make grants and enter into contracts for demonstration projects in rural areas. Such projects may include volunteer service involving the elderly and assisted-living services performed by students, school dropouts, and out-of-school youth.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $2,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

SEC. 132. GOVERNORS' VOLUNTARY SERVICE PROGRAM.

(a) IN GENERAL.—The Director of the ACTION agency (in this section referred to as the "Director") is authorized to make grants to the chief executive officer of each State for initiatives involving non-school-based voluntary service projects in the State.

(b) AUTHORIZED ACTIVITIES.—Grants under this section may be used for—

(1) enhancing State volunteer service programs;

(2) volunteer service demonstration programs;

(3) research concerning, assessment of, and evaluation of volunteer service programs;

(4) State coordination of volunteer service programs;

(5) technical assistance;

(6) training and staff development; and

(7) collection and dissemination of information concerning volunteer service programs.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $3,000,000 for each of the fiscal years 1991, 1992, 1993, and 1994.

(d) ALLOTMENTS.—

(1) Subject to paragraph (2), the Director shall allot to the chief executive officer of each State an amount which bears the same ratio to the amount appropriated under sub-

section (b) as the school-age population of the State bears to the school-age population of all States.

(2) Subject to the availability of appropriations, the chief executive officer of each State shall receive at least $30,000 for each fiscal year for purposes of carrying out an initiative under this section.

(e) PROTECTION FROM TORT LIABILITY.—

(1) REQUIREMENTS.—For fiscal year 1993 and subsequent fiscal years, the Director may not make a grant under subsection (a) unless the State involved provides assurances satisfactory to the Director that the State provides by law as follows:

(A) That, except as provided in subparagraph (B) and paragraph (2), a volunteer of a nonprofit organization or governmental entity does not incur any personal financial liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization or entity if—

(i) such individual was acting in good faith and within the scope of such individual's official functions and duties with the organization or entity; and

(ii) such damage or injury was not caused by willful and wanton misconduct by such individual.

(B) That the law described in subparagraph (A) may not be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(C) That the law described in subparagraph (A) may not be construed to affect the liability of any nonprofit organization or governmental entity with respect to injury caused by any person.

(2) CONSIDERATION BY STATES OF AUTHORITY REGARDING LIMITATIONS ON PROTECTION.—For fiscal year 1993 and subsequent fiscal years, the Director may not make a grant under subsection (a) unless the State involved provides assurances satisfactory to the Director that, with respect to protection from liability, the State has adequately addressed whether the conditions and exceptions described in paragraph (3) should apply in the State.

(3) AUTHORIZED LIMITATIONS ON PROTECTION.—For purposes of paragraph (1), a State may impose one or more of the following conditions on the exceptions to the protection from liability provided by the law described in paragraph (1)(A):

(A) That the organization or entity must adhere to risk management procedures, including mandatory training of volunteers.

(B) That the organization or entity is liable for the acts or omissions of its volunteers to the same extent as an employer is liable, under the laws of that State, for the acts or omissions of its employees.

(C) That the protection from liability provided by the law described in paragraph (1)(A) does not apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's license is required.

(D) That the protection from liability provided by the law described in paragraph (1)(A) does not apply in the case of a suit brought by an appropriate officer of a State or local government to enforce a Federal, State, or local law.

(E)(i) That the protection from liability provided by the law described in paragraph (1)(A) applies only if the organization or entity provides a financially secure source of recovery for individuals who suffer injury as a result of actions taken by a volunteer on behalf of the organization or entity.

(ii) For purposes of clause (i)—

(I) a financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the entity will be able to pay for losses up to a specified amount; and

(II) separate standards for different types of liability exposure may be specified.

(f) DEFINITION.—For purposes of this section the term "State" includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 133. MODEL SERVICE-LEARNING PROGRAM.

(a) PROGRAM AUTHORIZED.—The Secretary is authorized, in accordance with the provisions of this subpart, to make grants to, and enter into contracts with, States, local educational agencies, local government agencies, and community-based organizations for innovative community service and service-learning programs and curricula that can serve as national models.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $5,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

SEC. 134. MODEL SERVICE PROGRAMS FOR DROPOUTS AND OUT-OF-SCHOOL YOUTH.

(a) PROGRAM AUTHORIZED.—The Secretary is authorized, in accordance with the provisions of this subpart, to make grants to, or enter into contracts with, State educational agencies, local educational agencies, institutions of higher education, local government agencies, community-based organizations, and other public or private nonprofit organizations to develop plans for model programs to enhance the capacity of educational institutions and community-based organizations to administer service-learning programs for school dropouts and out-of-school youth.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $10,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

SEC. 135. ASSISTANCE FOR HEAD START.

Section 502(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5082(b)) is amended—

(1) by inserting "(1)" after "(b)", and

(2) by adding at the end the following:

"(2) There are authorized to be appropriated $5,000,000 for fiscal year 1991 and such sums as may be necessary for each of the three subsequent fiscal years for the purpose of increasing the number of low-income individuals who provide services under part B of title II of this Act to children who participate in Head Start programs.".

Subpart 4—Activities of the Secretary of Education

SEC. 141. DISSEMINATION OF INFORMATION.

The Secretary shall widely disseminate information about programs under this part.

SEC. 142. CLEARINGHOUSES ON VOLUNTEER SERVICE.

(a) IN GENERAL.—The Secretary is authorized to make grants to or enter into contracts with public and private nonprofit agencies with extensive experience in student community service and school volunteer and partnership programs for the establishment and operation of national or regional clearinghouses for information on volunteer service.

(b) DUTIES.—National or regional clearinghouses established or operated with assistance provided under this section shall provide information, curriculum materials, technical assistance, and training to States and local entities participating in programs under subpart 1.

SEC. 143. EVALUATION.

(a) EVALUATION.—The Secretary shall provide, through grants or contracts, for the continuing evaluation of programs assisted under this part in order to determine program effectiveness in achieving stated goals in general and in relation to cost, the effect on related cost-saving programs, and the structure and mechanism for delivery. Such evaluation shall measure the effects of programs authorized by this part, including, where appropriate, comparisons with appropriate control groups composed of individuals who have not participated in such programs. Evaluations shall be conducted by individuals not directly involved in the administration of the program evaluated.

(b) STANDARDS.—The Secretary shall develop and publish general standards for evaluation of program effectiveness in achieving the objectives of this part.

(c) COMMUNITY PARTICIPATION.—In evaluating a program receiving assistance under this part, the Secretary shall consider the opinions of participating students, dropouts, out-of-school youth, and members of the communities where services are delivered concerning the strengths and weaknesses of such program.

(d) REPORTING REQUIREMENTS.—The results of evaluations conducted under this section, including opinions obtained under subsection (c), shall be made available to the public.

(e) REPORT TO CONGRESS.—The results of evaluations conducted under this section shall be analyzed and submitted to the appropriate committees of the Congress with the annual report of the Secretary.

SEC. 144. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for purposes of carrying out the provisions of this subpart $2,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.

Subpart 5—Volunteer Service Activities of the President

SEC. 151. PRESIDENTIAL VOLUNTEER SERVICE AWARDS.

(a) PRESIDENTIAL AWARD FOR SCHOOL-BASED SERVICE.—The President is authorized to make Presidential Awards for School-Based Service recognizing excellence in school-based service programs.

(b) CATEGORIES OF AWARDS.—Each year the President is authorized to make 1 award to an individual in each State in each of the following categories:

(1) Excellence in a service program in kindergarten through grade 6.

(2) Excellence in a service program in grade 7 through grade 12.

(3) Excellence in a service program for dropouts and out-of-school youth.

(4) Excellence in teaching to a teacher in kindergarten through grade 6 who has demonstrated outstanding teaching ability in the area of volunteer service.

(5) Excellence in teaching to a teacher in grade 7 through grade 12 who has demonstrated outstanding teaching ability in the area of volunteer service.

(6) Excellence in teaching to a teacher in a service program for dropouts and out-of-school youth who has demonstrated outstanding teaching ability in the area of volunteer service.

(c) PRESIDENT'S SERVICE LEARNING TASK FORCE.—The President is authorized to create an interagency task force chaired either by the President or the Vice President, whose purpose shall be—

(1) the creation and monitoring of effective measures for coordinating the various parts of this Act; and

(2) design of a comprehensive Federal service strategy which shall include—

(A) review of existing programs to identify and expand opportunities for service, especially by students and out-of-school youth;

(B) designation of a senior official in each Federal agency who will be responsible for developing youth service opportunities in existing programs nationwide;

(C) establishment of service projects in each Federal agency;

(D) encouragement of participation of Federal employees in service projects;

(E) designation of a senior executive branch official or group of officials to coordinate the Federal service strategy;

(F) annual recognition of outstanding service programs operated by Federal agencies; and

(G) encouragement of businesses and professional firms to include community service among the factors considered in making hiring, compensation, and promotion decisions.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out the provisions of this section $1,000,000 for each of the fiscal years 1991, 1992, 1993, and 1994.

Subpart 6—General Provisions

SEC. 156. DEFINITIONS.

(a) IN GENERAL.—Except as otherwise provided, the terms used in this part shall have the meanings provided for such terms in section 1471 of the Elementary and Secondary Education Act of 1965.

(b) OTHER DEFINITIONS.—For purposes of this part the term "service-learning" means a method—

(1) under which students learn and develop through active participation in thoughtfully organized service experiences that meet actual community needs and that are coordinated in collaboration with the school and community;

(2) that is integrated into the students' academic curriculum and provides structured time for a student to think, talk, or write about what the student did and saw during the actual service activity;

(3) that provides students with opportunities to use newly acquired skills and knowledge in real-life situations in their own communities; and

(4) that enhances what is taught in school by extending student learning beyond the classroom and into the community and helps to foster the development of a sense of caring for others.

SEC. 157. LIMITATION.

(a) PROHIBITED USES.—No grant under this part shall be used to provide religious instruction, conduct worship services, or engage in any form of proselytization.

(b) PARTICIPANTS.—Participants and project staff funded under this part shall not give religious instruction, conduct worship services, or engage in any form of proselytization as part of their duties.

SEC. 158. APPLICATION OF GENERAL EDUCATION PROVISIONS ACT.

Except as otherwise provided, the General Education Provisions Act shall apply to the programs authorized by this part.

PART B—HIGHER EDUCATION COMMUNITY SERVICE

Subpart 1—Innovative Projects for Community Service

SEC. 161. STATEMENT OF PURPOSE.

It is the purpose of this part to support innovative projects to determine the feasibility of encouraging students to participate in community service activities while such students are attending institutions of higher education.

SEC. 162. INNOVATIVE PROJECTS FOR COMMUNITY SERVICE.

(a) GENERAL AUTHORITY.—The Secretary is authorized, in accordance with the provisions of this part, to make grants to, and contracts with, institutions of higher education (including combination of such institutions), and other public agencies and nonprofit organizations working in partnership with institutions of higher education—

(1) to enable the institution to create or expand community service activities for students attending that institution;

(2) to encourage student-initiated and student-designed community service projects; and

(3) to facilitate the integration of community service into academic curricula, so that students can obtain credit for their community service activities.

(b) TRAINING AUTHORITY.—The Secretary shall make grants to college and universities and other nonprofit organizations to provide for the training of teachers, related education personnel, and community leaders in the skills necessary to develop, supervise, and organize community service activities. Assistance under this section may be provided to individuals planning to undertake a career in teaching, as well as existing teachers. In awarding such grants, the Secretary shall take into consideration the particular needs of a community and the ability of the grantee to actively involve a major part of the community in, and substantially benefit the community by, the proposed community service activities.

(c) FEDERAL SHARE.—The Federal share of all grants under subsections (a) and (b) shall not exceed 50 percent of the cost of the community service activities.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subpart, $10,000,000 for fiscal year 1991 and such sums as may be necessary for each of the three succeeding fiscal years.

(e) INSTITUTION OF HIGHER EDUCATION DEFINED.—For purposes of this subpart, the term "institution of higher education" has the meaning given to such term in section 1201(a) of the Higher Education Act of 1965.

Subpart 2—Campus-Based Community Work Learning Jobs

SEC. 166. ADDITIONAL RESERVATION FOR CAMPUS-BASED COMMUNITY WORK LEARNING STUDY JOBS.

Section 415B(a) of the Higher Education Act of 1965 is amended by inserting the following new paragraph at the end thereof:

"(3)(A) In the event the appropriation for this subpart exceeds $75,000,000, the Secretary shall, notwithstanding the provisions of section 415C(b)(3)(A), allot 50 percent of such excess to the States for the purpose described in section 415C(b)(2)(B).

"(B) The Secretary shall make the allotment required under subparagraph (A) on the basis of the number of students participating in programs assisted under section 415C(b)(2) of this subpart in each State as compared to the total number of students participating in such jobs in all States.".

SEC. 167. WORK STUDY PROGRAMS.

Section 441(b) of the Higher Education Act of 1965 is amended—

(1) by striking "$656,000,000" and inserting "$675,000,000"; and

(2) by adding at the end thereof the following: "In the event that appropriations for this part exceed $625,000,000, such additional amounts shall be used in accordance with section 447. The Secretary shall allocate the additional amounts to institutions which demonstrate a capacity to use these funds in accordance with section 447.".

Subpart 3—Guaranteed Student Loans

SEC. 171. LOAN DEFERMENT FOR VOLUNTEER SERVICE AUTHORIZED.

(a) GSL PROGRAM.—Section 428(b)(1)(M) of the Higher Education Act of 1965 is amended—

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

(2) by striking the period at the end of clause (ix) and inserting a semicolon; and

(3) by adding at the end thereof the following new clause:

"(xii) not in excess of 3 years during which the borrower is in service as a full-time volunteer in service comparable to the service referred to in clauses (iii) and (iv) for an organization which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 and does not receive compensation at a rate in excess of the rate prescribed by section 6 of the Fair Labor Standards Act of 1938;".

(b) FISL PROGRAM.—Section 427(a)(2)(C) of the Higher Education Act of 1965 is amended—

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

(2) by adding at the end thereof the following new clause:

"(xii) not in excess of 3 years during which the borrower is in service as a full-time volunteer in service comparable to the service referred to in clauses (iii) and (iv) for an organization which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 and does not receive compensation at a rate in excess of the rate prescribed by section 6 of the Fair Labor Standards Act of 1938;".

SEC. 172. LOAN DEFERMENT FOR SERVICE IN DRUG COUNSELING AND PREVENTION.

(a) DEFERMENT OF GUARANTEED STUDENT LOANS.—Section 428(b)(1)(M) of the Higher Education Act of 1965 (as amended by section 171 of this Act) is further amended by inserting after clause (xii) the following new clause:

"(xiii) not in excess of 3 years during which the borrower is employed full-time as a professional in drug counseling, prevention, intervention, treatment, or education by a public or nonprofit private agency or organization; and".

(b) INSURED STUDENT LOANS.—Section 427(a)(2)(C) of the Higher Education Act of 1965 (as amended by section 171 of this Act) is further amended by inserting after clause (xii) the following new clause:

"(xiii) not in excess of 3 years during which the borrower is employed full-time as a professional in drug counseling, prevention, intervention, treatment, or education by a public or nonprofit private agency or organization; and".

SEC. 173. LOAN DEFERMENT FOR VOLUNTEERS PROVIDING INDIAN HEALTH SERVICES.

(a) DEFERMENT OF GUARANTEED STUDENT LOANS.—Section 428(b)(1)(M) of the Higher Education Act of 1965 (as amended by sections 171 and 172 of this Act) is further

amended by inserting after clause (xiii) the following new clause:

"(xiv) not in excess of 3 years during which the borrower is in service as a full-time volunteer providing health services to individuals who are eligible to receive services from the Secretary of the Interior under title I and section 4 of the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638);".

(b) INSURED STUDENT LOANS.—Section 427(a)(2)(C) of the Higher Education Act of 1965 (as amended by section 171 of this Act) is further amended by inserting after clause (xiii) the following new clause:

"(xiv) not in excess of 3 years during which the borrower is in service as a full-time volunteer providing health services to individuals who are eligible to receive services from the Secretary of the Interior under title I and section 4 of the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638);".

SEC. 174. EFFECTIVE DATE.

The amendments made by this subpart shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this Act to individuals who are new borrowers on that date.

Subpart 4—Direct Loans to Students in Institutions of Higher Education

SEC. 176. LOAN CANCELLATION AUTHORIZED.

(a) CANCELLATION FOR VOLUNTEER SERVICE.—

(1) QUALIFICATION FOR CANCELLATION.—Section 465(a)(2) of the Higher Education Act of 1965 is amended—

(A) by striking out "or" at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting a semicolon; and

(C) by adding at the end thereof the following new subparagraph:

"(F) as a full-time volunteer in service comparable to service referred to in subparagraph (E) for an organization which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986;"; and

(C) by adding at the end thereof the following new sentence: "An individual shall not be eligible as a volunteer under subparagraph (F) if such individual receives compensation for services at a rate in excess of the rate prescribed by section 6 of the Fair Labor Standards Act of 1938.".

(2) RATE OF CANCELLATION.—Section 465(a)(3)(A) of the Higher Education Act of 1965 is amended—

(A) by striking out "or" at the end of clause (iii);

(B) by striking the period at the end of clause (iv) and inserting a semicolon; and

(C) by adding at the end thereof the following new clause:

"(v) in the case of service described in subparagraph (F) of paragraph (2) at the rate of 15 percent for the first or second year of such service and 20 percent of the third or fourth year of such service;".

(b) CANCELLATION FOR DRUG COUNSELING AND TREATMENT.—

(1) QUALIFICATION FOR CANCELLATION.—Section 465(a)(2) of the Higher Education Act of 1965 (as amended by subsection (a)) is further amended by inserting after subparagraph (F) the following new subparagraph:

"(G) as a full-time professional employee engaged in drug counseling, prevention, intervention, treatment, or education and employed by a public or nonprofit private agency or organization; or".

(2) RATE OF CANCELLATION.—Section 465(a)(3)(A) of the Higher Education Act of 1965 (as amended by subsection (a)) is further amended by inserting after clause (v) the following new clause:

"(vi) in the case of service described in subparagraph (F) of paragraph (2), at the rate of 15 percent for the first or second year of such service and 20 percent for the third or fourth year of such service; or".

(c) CANCELLATION FOR VOLUNTEERS PROVIDING INDIAN HEALTH SERVICES.—

(1) QUALIFICATION FOR CANCELLATION.—Section 465(a)(2) of the Higher Education Act of 1965 (as amended by subsections (a) and (b)) is further amended by inserting after subparagraph (G) the following new subparagraph:

"(H) as a full-time volunteer providing health services to individuals who are eligible to receive services from the Secretary of the Interior under title I and section 4 of the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638).".

(2) RATE OF CANCELLATION.—Section 465(a)(3)(A) of the Higher Education Act of 1965 (as amended by subsections (a) and (b)) is further amended by inserting after clause (vi) the following new clause:

"(vii) in the case of service described in subparagraph (H) of paragraph (2) at the rate of 15 percent for the first or second year of such service and 20 percent of the third or fourth year of such service.".

SEC. 177. LOAN DEFERMENT AUTHORIZED.

(a) VOLUNTEER SERVICES.—Section 464(c)(2)(A) of the Higher Education Act of 1965 is amended—

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

(2) by adding at the end thereof the following new clause:

"(x) is in service as a full-time volunteer in service comparable to the service referred to in clauses (iii) and (iv) for an organization which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 and does not receive compensation at a rate in excess of the rate prescribed by section 6 of the Fair Labor Standards Act of 1938;".

(b) DRUG COUNSELING AND TREATMENT.—Section 464(c)(2)(A) of such Act (as amended by subsection (a)) is further amended by inserting after clause (x) the following new clause:

"(xi) is employed full-time as a professional in drug counseling, prevention, intervention, treatment, or education by a public or nonprofit private agency or organization; or".

(c) VOLUNTEERS PROVIDING INDIAN HEALTH SERVICES.—Section 464(c)(2)(A) of such Act (as amended by subsections (a) and (b)) is further amended by inserting after clause (xi) the following new clause:

"(xii) is in service as a full-time volunteer providing health services to individuals who are eligible to receive services from the Secretary of the Interior under title I and section 4 of the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638).".

(d) DURATION OF DEFERMENTS.—The second sentence of section 464(c)(2)(A) of such Act is amended by striking "(v), or (vii)" and inserting "(v), (vii), (x), (xi), or (xii)".

SEC. 178. EFFECTIVE DATE.

The amendments made by sections 176 and 177 of this subpart shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this part to individuals who are new borrowers on that date.

Subpart 5—Publication

SEC. 181. INFORMATION FOR STUDENTS.

Section 485(a)(1) of the Higher Education Act of 1965 (hereafter in this part referred to as the "Act") is amended—

(1) by striking out "and" at the end of subparagraph (J);

(2) by striking out the period at the end of subparagraph (K) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following:

"(L) the terms and conditions under which students receiving loans under part B or E of this title, or both, may—

"(i) obtain deferral of the repayment of the principal and interest for service under the Peace Corps Act or under the Domestic Volunteer Service Act of 1973, or for comparable full-time service as a volunteer for a tax-exempt organization, and

"(ii) obtain partial cancellation of the student loan for service under the Peace Corps Act or under the Domestic Volunteer Service Act of 1973, or for comparable full-time service as a volunteer for a tax-exempt organization.".

SEC. 182. EXIT COUNSELING FOR BORROWERS.

Section 485(b) of the Act is amended—

(1) by striking "and" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding the following new paragraph after paragraph (2):

"(3) the terms and conditions under which the student may obtain partial cancellation or defer repayment of the principal and interest for service under the Peace Corps Act or under the Domestic Volunteer Service Act of 1973 or for comparable full-time service as a volunteer for a tax-exempt organization.".

SEC. 183. DEPARTMENT INFORMATION ON DEFERMENTS AND CANCELLATIONS.

Section 485(d) of the Act is amended by inserting the following before the last full sentence: "The Secretary shall provide information on the specific terms and conditions under which students may obtain partial cancellation or defer repayment of loans for service under the Peace Corps Act and Domestic Volunteer Service Act of 1973 or for eligible comparable full-time service as a volunteer with a tax-exempt organization, and shall explicitly state that students may qualify for such partial cancellations or deferments when they serve as a paid employee of a tax-exempt organization.".

Subpart 6—Student Literacy Corps

SEC. 186. AMENDMENTS TO STUDENT LITERACY CORPS PROVISIONS.

(a) PRIORITY FOR SINGLE PARENTS OF DISADVANTAGED CHILDREN.—Section 144(b)(2)(D) of the Higher Education Act of 1965 is amended by inserting before the semicolon the following: "and will give priority in providing tutoring services to illiterate parents of educationally or economically disadvantaged elementary school students, with special emphasis on single-parent households".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 146 of the Higher Education Act of 1965 is amended to read as follows:

"SEC. 146. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part $15,000,000 for fiscal year 1991 and such sums as may be neces-

sary for each of the three succeeding fiscal years.".

Subpart 7—Student Tutorial Corps Initiative

SEC. 188. AMENDMENT.

Title I of the Higher Education Act of 1965 is further amended by adding at the end thereof the following new part:

"PART E—STUDENT TUTORIAL CORPS

"SEC. 151. PURPOSE.

"It is the purpose of this part to authorize a demonstration program to encourage college students to tutor disadvantaged students receiving services under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (hereinafter in this part referred to as 'chapter 1').

"SEC. 152. GRANTS AUTHORIZED.

"The Secretary is authorized to make demonstration grants in accordance with the purposes and requirements of this part to institutions of higher education submitting applications that meet the requirements of section 153, in order to assist such institutions to establish and conduct student tutorial programs that—

"(1) encourage students enrolled in that institution to provide tutoring to educationally disadvantaged students receiving services under chapter 1;

"(2) are conducted at the request, and with the direction, of personnel providing services under chapter 1, to assist them in the education of such children; and

"(3) that do not displace any of such personnel.

"SEC. 153. APPLICATION.

"To receive a grant under this part, an institution of higher education shall submit an application that—

"(1)(A) specifies that such students will be compensated at rates consistent with the rates paid under part C of title IV of this Act; or

"(B) specifies the rate at which the student will obtain academic credit for tutorial services; and

"(2) demonstrate the active interest of the local educational agency (for the students receiving services under chapter 1) in establishing the program; and

"(3) contain or be accompanied by such other information of assurances as the Secretary may require to carry out the purposes of this part.

"SEC. 154. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part, $10,000,000 for fiscal year 1991 and such sums as may be necessary for each of the three succeeding fiscal years.".

PART C—PEACE CORPS

SEC. 191. SHORT TITLE.

This part may be cited as the "Peace Corps Volunteer Education Demonstration Program Act".

SEC. 192. PROGRAM AUTHORIZED.

(a) GENERAL AUTHORITY.—The Director of the Peace Corps is authorized to carry out a training and educational benefits demonstration program in accordance with this part.

(b) CONTRACT AUTHORITY.—The Director is authorized, either directly or by way of grant, contract, or other arrangement, to carry out the provisions of this part. The authority to enter into contracts under this part shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriations Acts.

SEC. 193. ELIGIBILITY.

Any individual who—

(1) has completed at least 2 years of satisfactory study at an institution of higher education, is enrolled in an educational program of at least 4 years at an institution of higher education for which such institution awards a bachelor's degree, and will complete such program within 2 years,

(2) enters into an agreement with the Director to serve at least 3 years as a volunteer in the Peace Corps, and

(3) is selected pursuant to the competitive process established under section 194,

is eligible to participate in the demonstration program authorized by this part.

SEC. 194. SELECTION PROCEDURES.

The Director of the Peace Corps shall establish uniform criteria for the selection on a competitive basis of individuals to participate in the training program established under section 195 and to receive educational benefits under section 196. The selection procedures established under this section shall give special consideration to students from groups traditionally underrepresented in the Peace Corps and to students who will specialize in courses of instruction for which there is a special need in the Peace Corps.

SEC. 195. TRAINING PROGRAM.

The Director of the Peace Corps shall establish and carry out a training program under which each individual selected under section 194, as part of the course of study which the individual is pursuing at his or her institution of higher education, receives appropriate training for the work he or she will perform in the Peace Corps.

SEC. 196. EDUCATIONAL BENEFITS.

(a) BENEFITS PROVIDED.—Each individual who has been selected under section 194 shall be eligible to receive educational benefits in an amount not to exceed the costs of tuition, room and board, and books and fees, that the individual incurs in attending his or her institution of higher education during the remaining 2 years of the educational program in which the individual is enrolled.

(b) FORM OF BENEFITS.—The educational benefits provided to an individual under subsection (a) shall be in the form of grants, remissions of expenses, or such other form as the Director considers appropriate.

(c) REPAYMENT OF BENEFITS.—An individual provided benefits under subsection (a) shall repay the amount of the benefits so provided, plus interest—

(1) if the individual fails to complete his or her educational program within the 2-year period specified in section 193(1), or

(2) if the individual fails to serve 3 years as a volunteer in the Peace Corps upon completing his or her educational program.

The Director may waive the repayment requirement if exceptional circumstances, such as illness or death, prevent an individual from meeting such 2-year or 3-year requirement.

(d) COLLECTION BY SECRETARY OF EDUCATION.—The Secretary of Education shall have the authority to collect amounts owed by an individual under subsection (c). The Secretary may, for the purpose of collecting such amounts, exercise the authorities conferred on the Secretary by sections 467 and 468 of the Higher Education Act of 1965 (20 U.S.C. 1087gg and 1087hh) with respect to the collection of defaulted loans under part E of title IV of that Act. Amounts collected under this subsection shall be deposited in the general fund of the Treasury.

SEC. 197. EVALUATION AND REPORT.

The Director and the Secretary of Education shall jointly conduct an evaluation of the demonstration program authorized by this part and shall prepare and submit to the President and the Congress—

(1) not later than October 31, 1993, an interim report on such evaluation, and

(2) not later than October 31, 1995, a final report on such evaluation, together with such recommendations, including recommendations for legislation, as the Director and the Secretary consider appropriate.

SEC. 198. DEFINITIONS.

As used in this part—

(1) the term "Director" means the Director of the Peace Corps, and

(2) the term "institution of higher education" has the meaning given that term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

SEC. 199. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Peace Corps to carry out this part $2,000,000 for the fiscal year 1991 and such sums as may be necessary for each succeeding fiscal year ending before October 1, 1994. Amounts appropriated under this section are authorized to remain available until expended.

PART D—COMMUNITY ACTION AGENCIES

For purposes of this title and the amendments made by this title, the term "community-based organization" includes a community action agency.

TITLE II—TO ESTABLISH THE AMERICAN CONSERVATION AND YOUTH SERVICE CORPS

PART A—AMERICAN CONSERVATION CORPS

SEC. 201. ESTABLISHMENT.

(a) IN GENERAL.—There is established the American Conservation Corps to be administered by the Secretary of Agriculture and the Secretary of the Interior (individually referred to in this Act as the "administering Secretary") under subsection (b) and through a State grant component.

(b) FEDERAL COMPONENT.—

(1) The Secretary of the Interior and the Secretary of Agriculture shall establish the Federal component of the American Conservation Corps within their respective agencies to administer programs on Federal lands. Applications for participation in the Corps on Federal public lands shall be submitted to the administering Secretary in the manner described in part D and under regulations promulgated under subsection (e).

(2) Funds appropriated for purposes of this part to an administering Secretary shall be used to carry out projects on Federal lands and to provide for the Federal administrative costs of implementing this part.

(3) In using such funds, the Secretary of the Interior and the Secretary of Agriculture shall enter into contracts or other agreements with program agencies, local governments, and nonprofit organizations approved for participation under section 220(a).

(4) Participants shall contract with qualified existing youth corps programs in the regions or areas where Federal component activities will occur. In States where such corps programs do not exist, the Secretary shall encourage the chief executive officer of the State to establish a youth corps program. Only if a State has failed to establish a youth corps program shall the Secretary directly administer a program for the Federal component.

(c) STATE COMPONENT.—

(1) The Secretary of the Interior shall establish a program under which grants shall

be made to States to administer the State component of the American Conservation Corps involving work on non-Federal public lands and waters within a given State. Each Governor shall designate a State program agency to administer the program within the State.

(2) If at the commencement of a fiscal year, such a program agency has not been so designated, any local government within such State may establish a program agency to carry out the State component within the political subdivision under the jurisdiction of such local government.

(3) Any program agency may apply for a grant under this title in the manner described in section 215.

(d) LOCAL GOVERNMENT PARTICIPATION.—

(1) Any local government program agency established under subsection (c)(2) shall be subject, in all respects, to the same requirements as a State program agency. Where more than one local government within a State has established a program agency under subsection (c)(2), the administering Secretary shall allocate funds between such agencies in such manner as the Secretary considers equitable.

(2) Any State carrying out a program under this part shall provide a mechanism under which local governments and nonprofit organizations within the State may participate in the American Conservation Corps.

(e) REGULATIONS AND ASSISTANCE.—

(1) Before the end of the 120-day period beginning on the date of the enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, after consultation with the Secretary of Labor, shall jointly promulgate regulations necessary to implement the American Conservation Corps established by subsection (a).

(2)(A) Before the end of the 30-day period beginning on the date of the enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall establish procedures to give program agencies and other interested parties (including the general public) adequate notice and opportunity to comment on and participate in the formulation of such regulations.

(B) The regulations shall include provisions to assure uniform reporting on—

(i) the activities and accomplishments of American Conservation Corps programs,

(ii) the demographic characteristics of enrollees in the Corps, and

(iii) such other information as may be necessary to prepare the annual report required by section 229(a).

(f) PROJECTS INCLUDED.—The American Conservation Corps established under subsection (a) may carry out projects such as—

(1) conservation, rehabilitation, and improvement of wildlife habitat, rangelands, parks, and recreational areas,

(2) urban revitalization and historical and cultural site preservation,

(3) fish culture and habitat maintenance and improvement and other fishery assistance,

(4) road and trail maintenance and improvement,

(5)(A) erosion, flood, drought, and storm damage assistance and controls,

(B) stream, lake, and waterfront harbor and port improvement, and

(C) wetlands protection and pollution control,

(6) insect, disease, rodent, and fire prevention and control,

(7) improvement of abandoned railroad bed and right-of-way,

(8) energy conservation projects, renewable resource enhancement, and recovery of biomass,

(9) reclamation and improvement of strip-mined land, and

(10) forestry, nursery, and cultural operations.

(g) LIMITATION TO PUBLIC LANDS.—Projects to be carried out under the American Conservation Corps shall be limited to projects on public lands or Indian lands, except where a project involving other lands will provide a documented public benefit as determined by the administering Secretary. The regulations promulgated under subsection (e) shall establish the criteria necessary to make such determinations.

(h) CONSISTENCY.—All projects carried out under this part for conservation, rehabilitation, or improvement of any public lands or Indian lands shall be consistent with—

(1) the provisions of law and policies relating to the management and administration of such lands and all other applicable provisions of law, and

(2) all management, operational, and other plans and documents which govern the administration of the area.

(i) PARTICIPATION BY OTHER CONSERVATION PROGRAMS.—Any land or water conservation program (or any related program) administered in any State under the authority of any Federal program is encouraged to use services available under this part to carry out its program.

SEC. 202. ALLOCATION OF AUTHORIZED FUNDS.

Of the sums appropriated under section 232(b)(1)(A) to carry out this part for any fiscal year—

(1) 50 percent shall be made available to the administering Secretary for expenditure by State program agencies which have been approved for participation in the American Conservation Corps for work on State and county lands,

(2) 15 percent shall be made available to the Secretary of Agriculture for expenditure by agencies within the Department of Agriculture, subject to section 232(d),

(3) 5 percent shall be made available to an administering Secretary, under such terms as are provided for in regulations promulgated under section 201(e), for expenditure by other Federal agencies, subject to section 232(d),

(4) 25 percent shall be made available to the Secretary of the Interior for expenditure by agencies within the Department of the Interior, subject to section 232(d), and for demonstration projects or projects of special merit carried out by any program agency or by any nonprofit organization or local government which is undertaking or proposing to undertake projects consistent with the purposes of this part, and

(5) 5 percent shall be made available to the Secretary of the Interior for expenditure by the governing bodies of participating Indian tribes.

PART B—YOUTH SERVICE CORPS

SEC. 206. YOUTH SERVICE CORPS PROJECT GRANTS.

(a) ESTABLISHMENT.—There is established the Youth Service Corps.

(b) GRANTS.—The Director of the ACTION Agency shall appoint an Assistant Director (referred to in this Act as the "Assistant Director") who shall provide, to public and private nonprofit agencies determined to be eligible under section 216, grants for Youth Service Corps projects and otherwise to administer this part.

SEC. 207. SERVICE CATEGORIES.

(a) DESIGNATION OF SERVICE CATEGORIES.—The Assistant Director shall, by regulation, designate specific activities as service categories in which persons serving in Youth Service Corps projects may serve for purposes of this part.

(b) ELIGIBILITY REQUIREMENTS.—An activity may be designated as a service category under subsection (a) if the Assistant Director determines that—

(1) such activity is of substantial social benefit in meeting unmet human, social, or environmental needs (particularly needs related to poverty) of or in the community where service is to be performed,

(2) involvement of persons serving in Youth Service Corps projects under this part in such activity will not interfere unreasonably with the availability and the terms of employment of employees of sponsoring organizations with positions available in such activity,

(3) persons serving in Youth Service Corps projects under this part are able to meet the physical, mental, and educational qualifications that such activity requires, and

(4) such activity is otherwise appropriate for purposes of this part.

(c) SPECIFIC ELIGIBLE SERVICE CATEGORIES.—The service categories referred to in subsection (a) may include service in—

(1) State, local, and regional governmental agencies,

(2) nursing homes, hospices, senior centers, hospitals, local libraries, parks, recreational facilities, day care centers, and schools,

(3) law enforcement agencies, and penal and probation systems,

(4) private nonprofit organizations whose principal purpose is social service,

(5) the rehabilitation or improvement of public facilities, neighborhood improvements, literacy training benefiting educationally disadvantaged persons, weatherization of and basic repairs (including construction) to low-income housing, energy conservation, including solar energy techniques, removal of architectural barriers to access by handicapped persons to public facilities, and conservation, maintenance, or restoration of natural resources on publicly held lands, and

(6) any other nonpartisan civic activity and service that the Assistant Director determines to be appropriate for purposes of this part.

(d) INELIGIBLE SERVICE CATEGORIES.—The service categories referred to in subsection (a) may not include any position in any—

(1) business organized for profit,

(2) labor union,

(3) partisan political organization,

(4) organization engaged in religious activities, unless such position does not involve any religious functions, or

(5) domestic or personal service company or organization.

(e) RELATED PROGRAMS.—Any program administered under the authority of the Secretary of Health and Human Services, which program is operated for the same purpose as any program eligible under this part, is encouraged to use services available under this part to carry out its program.

PART C—YOUTH SKILLS ENHANCEMENT

SEC. 211. CERTIFICATION AND ACADEMIC CREDIT.

The administering Secretary or the Assistant Director (whichever the case may be) shall provide guidance and assistance to States in securing certification of training skills or academic credit for competencies developed under part A or B.

SEC. 212. TRAINING AND EDUCATION SERVICES.

(a) ASSESSMENT OF SKILLS.—Each program agency shall, through programs and projects under part A or B, maintain or enhance the educational skills of enrollees in the program. Each such agency shall assess the educational level of enrollees at the time of entrance in the program, using any available records or simplified assessment means or methodology.

(b) PROVISION OF IN-SERVICE TRAINING AND EDUCATION.—

(1) Program agencies receiving assistance under section 216 shall use not less than 10 percent of the funds available to them to provide in-service training and educational materials and services for enrollees and persons serving in programs and may enter into arrangements with academic institutions or education providers, including—

(A) local education agencies,

(B) community colleges,

(C) 4-year colleges,

(D) area vocational-technical schools, and

(E) community based organizations,

for academic study (including remediation) by enrollees and other persons serving in Youth Service Corps projects during nonworking hours to upgrade literacy skills, to obtain a high school diploma (or its equivalency) or college degrees, or to enhance employable skills. Career counseling shall be provided to enrollees and other persons serving in Youth Service Corps projects during any period of in-service training. Each graduating enrollee must be provided with counseling with respect to additional study, job skills training, or employment and shall be provided job placement assistance where appropriate.

(2) Enrollees and other persons serving in Youth Service Corps projects who have not obtained a high school diploma or its equivalent shall have priority to receive services under this subsection.

(3) Whenever possible, an enrollee seeking study or training not provided at the enrollee's assigned facility shall be offered assignment to a facility providing such study or training.

(c) POST-SERVICE EDUCATION AND TRAINING ASSISTANCE.—Any such program or project shall use not less than 10 percent of the funds available to the agency for the program or project under section 216 to provide services described in subsection (b)(1) for post-service education and training assistance. The amount of such assistance provided to any eligible individual shall be based upon the period of time such person served in a program or project under this title. The activities under this section may include activities available to eligible enrollees under in-service education and training assistance, career and vocational counseling, assistance in entering a program under the Job Training Partnership Act, and other activities deemed appropriate for the enrollee by the program agency and the advisory board.

(d) STANDARDS AND PROCEDURES.—Appropriate State and local officials shall certify that standards and procedures with respect to the awarding of academic credit and certifying educational attainment in programs conducted under subsection (b) are consistent with the requirements of applicable State and local law and regulations. Such standards and procedures shall specify, among other things, that any person serving in a program or project under this title—

(1) who is not a high school graduate, shall participate in an educational component whereby such person can progress toward a high school diploma or its equivalent, and

(2) may arrange to receive academic credit in recognition of learning and skills obtained from service satisfactorily completed.

PART D—ADMINISTRATIVE PROVISIONS

SEC. 216. GRANTS.

(a) AWARD OF GRANTS.—Within 60 days after the date of the enactment of appropriations under section 232, any eligible entity may apply to the administering Secretary or the Assistant Director (whichever the case may be) for funds under this title in the manner specified under part A or part B. In determining the amount of funds to be awarded to any such applicant, the administering Secretary or the Assistant Director (whichever the case may be) shall consider each of the following factors:

(1) The proportion of the unemployed youth population of area to be served.

(2)(A) In the case of part A, the conservation, rehabilitation, and improvement needs on public lands within the State, and

(B) In the case of part B, unmet human, social, or environmental needs (particularly needs related to poverty) within the area to be served.

(b) MATCHING REQUIREMENT.—

(1) As a condition on the award of a grant under subsection (a), a State or program agency shall demonstrate to the satisfaction of the administering Secretary or the Assistant Director (whichever the case may be) that it will expend (in cash or in kind), for purposes of any American Conservation Corps or Youth Service Corps project funded under this Act, an amount from public or private non-Federal sources (including the direct cost of employment or training services provided by State or local programs, private nonprofit organizations, and private for-profit employers) equal to the amount made available to such State or agency under this title.

(2) In addition to such matching requirement, the State or program agency shall demonstrate to the satisfaction of the administering Secretary or the Assistant Director (whichever the case may be) that the effectiveness of the project will be enhanced by the use of Federal funds.

(c) PAYMENT TERMS.—Payments under grants awarded under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the administering Secretary or the Assistant Director (whichever the case may be) finds necessary.

(d) USE OF FUNDS, LIMITATIONS.—

(1) Contract authority under this title shall be subject to the availability of appropriations. Funds appropriated under section 232 shall only be used for activities which are in addition to those which would otherwise be carried out in the area in the absence of such funds.

(2) Not more than 10 percent of the Federal funds made available to any State or program agency for projects during each fiscal year may be used for the purchase of major capital equipment.

(3) Not more than 15 percent of any Federal funds made available to any State or program agency under this title may be used to cover administrative expenses. In any case in which a grant is being awarded to a specific unit of local government rather than to a State, the State may not use more than 3 percent of the grant to cover administrative expenses. The remainder of the grant shall be transferred to the relevant unit of local government.

(4) Not more than 5 percent of any Federal funds provided under this title may be used for part-time service or conservation programs. For purposes of this paragraph the term "part-time" means unpaid service of not more than 15 hours per week.

(5) Not more than 1 percent of any Federal funds provided under this title may be used for joint programs with organized senior citizen programs for community support services.

SEC. 217. APPROVAL OF APPLICATIONS AND SUPERVISION OF PROGRAMS.

(a) APPLICATION.—

(1) In order to be eligible for any grant under section 216, an applying entity shall submit, in accordance with subsection (c), a plan that describes the existing or proposed program or project for which such grant is requested.

(2) Any entity which is eligible to provide employment and educational training under other Federal employment training programs may apply for a grant under section 216.

(b) CONTENTS OF PLAN FOR ELIGIBILITY FOR GRANTS.—The plan referred to in subsection (a) shall include the following:

(1)(A) A comprehensive description of the objectives and performance goals for the program, (B) a plan for managing and funding the program, and (C) a description of the types of projects to be carried out, including a description of the types and duration of training and work experience to be provided.

(2) A plan for certification of the training skills acquired by enrollees and award of academic credit to enrollees for competencies developed from training programs or work experience obtained under this title.

(3) An estimate of the number of enrollees and crew leaders necessary for the proposed projects, the length of time for which the services of such personnel will be required, and the services which will be required for their support.

(4) A description of the location and types of facilities and equipment to be used in carrying out the programs.

(5) A list of positions from which any person serving in such project may choose a service position, which list shall, to the extent practicable, identify a sufficient number and variety of positions so that any person living within a program area who desires to serve in voluntary youth service may serve in a position that fulfills the needs of such person.

(6) A list of requirements to be imposed on any sponsoring organization of any person serving in a program or project under this title, including a provision that any sponsoring organization that invests in any project under this title by making a cash contribution or by providing free training of any person participating in such project shall be given preference over any sponsoring organization that does not make such an investment.

(7) With respect to the specified location and type of any facility to be used in carrying out the program, a description of—

(A) the proximity of any such facility to the work to be done,

(B) the cost and means of transportation available between any such facility and the homes of the enrollees who may be assigned to that facility,

(C) the participation of economically, socially, physically, or educationally disadvantaged youths, and

(D) the cost of establishing, maintaining, and staffing the facility.

(8)(A) A provision describing the manner of appointment of sufficient supervisory staff by the chief administrator to provide for other central elements of a youth corps, such as crew structure and a youth development component. Supervisory staff may include enrollees who have displayed exceptional leadership qualities.

(B) A provision describing a plan to assure the on-site presence of knowledgeable and competent supervision at program facilities.

(9) A description of the facilities, quarters, and board (in the case of residential facilities), limited and emergency medical care, transportation from administrative facilities to work sites, and other appropriate services, supplies, and equipment that will be provided by the agency.

(10) A description of basic standards of work requirements, health, nutrition, sanitation, and safety, and the manner by which such standards shall be enforced.

(11) A description of the program's plan to assign youths to facilities as near to their homes as is reasonable and practicable.

(12) A description of formal social counseling arrangements to be made available to the participant during service in the American Conservation Corps or Youth Service Corps.

(13) Such other information as the administering Secretary or the Assistant Director (whichever the case may be) may prescribe.

(c) PRELIMINARY APPROVAL OF PART A APPLICATIONS.—

(1) An application for participation in the State component under part A shall first be submitted to the designated State agency for preliminary review and approval. Such agency shall forward to the appropriate State job training coordinating council, if any (established under the Job Training Partnership Act (29 U.S.C. 1502 et seq.)), for further review and comment, any application it approves. Upon the expiration of the 30-day review period referred to in subsection (e), the State agency shall submit any approved application, along with any comments by the council, to the administering Secretary.

(2) A State may submit any application for its own program under part A to the administering Secretary after complying with the review and comment requirement under subsection (e).

(3) The administering Secretary shall establish an appeals procedure (involving review and comment by the State job training council) for applying entities whose applications are disapproved under paragraph (1).

(d) PART B APPLICATIONS.—An application for participation under part B may be submitted by any public or private nonprofit entity to the administering Assistant Director after review and comment under subsection (e).

(e) REVIEW AND COMMENT ON APPLICATIONS.—No application for participation under part A or part B may be submitted to the administering Secretary or the Assistant Director (whichever the case may be) before the end of the 30-day period for review and comment by such council (except in the case of an appeal).

(f) CRITERIA FOR APPROVAL OF APPLICATIONS.—In approving an application under this section, the administering Secretary or the Assistant Director (whichever the case may be) shall consider the extent to which the specifics of the program or project (as described in the application) meet the goals of the program for which the grant is sought.

SEC. 218. PREFERENCE FOR CERTAIN PROJECTS.

In the approval of applications for programs and projects submitted under section 217, the Administering Secretary or the Assistant Director (whichever the case may be) shall give preference to those programs and projects which—

(1) will provide long-term benefits to the public,

(2) will instill in the enrollees a work ethic and a sense of public service,

(3) will be labor intensive, with youth operating in crews,

(4) can be planned and initiated promptly,

(5) will enhance the enrollees' educational level and opportunities, and skills development,

(6) in the case of a proposed part A project, will meet the unmet needs for conservation, rehabilitation, and improvement work on public lands within the State, and

(7) in the case of a proposed part B project, will meet human, social, and environmental needs (particularly needs related to poverty).

SEC. 219. EFFECT OF EARNINGS ON ELIGIBILITY FOR OTHER FEDERAL ASSISTANCE.

Earnings and allowances received under this title by an economically disadvantaged youth, as defined in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)), shall be disregarded in determining the eligibility of the youth's family for, and the amount of, any benefits based upon need under any program established under this title.

SEC. 220. ENROLLMENT.

(a) CRITERIA.—

(1)(A) Enrollment in the American Conservation Corps and the Youth Service Corps shall be limited to individuals who, at the time of enrollment, are—

(i) not less than 16 years or more than 25 years of age, except that programs limited to the months of June, July, and August may include individuals not less than 15 years and not more than 21 years of age at the time of their enrollment, and

(ii) citizens or nationals of the United States (including those citizens of the Northern Mariana Islands as defined in section 24(b) of the Act entitled "An Act to authorize $15,500,000 for capital improvement projects on Guam, and for other purposes.", approved December 8, 1983 (Public Law 98-213, 48 U.S.C. 1681 note), or lawful permanent resident aliens of the United States.

(B) Special efforts shall be made to recruit and enroll individuals who, at the time of enrollment, are economically disadvantaged.

(C) In addition to recruitment enrollment efforts required in subparagraph (B), the administering Secretary or the Assistant Director (whichever the case may be) shall make special efforts to recruit enrollees who are socially, physically, and educationally disadvantaged youths and also make special efforts who are participating in foster care independent living programs, who are homeless, or are otherwise disconnected from their communities.

(D) Any person who does not hold a high school diploma or its equivalent may not be accepted for service in a program or project under this Act unless such person has not been enrolled as a high school student during the 3-month period before the date of such acceptance.

(E) Notwithstanding subparagraph (A), a limited number of special corps members may be enrolled without regard to their age so that the corps may draw upon their special skills which may contribute to the attainment of the purposes of this Act.

(2) Except in the case of a program limited to the months of June, July, and August, individuals who at the time of applying for enrollment have attained 16 years of age but not attained 19 years of age, and who are no longer enrolled in any secondary school shall not be enrolled unless they give adequate written assurances, under criteria to be established by the administering Secretary or the Assistant Director (whichever the case may be), that they did not leave school for the express purpose of enrolling. The regulations promulgated under section 201(e) shall provide such criteria.

(3) The selection of enrollees to serve in the American Conservation Corps or Youth Service Corps shall be the responsibility of the chief administrator of the program agency. Enrollees shall be selected from those qualified persons who have applied to, or been recruited by, the program agency, a State employment security service, a local school district with an employment referral service, an administrative entity under the Job Training Partnership Act (29 U.S.C. 1502 et seq.), a community or community-based nonprofit organization, the sponsor of an Indian program, or the sponsor of a migrant or seasonal agricultural worker program.

(4)(A) Except for a program limited to the months of June, July, and August, any qualified individual selected for enrollment in the American Conservation Corps or Youth Service Corps may be enrolled for a period not to exceed 24 months. When the term of enrollment does not consist of one continuous 24-month term, the total of shorter terms may not exceed 24 months.

(B) No individual may remain enrolled in the American Conservation Corps or Youth Service Corps after that individual has attained the age of 26 years, except as provided in paragraph (1)(E).

(C) No enrollee shall perform services in any project for more than a 6-month period.

(5) Within the American Conservation Corps or Youth Service Corps the directors of programs shall establish and stringently enforce standards of conduct to promote proper moral and disciplinary conditions. Enrollees who violate these standards shall be transferred to other locations, or dismissed, if it is determined that their retention in that particular program, or in the Corps, will jeopardize the enforcement of such standards or diminish the opportunities of other enrollees. Such disciplinary measures shall be subject to expeditious appeal to the administering Secretary or the Assistant Director (whichever the case may be).

(b) REQUIREMENT OF PAYMENT FOR CERTAIN SERVICES.—A reasonable portion of the costs of the rates for room and board provided at residential facilities may be deducted from amounts determined under subsection (c) and deposited into rollover funds administered by the appropriate program agency. Such deductions and rates are to be established after evaluation of costs of providing the services. The rollover funds established under this subsection shall be used solely to defray the costs of room and board for enrollees. The administering Secretary, or the Assistant Director (whichever the case may be), and the Secretary of Defense may make available to program agencies any surplus food and equipment available from Federal programs.

(c) SUBSISTENCE ALLOWANCE AND OTHER BENEFITS.—

(1) The administering Secretary or the Assistant Director (whichever the case may be), shall devise a schedule providing an aggregate amount of subsistence allowances and other benefits, including education and training benefits (such as loans, scholarships, and grants) in an amount that is equal to not less than 100 percent and not more than 160 percent of the amount such enrollee would have earned if such person had been paid at a rate equal to the minimum wage under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) during the period of service of such enrollee.

(2) During the period of an enrollee's service, the enrollee shall receive, from amounts determined under paragraph (1), an allowance (in cash or in kind) of not less than 50 percent and not more than 100 percent of such minimum wage, to be paid to such person during such period of service.

(3) In any case in which enrollees would perform services substantially similar to the duties and responsibilities of a regular employee employed by the employer to whom such enrollee is assigned, the program agency shall ensure that the amount determined under paragraph (1) shall be based upon a rate not less than the highest of—

(A) the minimum wage under section 6(a)(1) of the Fair Labor Standards Act of 1938,

(B) the minimum wage under the applicable State or local minimum wage law, or

(C) the prevailing rates of pay for such regular employees of the employer.

(4) For purposes of the Fair Labor Standards Act of 1938, residential youth service corps programs will be considered an organized camp.

(d) SERVICES, FACILITIES, AND SUPPLIES.—

(1) The program agency shall provide facilities, quarters, and board (in the case of residential facilities), limited and emergency medical care, transportation from administrative facilities to work sites, and other appropriate services, supplies, and equipment.

(2)(A) The administering Secretary or the Assistant Director (whichever the case may be) may provide services, facilities, supplies, and equipment to any program agency carrying out projects under this Act.

(B) Whenever possible, the administering Secretary or the Assistant Director (whichever the case may be) shall make arrangements with the Secretary of Defense to have logistical support provided by a military installation near the work site, including the provision of temporary tent centers where needed, and other supplies and equipment.

(e) HEALTH AND SAFETY STANDARDS.—The administering Secretary or the Assistant Director (whichever the case may be), along with the program agency, shall establish standards and enforcement procedures concerning enrollee health and safety for all projects, consistent with Federal, State, and local health and safety standards.

(f) GUIDANCE AND PLACEMENT.—Program agencies shall provide such job guidance and placement information and assistance for enrollees as may be necessary. Such assistance shall be provided in coordination with appropriate State, local, and private agencies and organizations.

SEC. 221. COORDINATION AND PARTICIPATION WITH OTHER ENTITIES.

(a) AGREEMENTS.—Program agencies may enter into contracts and other appropriate arrangements with local government agencies and nonprofit organizations for the operation or management of any projects or facilities under the program.

(b) COORDINATION.—The administering Secretary or the Assistant Director (whichever the case may be) and the chief administrators of program agencies carrying out programs under this title shall coordinate the programs with related Federal, State, local, and private activities.

(c) JOINT PROJECTS INVOLVING THE DEPARTMENT OF LABOR.—The administering Secretary or the Assistant Director (whichever the case may be) may develop, jointly with the Secretary of Labor, regulations designed to allow, where appropriate, joint projects in which activities supported by funds authorized under this title are coordinated with activities supported by funds authorized under employment and training statutes administered by the Department of Labor (including the Job Training Partnership Act (29 U.S.C. 1502 et seq.)). Such regulations shall provide standards for approval of joint projects which meet both the purposes of this title and the purposes of such employment and training statutes under which funds are available to support the activities proposed for approval. Such regulations shall also establish a single mechanism for approval of joint projects developed at the State or local level.

SEC. 222. AMERICAN CONSERVATION CORPS AND YOUTH SERVICE CORPS STATE ADVISORY BOARDS.

(a) ESTABLISHMENT.—Upon the approval of a project within a State, the State job training coordinating council within the State shall appoint an advisory board for the purpose of conducting regular oversight and review of projects of the American Conservation Corps and the Youth Service Corps within the State. In particular, the advisory board shall certify that the project satisfies the requirements and limitations under this title, including limitations respecting the displacement of existing employees and the types of projects and responsibilities appropriate for enrollees in the American Conservation Corps and the Youth Service Corps. Members of the advisory board shall also provide guidance and assistance for the development and administration of projects.

(b) COMPOSITION.—(1) Each advisory board shall be composed of not less than 7 individuals, of whom—

(A) 2 individuals who are representatives of organized labor (one of each representing the State and local levels), and

(B) 5 individuals, one of each of whom is a representative of the business community, community based organizations, State government (or an appropriate State agency), local elected office, and State or local school administration.

(2) If more than 7 individuals are appointed to an advisory board, the representation required by paragraph (1) shall be met, to the extent practicable.

(c) ANNUAL MEETINGS.—Each advisory board shall meet not less often than twice annually.

SEC. 223. FEDERAL AND STATE EMPLOYEE STATUS.

Enrollees, crew leaders, and volunteers are deemed as being responsible to, or the responsibility of, the program agency administering the project on which they work. Except as otherwise specifically provided in the following paragraphs, enrollees and crew leaders in projects for which funds have been authorized under section 232 shall not be deemed Federal employees and should not be subject to the provisions of law relating to Federal employment:

(1) For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to the compensation of Federal employees for work injuries, enrollees and crew leaders serving American Conservation and Youth Service Corps program agencies shall be deemed employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provision of that subchapter shall apply, except—

(A) the term "performance of duty" shall not include any act of an enrollee or crew leader while absent from his or her assigned post of duty, except while participating in an activity authorized by or under the direction and supervision of a program agency (including an activity while on pass or during travel to or from such post of duty), and

(B) compensation for disability shall not begin to accrue until the day following the date on which the injured enrollee's or crew leader's employment is terminated.

(2) For purposes of chapter 171 of title 28, United States Code, relating to tort claims procedure, enrollees and crew leaders on American Conservation Corps and Youth Service Corps projects shall be deemed employees of the United States within the meaning of the term "employee of the Government" as defined in section 2671 of such title.

(3) For purposes of section 5911 of title 5, United States Code, relating to allowances for quarters, enrollees and crew leaders shall be deemed employees of the United States within the meaning of the term "employee" as defined in that section.

SEC. 224. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) IN GENERAL.—

(1) SUSPENSION OF PAYMENTS.—The Secretaries of Interior and Agriculture (in the case of a program funded under part A) or the Director of the ACTION Agency (in the case of a program funded under part B), is authorized, in accordance with this title, to suspend payments or to terminate payments under a contract or grant providing assistance under this title whenever the Secretary or Director determines there is a material failure to comply with this title or the applicable terms and conditions of any such grant or contract issued pursuant to this title.

(2) PROCEDURES TO ENSURE ASSISTANCE.—The Secretary or Director shall prescribe procedures to ensure that—

(A) assistance under this title shall not be suspended for failure to comply with the applicable terms and conditions of this title, except in emergency situations for 30 days, and

(B) assistance under this title shall not be terminated for failure to comply with applicable terms and conditions of this title unless the recipient of such assistance has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) HEARINGS.—Hearings or other meetings that may be necessary to fulfill the requirements of this section shall be held at locations convenient to such recipient.

(c) TRANSCRIPT OR RECORDING.—A transcript or recording shall be made of a hearing conducted under this section and shall be available for inspection by any individual.

(d) STATE LEGISLATION.—Nothing in this title shall be interpreted to preclude the enactment of State legislation providing for the implementation, consistent with the pro-

visions of this title, of the programs administered under this title.

(e) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—State and local applicants funded under parts A and B shall establish and maintain a procedure for grievances from participants, labor organizations, and other interested individuals concerning projects funded under this title, including grievances regarding proposed placements of such participants.

(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance shall be made within 1 year after the date of the alleged occurrence.

(3) DEADLINE FOR HEARING AND DECISION.—A hearing on any grievance shall be conducted within 30 days of filing such grievance and a decision shall be made not later than 60 days after the filing of such grievance.

(4) ARBITRATION.—

(A) IN GENERAL.—On the occurrence of an adverse grievance decision, or 60 days after the filing of such grievance if no decision has been reached, the party filing the grievance shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.

(B) DEADLINE FOR PROCEEDING.—An arbitration proceeding shall be held within 45 days after the request for such arbitration.

(C) DEADLINE FOR DECISION.—A decision on such grievance shall be made within 30 days after the date of such arbitration proceeding.

(D) COST.—The cost of such arbitration proceeding shall be divided evenly between the parties.

(5) PROPOSED PLACEMENT.—If a grievance is filed regarding a proposed placement of a participant in a program assisted under this title, such placement shall not be made unless it is consistent with the resolution of the grievance pursuant to this subsection.

(6) REMEDIES.—Remedies for a grievance filed under this subsection include—

(A) suspension of payments for assistance under this title;

(B) termination of such payments; and

(C) prohibition of such placement described in paragraph (5).

SEC. 225. NONDUPLICATION AND NONDISPLACEMENT.

(a) NONDUPLICATION.—

(1) IN GENERAL.—Funds provided under this title shall be used only for an activity that does not duplicate, and is in addition to, programs and activities otherwise available in the locality.

(2) PRIVATE NONPROFIT ENTITY.—Funds available under this title shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met.

(b) NONDISPLACEMENT.—

(1) IN GENERAL.—An employer shall not displace an employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program established under this title.

(2) SERVICE OPPORTUNITIES.—A service opportunity shall not be created under this title that will infringe in any manner upon the promotional opportunity of an employed individual.

(3) LIMITATION ON SERVICES.—

(A) DUPLICATION OF SERVICES.—A participant in a program under this title shall not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.

(B) SUPPLANTATION OF HIRING.—A participant in any program under this title shall not perform any services or duties or engage in activities that will supplant the hiring of employed workers.

(C) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant shall not perform services or duties that have been performed by or were assigned to any—

(i) presently employed worker,

(ii) employee who recently resigned or was discharged,

(iii) employee who is subject to a reduction in force,

(iv) employee who is on leave (terminal, temporary, vacation, emergency, or sick), or

(v) employee who is on strike or who is being locked out.

SEC. 226. GRIEVANCE PROCEDURE.

(a) COMPLAINTS.—Each program agency shall establish and maintain a grievance procedure for grievances and complaints about its projects from enrollees and labor organizations and other interested persons. Hearings on any grievance shall be conducted within 30 days of filing of a grievance and decisions shall be made not later than 60 days after the filing of a grievance. Except for complaints alleging fraud or criminal activity, complaints shall be made within 1 year after the date of the alleged occurrence.

(b) INVESTIGATION BY THE ADMINISTERING SECRETARY OR THE ASSISTANT DIRECTOR.—Upon exhaustion of a grievance proceeding without decision, or where the administering Secretary or the Assistant Director (whichever the case may be) has reason to believe that the program agency is failing to comply with the requirements of this title or the terms of a project, the administering Secretary or the Assistant Director (whichever the case may be) shall investigate the allegation or belief within the complaint and determine, within 120 days after receiving the complaint, whether such allegation or belief is true.

SEC. 227. USE OF VOLUNTEERS.

Where any program agency has authority to use volunteer services in carrying out functions of the agency, such agency may use volunteer services for purposes of assisting projects carried out under this title and may expend funds made available for those purposes to the agency, including funds made available under this title, to provide for services or costs incidental to the utilization of such volunteers, including transportation, supplies, lodging, recruiting, training, and supervision. The use of volunteer services permitted by this section shall be subject to the condition that such use does not result in the displacement of any enrollee.

SEC. 228. NONDISCRIMINATION PROVISION.

(a) IN GENERAL.—An individual with responsibility for the operation of a project funded under this title shall not discriminate against a youth corps member or member of the staff of such project on the basis of race, color, national origin, sex, age, disability, or political affiliation of such member.

(b) CONSTRUCTION UNDER CIVIL RIGHTS ACT OF 1964.—For purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), any program or project for which any State is receiving assistance under this title shall be considered to be receiving Federal financial assistance.

(c) RELIGIOUS DISCRIMINATION.—(1) Except as provided in paragraph (2), an individual with responsibility for the operation of a project funded under this title shall not discriminate on the basis of religion against a youth corps member or a member of the project staff who is paid with funds under this title.

(2) Paragraph (1) shall not apply to the employment, with funds provided under this title, of any member of the staff of a project funded under this title who was employed with the organization operating the project on the date the grant funded under this title was awarded.

SEC. 229. LABOR MARKET INFORMATION.

The Secretary of Labor shall make available to the administering Secretary or to the Assistant Director (whichever the case may be) and to any program agency under this title such labor market information as is appropriate for use in carrying out the purposes of this title.

SEC. 230. REVIEW AND REPORTING REQUIREMENTS.

(a) REPORT TO THE PRESIDENT AND CONGRESS.—The administering Secretary or the Assistant Director (whichever the case may be) shall prepare and submit to the President and to the Congress, at least annually, a report detailing the activities carried out under this title during the preceding fiscal year. Such report shall be submitted not later than December 31 of each year following the date of the enactment of the National Service Act of 1990.

(b) OVERSIGHT.—Each recipient of a grant made under section 216 shall provide oversight of service by any person in an American Conservation Corps or Youth Service Corps project under this Act, and of the operations of any employer of such person, in accordance with procedures established by the administering Secretary or the Assistant Director (whichever the case may be). Such procedures shall include fiscal control, accounting, audit, and debt collection procedures to ensure the proper disbursal of, and accounting for, funds received under this title. In order to carry out this section, each such recipient shall have access to such information concerning the operations of any sponsoring organization as the administering Secretary or the Assistant Director (whichever the case may be) determines to be appropriate.

(c) ANNUAL REPORT TO THE SECRETARY.—Any recipient of a grant made under this title shall prepare and submit an annual report to the administering Secretary or the Assistant Director (whichever the case may be) on such date as the Secretary shall determine to be appropriate. Such report shall include—

(1) a description of activities conducted by program or project for which such grant was awarded during the year involved,

(2) characteristics of persons serving in such program or project,

(3) characteristics of positions held by such persons,

(4) a determination of the extent to which relevant standards, as determined by the administering Secretary or the Assistant Director (whichever the case may be), were met by such persons and their sponsoring organizations,

(5) a description of the post-service experiences, including employment and educational achievements, of persons who have served, during the year that is the subject of the report, in projects under this title, and

(6) any additional information that the administering Secretary or the Assistant Di-

rector (whichever the case may be) determines to be appropriate for purposes of this title.

(d) RESEARCH AND EVALUATION.—The administering Secretary or the Assistant Director (whichever the case may be) shall provide for research and evaluation to—

(1) determine costs and benefits, tangible and otherwise, of work performed under this title and of training and employable skills and other benefits gained by enrollees, and

(2) identify options for improving program productivity and youth benefits, which may include alternatives for—

(A) organization, subjects, sponsorship, and funding of work projects,

(B) recruitment and personnel policies,

(C) siting and functions of facilities,

(D) work and training regimes for youth of various origins and needs, and

(E) cooperative arrangements with programs, persons, and institutions not covered under this title.

(e) TECHNICAL ASSISTANCE.—Each administering Secretary or the Assistant Director (whichever the case may be) shall provide technical assistance to the States, to local governments, nonprofit entities and other entities eligible to participate under this title.

SEC. 231. AUTHORITY OF STATE LEGISLATURE.

Nothing in this title shall be interpreted to preclude the enactment of State legislation providing for the implementation, consistent with this title, of the programs administered under this title.

SEC. 232. AUTHORIZATION OF APPROPRIATIONS AND OTHER FISCAL PROVISIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title, $83,000,000 for fiscal year 1991 and such sums as may be necessary for each of the 3 succeeding fiscal years.

(b) FISCAL YEAR 1991.—

(1) Of amounts appropriated for fiscal year 1991—

(A) $38,000,000 shall be allocated to carry out part A (the American Conservation Corps),

(B) $28,000,000 shall be allocated to carry out part B (the Youth Service Corps),

(C) $13,000,000 shall be allocated for inservice and postservice education, and

(D) $4,000,000 shall be allocated for national and regional clearinghouses, training and technical assistance activities, provide information and model programs, and for grants.

(2) Funds appropriated under this section shall remain available until expended.

(c) LIMITATION ON APPROPRIATIONS.—Of amounts appropriated to carry out this Act, funds designated for part B shall first be made available for part A of title I of the Domestic Volunteer Service Act in an amount necessary to provide the number of service years required for authorized fiscal year under such Act.

(d) LIMITATIONS ON ADMINISTRATIVE EXPENSES.—The regulations promulgated under this title shall establish appropriate limitations on the administrative expenses incurred by Federal agencies carrying out programs under this Act, including a cost reimbursement system under which the administrative expenses are paid under this title through reimbursement.

(e) CARRYOVER.—Funds obligated for any program year may be expended by each recipient during that program year and the two succeeding program years and no amount shall be deobligated on account of a rate of expenditure which is consistent with the program plan.

SEC. 233. DEFINITIONS.

For purposes of this title the following terms have the following meanings:

(1) The term "crew leader" means an enrollee appointed under authority of this title for the purpose of assisting in the supervision of other enrollees engaged in work projects pursuant to this title.

(2) The term "crew supervisor" means the adult staff person responsible for supervising a crew of enrollees (including the crew leader).

(3) The term "economically disadvantaged" with respect to youths has the same meaning given such term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).

(4) The term "employment security service" means the agency in each of the several States with responsibility for the administration of unemployment and employment programs and the oversight of local labor conditions.

(5) The term "enrollee" means any individual who is enrolled in the American Conservation or in the Youth Service Corps in accordance with section 405.

(6) The term "Indian" means a person who is a member of an Indian tribe.

(7) The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for Indian tribes, and any real property held by Indian tribes which is subject to restrictions on alienation imposed by the United States.

(8) The term "Indian tribe" means any Indian tribe, band, nation, or other group which is recognized as an Indian tribe by the Secretary of the Interior. Such term also includes any Native village corporation, regional corporation, and Native group established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1701 et seq.).

(9) The term "public lands" means any lands or waters (or interest therein) owned or administered by the United States or by any agency or instrumentality of a State or local government.

(10) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States.

(11) The term "displacement" includes, but is not limited to, any partial displacement through reduction of nonovertime hours, wages, or employment benefits.

(12) The term "program" means activities carried out under part A or part B.

(13) The term "administering Secretary" means for purposes of part A the Secretary of the Interior (in the case of any lands or programs involving the Department of the Interior), or the Secretary of Agriculture (in the case of lands or programs involving the Department of Agriculture).

(14) The term "program agency" means—

(A) any Federal or State agency designated to manage any program in that State, or

(B) the governing body of any Indian tribe.

(15) The term "chief administrator" means the head of any program agency.

(16) The term "applying entity" means any program agency or any nonprofit organization which applies for a grant under section 216.

(17) The term "project" means any activity (or group of activities) which result in a specific identifiable service or product that otherwise would not be done with existing funds, and which shall not duplicate the routine services or functions of the employer to whom enrollees are assigned. In any case where participant activities overlap with the routine services or functions of an employer, no participant shall work in the same project for more than 6 months.

PART E—YOUTH SERVICE CLEARINGHOUSES

SEC. 236. FUNDING.

(a) IN GENERAL.—The Secretary of the Interior and the Director of the Action Agency are each authorized to provide financial assistance to 1 or more national or regional clearinghouses on youth corps and youth service.

(b) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—Public and private nonprofit agencies with extensive experience in youth corps and youth service programming may apply for financial assistance under subsection (a) for clearinghouses.

(c) FUNCTION.—National and regional clearinghouses assisted under subsection (a) shall—

(1) provide information, curriculum materials, technical assistance on program planning and operation, and training to States and local entities eligible to receive funds under this title,

(2) gather and disseminate information on successful programs, components of successful programs, innovative youth skills curriculum, and projects being implemented nationwide, and

(3) make recommendations to States, local entities, and agencies on quality controls to improve program delivery and on changes in the programs under this title.

PART F—COMMUNITY ACTION AGENCIES

For purposes of this title and the amendments made by this title, the terms "community-based organization" and "nonprofit organization" include a community action agency.

TITLE III—PROPOSED MODEL GOOD SAMARITAN FOOD DONATION ACT

SEC. 301. SENSE OF CONGRESS CONCERNING ENACTMENT OF GOOD SAMARITAN FOOD DONATION ACT.

(a) IN GENERAL.—It is the sense of Congress that each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States should—

(1) encourage the donation of apparently wholesome food or grocery products to nonprofit organizations for distribution to needy individuals; and

(2) consider the model Good Samaritan Food Donation Act (provided in section 302) as a means of encouraging the donation of food and grocery products.

(b) DISTRIBUTION OF COPIES.—The Archivist of the United States shall distribute a copy of this Act to the chief executive officer of each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

SEC. 302. MODEL GOOD SAMARITAN FOOD DONATION ACT.

(a) SHORT TITLE.—This section may be cited as the "Good Samaritan Food Donation Act".

(b) DEFINITIONS.—As used in this section:

(1) APPARENTLY FIT GROCERY PRODUCT.—The term "apparently fit grocery product" means a grocery product that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations

even though the product may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other condition.

(2) APPARENTLY WHOLESOME FOOD.—The term "apparently wholesome food" means food that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the food may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other condition.

(3) DONATE.—The term "donate" means to give without requiring anything of monetary value from the recipient, except that the term shall include giving by a nonprofit organization to another nonprofit organization, notwithstanding that the donor organization has charged a nominal fee to the donee organization, if the ultimate recipient or user is not required to give anything of monetary value.

(4) FOOD.—The term "food" means any raw, cooked, processed, or prepared edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for human consumption.

(5) GLEANER.—The term "gleaner" means a person who harvests for free distribution to the needy, or for donation to a nonprofit organization for ultimate distribution to the needy, an agricultural crop that has been donated by the owner.

(6) GROCERY PRODUCT.—The term "grocery product" means a nonfood grocery product, including a disposable paper or plastic product, household cleaning product, laundry detergent, cleaning product, or miscellaneous household item.

(7) GROSS NEGLIGENCE.—The term "gross negligence" means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(8) INTENTIONAL MISCONDUCT.—The term "intentional misconduct" means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(9) NONPROFIT ORGANIZATION.—The term "nonprofit organization" means an incorporated or unincorporated entity that—

(A) is operating for religious, charitable, or educational purposes; and

(B) does not provide net earnings to, or operate in any other manner that inures to the benefit of, any officer, employee, or shareholder of the entity.

(10) PERSON.—The term "person" means an individual, corporation, partnership, organization, association, or governmental entity, including a retail grocer, wholesaler, hotel, motel, manufacturer, restaurant, caterer, farmer, and nonprofit food distributor or hospital. In the case of a corporation, partnership, organization, association, or governmental entity, the term includes an officer, director, partner, deacon, trustee, council member, or other elected or appointed individual responsible for the governance of the entity.

(c) LIABILITY FOR DAMAGES FROM DONATED FOOD AND GROCERY PRODUCTS.—A person or gleaner shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a nonprofit organization for ultimate distribution to needy individuals, except that this paragraph shall not apply to an injury to or death of an ultimate user or recipient of the food or grocery product that results from an act or omission of the donor constituting gross negligence or intentional misconduct.

(d) COLLECTION OR GLEANING OF DONATIONS.—A person who allows the collection or gleaning of donations on property owned or occupied by the person by gleaners, or paid or unpaid representatives of a nonprofit organization, for ultimate distribution to needy individuals shall not be subject to civil or criminal liability that arises due to the injury or death of the gleaner or representative, except that this paragraph shall not apply to an injury or death that results from an act or omission of the person constituting gross negligence or intentional misconduct.

(e) PARTIAL COMPLIANCE.—If some or all of the donated food and grocery products do not meet all quality and labeling standards imposed by Federal, State, and local laws and regulations, the person or gleaner who donates the food and grocery products shall not be subject to civil or criminal liability in accordance with this section if the nonprofit organization that receives the donated food or grocery products—

(1) is informed by the donor of the distressed or defective condition of the donated food or grocery products;

(2) agrees to recondition the donated food or grocery products to comply with all the quality and labeling standards prior to distribution; and

(3) is knowledgeable of the standards to properly recondition the donated food or grocery product.

(f) CONSTRUCTION.—This section shall not be construed to create any liability.

SEC. 303. EFFECT OF SECTION 302.

The model Good Samaritan Food Donation Act (provided in section 302) is intended only to serve as a model law for enactment by the States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States. The enactment of section 302 shall have no force or effect in law.

TITLE IV—MILITARY SELECTIVE SERVICE PROVISIONS

SEC. 401. SELECTIVE SERVICE REGISTRATION.

(a) REGISTRATION REQUIRED.—An individual who—

(1) is or was required to register under section 3 of the Military Selective Service Act (50 U.S.C. App. 453); and

(2) is not so registered or knowingly and willfully did not so register before the requirement terminated or became inapplicable to the individual.

shall not be eligible to participate in a service program established under this Act.

(b) ENFORCEMENT.—The head of each agency of the Federal Government administering a service program under this Act shall ensure that each individual participating in that service program has not violated section 3 of the Military Selective Service Act (50 U.S.C. App. 453) by not submitting to registration as required under that section.

SEC. 501. BUY-AMERICAN REQUIREMENT.

(a) DETERMINATION BY THE SECRETARY.—If the Secretary of Education, with the concurrence of the Secretary of Commerce and the United States Trade Representative, determines that the public interest so desires, the Commission is authorized to award to a domestic firm a contract made pursuant to the issuance of any grant made under this Act that, under the use of competitive procedures, would be awarded to a foreign firm, if—

(1) the final product of the domestic firm will be completely assembled in the United States;

(2) when completely assembled, not less than 51 percent of the final product of the domestic firm will be domestically produced; and

(3) the difference between the bids submitted by the foreign and domestic firms is not more than 6 percent. In determining under this subsection whether the public interest so requires, the Secretary shall take into account United States international obligations and trade relations.

(b) LIMITED APPLICATION.—This section shall not apply to the extent to which—

(1) such applicability would not be in the public interest;

(2) compelling national security considerations require otherwise; or

(3) the United States Trade Representative determines that such an award would be in violation of the General Agreement on Tariffs and Trade or an international agreement to which the United States is a party.

(c) LIMITATION.—This section shall apply only to contracts made related to the issuance of any grant or contract made under this Act for which—

(1) amounts are authorized by this act (including the amendments made by this act) to be made available; and

(2) solicitation for bids are issued after the date of the enactment of this Act.

(d) REPORT TO CONGRESS.—The Secretary shall report to the Congress on contracts covered under this section and entered into with foreign entities in fiscal years 1990 and 1991 and shall report to the Congress on the number of Contracts that meet the requirements of subsection (a) but which are determined by the United States Trade Representative to be in violation of the General Agreement or an international agreement to which the United States is a party. The Secretary shall also report to the Congress on the number of contracts covered under this Act (including the amendments made by this Act) and awarded based upon the parameters of this section.

(e) DEFINITIONS.—For purposes of this section—

(1) SECRETARY.—The term "Secretary" means the Secretary of Education.

(2) DOMESTIC FIRM.—The term "Domestic Firm" means a business entity that is incorporated in the United States and that conducts business operations in the United States.

(3) FOREIGN FIRM.—The term "foreign firm" means a business entity not described in paragraph (2).

The motion was agreed to.

The Senate bill was ordered to be read a thrid time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: "An act to establish school-based and higher education community service programs, to establish youth service programs, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 4330) was laid on the table.

CONFERENCE REPORT ON S. 2088, STRATEGIC PETROLEUM RESERVE AMENDMENTS OF 1990

Mr. SHARP submitted the following conference report and statement on

the Senate bill (S. 2088) to amend the Energy Policy and Conservation Act to extend the authority for titles I and II, and for other purposes:

CONFERENCE REPORT (H. REPT. 101-698)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2088) to amend the Energy Policy and Conservation Act to extend the authority for titles I and II, 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 disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

SECTION 1. SHORT TITLE.

This Act may be referred to as the "Energy Policy and Conservation Act Amendments of 1990".

SEC. 2. EXTENSION OF AUTHORITY.

The Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) is amended—

(1) in section 104(b)(1) by striking out "September 15, 1990" and inserting in lieu thereof "September 30, 1994";

(2) in section 171, by striking out "September 15, 1990" each place it appears and inserting in lieu thereof "September 30, 1994"; and

(3) in section 281, by striking out "September 15, 1990" each place it appears and inserting in lieu thereof "September 30, 1994".

SEC. 3. SEVERE DOMESTIC ENERGY SUPPLY INTERRUPTIONS.

(a) DEFINITION.—Section 3(8)(C) of the Energy Policy and Conservation Act (42 U.S.C. 6202(8)(C)) is amended—

(1) by inserting "(i)" after "from" the first place it appears; and

(2) by striking out "or from" and inserting in lieu thereof: "(ii) an interruption in the supply of domestic petroleum products, or (iii)".

(b) DRAWDOWN.—Section 161 of such Act (42 U.S.C. 6241) is amended by adding at the end the following:

"(h)(1) If the President finds that—

"(A) a circumstance, other than those described in subsection (d), exists that constitutes, or is likely to become, a domestic energy supply shortage of significant scope or duration; and

"(B) action taken under this subsection would assist directly and significantly in preventing or reducing the adverse impact of such shortage,

then the Secretary may, subject to the limitations of paragraph (2), draw down and distribute the Strategic Petroleum Reserve.

"(2) In no case may the Reserve be drawn down under this subsection—

"(A) in excess of an aggregate of 30,000,000 barrels with respect to each such shortage;

"(B) for more than 60 days with respect to each such shortage;

"(C) if there are fewer than 500,000,000 barrels of petroleum product stored in the Reserve; or

"(D) below the level of an aggregate of 500,000,000 barrels of petroleum product stored in the Reserve.

"(3) During any period in which there is a drawdown and distribution of the Reserve in effect under this subsection, the Secretary shall transmit a monthly report to the Congress containing an account of the drawdown and distribution of petroleum products under this subsection and an assessment of its effect.

"(4) In no case may the drawdown under this subsection be extended beyond 60 days with respect to any domestic energy supply shortage.".

SEC. 4. ENLARGEMENT OF SPR TO ONE BILLION BARRELS.

(a) IN GENERAL.—Section 159 of the Energy Policy and Conservation Act (42 U.S.C. 6239) is amended by adding at the end the following new subsections:

"(i) No later than 18 months after the date of the enactment of the Energy Policy and Conservation Act Amendments of 1990, the Secretary shall transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of negotiations undertaken pursuant to part C. The report shall—

"(1) describe the terms of any contracts negotiated pursuant to part C and any cost savings that would result from such contracts relative to the costs of acquisition pursuant to part B; and

"(2) give all available information on any cost savings that would likely result from additional contracts that could be negotiated pursuant to part C for completion of the storage of one billion barrels of petroleum product in the Reserve relative to the costs of acquisition pursuant to part B.

"(j) No later than 24 months after the date of the enactment of the Energy Policy and Conservation Act Amendments of 1990, the Secretary shall amend the Strategic Petroleum Reserve Plan to prescribe plans for completion of storage of one billion barrels of petroleum product in the Reserve. Such amendment shall comply with the provisions of this section and shall detail the Secretary's plans for the design, construction, leasing or other acquisition, and fill of storage and related facilities of the Reserve to achieve such one billion barrels of storage. Such amendment shall not be subject to the congressional review procedures contained in section 551. In assessing alternatives in the development of such plans, the Secretary shall consider leasing privately owned storage facilities.".

(b) CONFORMING AMENDMENTS.—Section 160 of the Energy Policy and Conservation Act (42 U.S.C. 6240) is amended—

(1) in subsection (c)(3)—

(A) by striking out "fiscal years 1988 and 1989" and inserting in lieu thereof "fiscal year 1994"; and

(B) by striking out "at least 750,000,000" and inserting in lieu thereof "1,000,000,000"; and

(2) in subsection (d)(1), by inserting before the period at the end of subparagraph (B) the following: "and the Secretary has amended the Strategic Petroleum Reserve Plan as required by section 159(j)".

(c) FACILITIES.—Section 160(d)(1)(A) of such Act (42 U.S.C. 6240(b)(1)(A)) is amended by inserting after "within" the following: "Government owned facilities of".

SEC. 5. PREDRAWDOWN DIVERSION OF SPR OIL.

(a) IN GENERAL.—Section 160 of the Energy Policy and Conservation Act (42 U.S.C. 6240) is amended by adding at the end the folowing:

"(f) If the Secretary finds that a severe energy supply interruption may be imminent, the Secretary may suspend the acquisition of petroleum product for, and the injection of petroleum product into, the Reserve and may sell any petroleum product acquired for and in transit to, but not injected into, the Reserve.".

(b) CONFORMING AMENDMENTS.—(1) Section 167(b)(3) of such Act (42 U.S.C. 6247(b)(3)) is amended by inserting after "(g) of such section" the following: ", or from the sale of petroleum products under section 160(f)".

(2) Section 167(d) of such Act (42 U.S.C. 6247(d)) is amended by inserting after "(g) of such section" the following: ", and from the sale of petroleum products under section 160(f)".

(3) Section 160(d) of such Act (42 U.S.C. 6240(d)) is amended by adding at the end the following:

"(4) For any fiscal year in which purchases of petroleum products are suspended, or the sale of petroleum products is carried out, under subsection (f), the fill-rate requirements of paragraph (1)(B) shall be reduced by—

"(A) the amount of petroleum products are acquired for such fiscal year as a result of such suspension; plus

"(B) the amount of petroleum products sold under such subsection during such fiscal year.".

SEC. 6. LEASING AUTHORITY.

(a) IN GENERAL.—Title I of the Energy Policy and Conservation Act (42 U.S.C. 6211 et seq.) is amended—

(1) in section 152, by inserting "and part C" after "this part" in the material preceding paragraph (1);

(2) by redesignating part C as part D;

(3) by redesignating section 171 (after the amendment is made by section 2(2) of this Act) as section 181; and

(4) by adding the following new part after part B:

"PART C—AUTHORITY TO CONTRACT FOR PETROLEUM PRODUCT NOT OWNED BY THE UNITED STATES

"CONTRACTING FOR PETROLEUM PRODUCT AND FACILITIES

"SEC. 171. (a) IN GENERAL.—Subject to the other provisions of this part, the Secretary may contract—

"(1) for storage, in otherwise unused Strategic Petroleum Reserve facilities, of petroleum product not owned by the United States; and

"(2) for storage, in storage facilities other than those of the Reserve, of petroleum product either owned or not owned by the United States.

"(b) CONDITIONS.—(1) Petroleum product stored pursuant to such a contract shall, until the expiration, termination, or other conclusion of the contract, be a part of the Reserve and subject to the Secretary's authority under part B.

"(2) The Secretary may enter into a contract for storage of petroleum product under subsection (a) only if—

"(A) the Secretary determines (i) that entering into one or more contracts under such subsection would achieve benefits comparable to the acquisition of an equivalent amount of petroleum product, or an equivalent volume of storage capacity, for the Reserve under part B, and (ii) that, because of budgetary constraints, the acquisition of an equivalent amount of petroleum product or volume of storage space for the Reserve cannot be accomplished under part B; and

"(B) the Secretary notifies each House of the Congress of such determination and includes in such notification the same information required under section 154(e) with regard to storage and related facilities proposed to be included, or petroleum product proposed to be stored, in the Reserve.

"(3) A contract entered into under subsection (a) shall not limit the discretion of the

President or the Secretary to conduct a drawdown and distribution of the Reserve.

"(4) A contract entered into under subsection (a) shall include a provision that the obligation of the United States to make payments under the contract in any fiscal year is subject to the availability of appropriations.

"(c) CHARGE FOR STORAGE.—The Secretary may store petroleum product pursuant to a contract entered into under subsection (a)(1) with or without charge or may pay a fee for its storage.

"(d) DURATION.—Contracts entered into under subsection (a) may be of such duration as the Secretary considers necessary or appropriate.

"(e) BINDING ARBITRATION.—The Secretary may agree to binding arbitration of disputes under any contract entered into under subsection (a).

"IMPLEMENTATION

"SEC. 172. (a) AMENDMENT TO PLAN NOT REQUIRED.—An amendment of the Strategic Petroleum Reserve Plan is not required for any action taken under this part.

"(b) FILL RATE REQUIREMENT.—For purposes of section 160(d)(1), any petroleum product stored in the Reserve under this part that is removed from the Reserve at the expiration, termination, or other conclusion of the agreement shall be considered to be part of the Reserve until the beginning of the fiscal year following the fiscal year in which the petroleum product was removed.

"(c) LEGAL STATUS REGARDING OTHER LAW.—Petroleum product and facilities contracted for under this part have the same status as petroleum product and facilities owned by the United States for all purposes associated with the exercise of the laws of any State or political subdivision thereof.

"(d) RETURN OF PRODUCT.—At such time as the petroleum product contracted for under this part is withdrawn from the Reserve upon the expiration, termination, or other conclusion of the contract, such petroleum product (or the equivalent quantity of petroleum product withdrawn from the Reserve pursuant to the contract) shall be deemed, for purposes of determining the extent to which such product is thereafter subject to any Federal, State, or local law or regulation, not to have left the place where such petroleum product was located at the time it was originally committed to a contract under this part.

"CONTRACTS FOR WHICH NO IMPLEMENTING LEGISLATION IS NEEDED

"SEC. 173. (a) CONGRESSIONAL REVIEW.—In the case of contracts entered into under this part, and amendments to such contracts, for which no implementing legislation is needed, the Secretary shall transmit each such contract and each such amendment to the Committee on Appropriations and the Committee on Energy and Natural Resources of the Senate and to the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives within 30 days after the signing thereof.

"(b) EFFECTIVE DATE.—(1) Any such contract, and any such amendment, shall not become effective until the end of the 30-day period of continuous session of Congress after the date of such transmittal, except that such contract may become effective without regard to such period if the President determines that such contract is required as a result of a severe energy supply interruption or by obligations of the United States under the international energy program.

"(2) For purposes of paragraph (1)—

"(A) continuity of session is broken only by an adjournment of Congress sine die; and

"(B) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the calendar-day period involved.

"CONTRACTS FOR WHICH IMPLEMENTING LEGISLATION IS NEEDED

"SEC. 174. (a) IN GENERAL.—(1) In the case of contracts entered into under this part, and amendments to such contracts, for which implementing legislation will be needed, the Secretary may transmit an implementing bill to both Houses of the Congress.

"(2) In the Senate, any such bill shall be considered in accordance with the provisions of this section.

"(3) For purposes of this section—

"(A) the term 'implementing bill' means a bill introduced in either House of Congress with respect to one or more contracts or amendments to contracts submitted to the House of Representatives and the Senate under this section and which contains—

"(i) a provision approving such contracts or amendments, or both; and

"(ii) legislative provisions that are necessary or appropriate for the implementation of such contracts or amendments, or both; and

"(B) the term 'implementing revenue bill' means an implementing bill which contains one or more revenue measures by reason of which it must originate in the House of Representatives.

"(b) CONSULATION.—The Secretary shall consult, at the earliest possible time and on a continuing basis, with each committee of the House and the Senate that has jurisdiction over all matters expected to be affected by legislation needed to implement any such contract.

"(c) EFFECTIVE DATE.—Each contract and each amendment to a contract for which an implementing bill is necessary may become effective only if—

"(1) the secretary, not less than 30 days before the day on which such contract is entered into, notifies the House of Representatives and the Senate of the intention to enter into such a contract and promptly thereafter publishes notices of such intention in the Federal Register;

"(2) after entering into the contract, the Secretary transmits a report to the House of Representatives and to the Senate containing a copy of the final text of such contract together with—

"(A) the implementing bill, and an explanation of how the implementing bill changes or affects existing law; and

"(B) a statement of the reasons why the contract serves the interests of the United States and why the implementing bill is required or appropriate to implement the contract; and

"(3) the implementing bill is enacted into law.

"(d) RULES OF THE SENATE.—Subsections (e) through (h) are enacted by the Congress—

"(1) as an exercise of the rulemaking power of the Senate, and as such they are deemed a part of the rules of the Senate but applicable only with respect to the procedure to be followed in the Senate in the case of implementing bills and implementing revenue bills described in subsection (a), and they supersede other rules only to the extent that they are inconsistent therewith; and

"(2) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner and to the same extent as in the case of any other rule of the Senate.

"(e) INTRODUCTION AND REFERRAL IN THE SENATE.—(1) On the day on which an implementing bill is transmitted to the Senate under this section, the implementing bill shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself or herself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate.

"(2) If the Senate is not in session on the day on which such an agreement is submitted, the implementing bill shall be introduced in the Senate, as provided in the paragraph (1), on the first day thereafter on which the Senate is in session.

"(3) Such bills shall be referred by the presiding officer of the Senate to the appropriate committee, or, in the case of a bill containing provisions within the jurisdiction of two or more committees, jointly to such committees for consideration of those provisions within their respective jurisdictions.

"(f) CONSIDERATION OF AMENDMENTS TO IMPLEMENTING BILL PROHIBITED IN THE SENATE.—(1) No amendments to an implementing bill shall be in order in the Senate, and it shall not be in order in the Senate to consider an implementing bill that originated in the House if such bill passed the House containing any amendment to the introduced bill.

"(2) No motion to suspend the application of this subsection shall be in order in the Senate; nor shall it be in order in the Senate for the Presiding Officer to entertain a request to suspend the application of this subsection by unanimous consent.

"(g) DISCHARGE IN THE SENATE.—(1) Except as provided in paragraph (3), if the committee or committees of the Senate to which an implementing bill has been referred have not reported it at the close of the 30th day after its introduction, such committee or committees shall be automatically discharged from further consideration of the bill, and it shall be placed on the appropriate calendar.

"(2) A vote on final passage of the bill shall be taken in the Senate on or before the close of the 15th day after the bill is reported by the committee or committees to which it was referred or after such committee or committees have been discharged from further consideration of the bill.

"(3) The provisions of paragraphs (1) and (2) shall not apply in the Senate to an implementing revenue bill. An implementing revenue bill received from the House shall be, subject to subsection (f)(1), referred to the appropriate committee or committees of the Senate. If such committee or committees have not reported such bill at the close of the 15th day after its receipt by the Senate, such committee or committees shall be automatically discharged from further consideration of such bill and it shall be placed on the calendar. A vote on final passage of such bill shall be taken in the Senate on or before the close of the 15th day after such bill is reported by the committee or committees of the Senate to which it was referred, or after such committee or committees have been discharged from further consideration of such bill.

"(4) For purposes of this subsection, in computing a number of days in the Senate, there shall be excluded any day on which the Senate is not in session.

"(h) FLOOR CONSIDERATION IN THE SENATE.—(1) A motion in the Senate to proceed to the consideration of an implementing bill shall

be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(2) Debate in the Senate on an implementing bill, and all debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

"(3) Debate in the Senate on any debatable motion or appeal in connection with an implementing bill shall be limited to not more than one hour to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of an implementing bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

"(4) A motion in the Senate to further limit debate is not debatable. A motion to recommit an implementing bill is not in order.".

(b) CONFORMING AMENDMENTS.—The table of contents of the Energy Policy and Conservation Act is amended—

(1) by adding at the end of the items for title I the following items:

"PART C—AUTHORITY TO CONTRACT FOR PETROLEUM PRODUCT NOT OWNED BY THE UNITED STATES

"Sec. 171. Contracting for petroleum product and facilities.

"Sec. 172. Implementation.

"Sec. 173. Contracts for which no implementing legislation is needed.

"Sec. 174. Contracts for which implementing legislation is needed.";

(2) by redesignating part C in the items for title I as part D; and

(3) by redesignating the item for section 171 as the item for section 181.

SEC. 7. REFINED PETROLEUM PRODUCT RESERVE.

Section 160 of the Energy Policy and Conservation Act (42 U.S.C. 6240) is amended by adding at the end the following after the subsection added by section 5(a) of this Act:

"(g)(1) The Secretary shall conduct a test program of storage of refined petroleum products within the Reserve. The test program shall commence during fiscal year 1992 and continue through fiscal year 1994. The test program shall demonstrate mechanisms for storage of refined petroleum products within the Reserve which may be drawn down in accordance with this part.

"(2) The mechanisms demonstrated under paragraph (1)—

"(A) shall include the acquisition by lease or purchase, or both, of refined petroleum products for storage in the Reserve and shall include the acquisition by lease of storage facilities; and

"(B) may include other mechanisms including, but not limited to, industrial petroleum reserves pursuant to section 156 and State set-aside programs, except that such mechanisms must provide equivalent control over the drawdown and distribution of such refined petroleum products as is provided under this part.

"(3) Any refined petroleum products stored in the Reserve under this subsection shall be stored in locations to be determined by the Secretary, taking into account the proximity of existing distribution systems, the proximity of the area or areas of the United States most dependent on imported petroleum products or likely to experience shortages of refined petroleum products, and the capability for expeditious distribution to such area or areas.

"(4) In the conduct of the test program under paragraph (1), the Secretary shall increase the quantity of refined petroleum products acquired for storage in the Reserve by an amount equal to 10 percent of the fill of the Reserve during each of the fiscal years 1992, 1993, and 1994, except that the Secretary may not expend more than 10 percent of the funds appropriated for the acquisition, transportation and injection of petroleum products into the Reserve during each of the fiscal years covered by the test program.

"(5) In the conduct of the test program under paragraph (1), the Secretary may not construct or purchase facilities for the storage of refined petroleum products.

"(6) Refined petroleum products stored in the Reserve under the test program may be withdrawn from the Reserve before the conclusion of the test program—

"(A) as may be necessary to turn such products over because of changes in the physical characteristics of the product; or

"(B) on the basis of a finding made under section 161.

"(7) No later than January 31, 1994, the Secretary shall transmit to the Congress a report on the test program. The report shall evaluate the mechanisms demonstrated under the test program, other potential mechanisms, and the purchase of facilities. The report shall include an assessment of the costs and benefits of the various mechanisms. The report shall also make recommendations with regard to future storage of refined petroleum products and contain drafts of any legislative provisions which the Secretary wishes to recommend.".

SEC. 8. TEST DRAWDOWN.

Paragraph (1) of section 161(g) of the Energy Policy and Conservation Act (42 U.S.C. 6241(g)(1)) is amended to read as follows:

"(1) The Secretary shall conduct a continuing evaluation of the Distribution Plan. In the conduct of such evaluation, the Secretary is authorized to carry out test drawdown and distribution of crude oil from the Reserve. If any such test drawdown includes the sale or exchange of crude oil, then the aggregate quantity of crude oil withdrawn from the Reserve may not exceed 5,000,000 barrels during any such test drawdown or distribution.".

SEC. 9. EXEMPTION FROM INTERSTATE COMMERCE ACT.

Section 159 of the Energy Policy and Conservation Act (42 U.S.C. 6239), is amended by adding at the end the following new subsection after the subsection added by section 4(a) of this Act:

"(k) A storage or related facility of the Strategic Petroleum Reserve owned by or leased to the United States is not subject to the Interstate Commerce Act.".

SEC. 10. AUTHORITY TO ALLOW EXCHANGE OF SPR OIL.

Section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) is amended by adding at the end the following new subsection after the subsection added by section 3(b) of this Act:

"(i) Notwithstanding any other law, the President may permit any petroleum products withdrawn from the Strategic Petroleum Reserve in accordance with this section to be sold and delivered for refining or exchange outside of the United States, in connection with an arrangement for the delivery of refined petroleum products to the United States.".

SEC. 11. DRAWDOWN PLAN AMENDMENTS DURING IMPLEMENTATION.

Section 159 of the Energy Policy and Conservation Act (42 U.S.C. 6239) is amended by inserting at the end of the section the following new subsection after the subsection added by section 9 of this Act:

"(1) Notwithstanding subsection (d), during any period in which the Distribution Plan is being implemented, the Secretary may amend the plan and promulgate rules, regulations, or orders to implement such amendments in accordance with section 523 of this Act, without regard to the requirements of section 553 of title 5, United States Code, and section 501 of the Department of Energy Organization Act (42 U.S.C. 7191). Such amendments shall be transmitted to the Congress together with a statement explaining the need for such amendments.".

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

JOHN D. DINGELL,
PHILIP R. SHARP,
EDWARD J. MARKEY,
TERRY L. BRUCE,
BILLY TAUZIN,
NORMAN F. LENT,
CARLOS J. MOORHEAD,
BILL DANNEMEYER,
Managers on the Part of the House.

J. BENNETT JOHNSTON,
WENDELL H. FORD,
JAMES A. MCCLURE,
PETE V. DOMENICI,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2088) to amend the Energy Policy and Conservation Act to extend the authority for titles I and II, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the bill struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

SECTION 1—SHORT TITLE

This Act may be cited as the "Energy Policy and Conservation Act Amendments of 1990."

SECTION 2—EXTENSION OF AUTHORITY

Title I and Title II of the Energy Policy and Conservation Act are extended from their current expiration date of September 15, 1990 to September 30, 1994.

SECTION 3—SEVERE DOMESTIC ENERGY SUPPLY INTERRUPTIONS

The Conferees agreed to include new authority which allows the President to draw down the Reserve in response to specified shortages of domestic oil supplies.

SECTION 4—ENLARGEMENT OF THE SPR TO ONE BILLION BARRELS

The Conferees agreed to direct the Secretary of Energy to amend the Strategic Petroleum Reserve Plan to prescribe plans for completion of storage of one billion barrels of petroleum product in the Reserve.

SECTION 5—PREDRAWDOWN DIVERSION OF SPR OIL

The Conferees agreed to include provisions authorizing the Secretary of Energy, if the Secretary finds that a severe energy supply interruption may be imminent, to suspend acquisition of petroleum product for the SPR and sell oil already enroute.

SECTION 6—LEASING AUTHORITY

The Conferees agreed to include a new Part C of title I in EPCA that grants additional authority for the leasing of petroleum product and facilities for the Reserve.

SECTION 7—REFINED PETROLEUM PRODUCT RESERVE

The Conferees agreed to the establishment of a three-year program to test various mechanisms for storing refined petroleum products. The Conferees expect the Secretary of Energy to locate the refined petroleum product reserve in a manner which facilitates the expeditious and reliable distribution of refined petroleum products to those areas of the United States most dependent on imported petroleum product or likely to experience shortages of refined petroleum products.

SECTION 8—TEST DRAWDOWN

The Conferees agreed to give the Secretary of Energy authority to withdraw and sell crude oil from the Reserve as part of a test drawdown and sale. If the Secretary sells any oil, the quantity of oil sold under each test may not exceed 5 million barrels of oil.

SECTION 9—EXEMPTION FROM INTERSTATE COMMERCE ACT

The Conferees included a technical clarification to assure that SPR storage or related facilities owned or leased by the United States are not subject to the Interstate Commerce Act.

SECTION 10—AUTHORITY TO ALLOW EXCHANGE OF SPR OIL

The Conferees granted authority to the President to permit the export of SPR oil in exchange for refined petroleum products delivered to the United States.

SECTION 11—DRAWDOWN PLAN AMENDMENTS DURING IMPLEMENTATION

The Conferees included authority which permits the Secretary of Energy to expedite amendments to the SPR Distribution Plan if a severe energy supply interruption exists or is imminent.

JOHN D. DINGELL,
PHILIP R. SHARP,
EDWARD J. MARKEY,
TERRY L. BRUCE,
BILLY TAUZIN,
NORMAN F. LENT,
CARLOS J. MOORHEAD,
BILL DANNEMEYER,
Managers on the Part of the House.

J. BENNETT JOHNSTON,
WENDELL H. FORD,
JAMES A. MCCLURE,
PETE V. DOMENICI,
Managers on the Part of the Senate.

Mr. SHARP. Mr. Speaker, pursuant to the order of the House of yesterday, September 12, 1990, I call up the conference report on the Senate bill (S. 2088) to amend the Energy Policy and Conservation Act to extend the authority for titles I and II, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to order of the House of Wednesday, September 12, 1990, the conference report is considered as having been read.

The gentleman from Indiana [Mr. SHARP] will be recognized for 30 minutes and the gentleman from California [Mr. MOORHEAD] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Indiana [Mr. SHARP].

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

Mr. Speaker, the strategic petroleum reserve is frequently called our first line of defense in an energy crisis. The existence of nearly 600 million barrels of Government-owned oil, available to be used at the President's discretion to prevent economic harm, is a powerful deterrent against those who would try to use the oil weapon against the United States. It is also a deterrent against those who would hoard oil or speculate on price increases, hoping to make a killing if a crisis or threat of crisis is over the horizon.

The existence of the strategic petroleum reserve may have prevented a large oil price increase when the tanker war broke out between Iran and Iraq. Its existence may also have limited the price increase we are currently seeing.

Many of us have urged the President to announce its use in order to check the increases we have already felt, but there is no doubt that fear and speculation would have driven the price even higher if we had no reserve.

The conference report before us today extends until 1994 the Energy Policy and Conservation Act, the 1975 law that established the strategic petroleum reserve. We must act now, because the authority to use the stockpiled oil is due to expire on Saturday. It would be irresponsible to let this authority lapse during the recent tense situation in the Middle East.

Fortunately, the bill before us not only extends the authority for the SPR, it improves it in five major ways.

First, it increases the ultimate size of the reserve from 750 million to 1 billion barrels.

Second, it establishes for the first time a reserve of refined oil products, such as gasoline and heating oil.

Third, it allows the reserve to be used in difficult situations that do not quite justify the Presidential declaration of a "severe energy supply emergency," the requirement for drawing down the stockpiled oil under the current law.

Fourth, it allows the Government to lease, rather than purchase, the oil to be put in the reserve, potentially allowing us to fill it much faster and at much lower cost to the taxpayer.

Fifth, it allows the reserve to be tested with an actual sale of oil.

Let me briefly describe each of these improvements in a little more detail.

The billion-barrel size has been contemplated for the reserve from the beginning, but the current plan only calls for 750 million barrels, and the administration recently submitted an interagency study arguing that an expansion beyond that level was not cost effective. Incredibly, that study was based on an assessment that the risk of a crisis in the Middle East was so remote that the potential benefit from a larger reserve had to be steeply discounted.

Those assumptions were among the first victims when Saddam Hussein invaded Kuwait. A similar study of the value of the SPR would come to a different conclusion today.

Another important factor in considering the ultimate size of the reserve is the reluctance of some decision-makers to use any of the oil at the beginning of a crisis, which most analysts recommend, because of the fear that the crisis will become larger and the reserve will run out. This thinking may have influenced the administration's refusal thus far to announce the use of the oil in recent weeks.

A larger reserve—a billion barrel reserve—will help to reduce such concerns in future crises.

The second major improvement in the SPR provided by this bill is the creation of a refined product reserve. As we have learned in recent years, the availability of refined products, near the areas of large demand and supply vulnerability, can be very useful in reducing the impact of a shortage of specific products. Following the *Exxon Valdez* accident, oil supplies were temporarily reduced on the west coast, and gasoline prices spiked. Much of this effect was due to speculation and fear of a future shortage, and had Prince William Sound remained closed to tanker traffic for a little longer, the impact would have been severe. In such circumstances, a reserve of gasoline readily available to the west coast would be extremely useful.

Last winter, the severe December cold snap in the Northeast and Midwest and a shortage of available tankers resulted in a temporary heating oil shortage and price spike, which spilled over into propane and spread into other regions. Although the cold snap ended quickly, it was a stark reminder

of how vulnerable the Northeast and Midwest are, and a heating oil reserve available to these regions will be very valuable insurance.

A third improvement in the law is the authority for the President to draw down the reserve in the event of a domestic supply shortage that does not meet the full-scale international emergency standard now required to justify a drawdown. The two examples mentioned above, even had they been more severe, would not have met the previous drawdown standard because neither was an international supply emergency.

The fourth improvement, the authority to lease oil, is critically important in these times of budgetary constraint. If an oil-exporting country or producer wishes to lease oil to the SPR, with full control resting with the U.S. Government, it can be very beneficial to this country. We may be able to fill the reserve much faster, increasing our insurance against the risk of another oil price shock, with a relatively small premium payment. Recent events may have enhanced the likelihood that a Middle Eastern government, for example, would offer us attractive terms to be able to store a portion of its oil, and therefore its wealth, in the United States.

Finally, a fifth improvement in the law, and one that can be very useful in the coming days, is authority for the Department of Energy to sell up to 5 million barrels of oil in a test of the reserve's drawdown capabilities. Although the reserve has been tested frequently and in various ways, there has only once been an actual sale and delivery of oil, and that was a small test done in 1985, when mandated by the Congress.

Given the possibility that the reserve will have to be used in the coming months, and given the fact that an elaborate test of the reserve is about to be undertaken without any actual sale, this authority gives the Department of Energy, if they decide to do so, the opportunity to make an actual sale during that test. This would, I hope, get any bugs out of the system and reassure the public of the reserve's workability.

Mr. Speaker, it is true that we do not have an adequate energy policy in this country. A decade of allowing our energy policy to be determined by market forces, which has meant OPEC, has left us with too little domestic production and too little conservation.

But thanks to the efforts of many Members of this body, we have filled the strategic petroleum reserve faster than the last two administrations have recommended. We have insisted that it be tested. And it is now a powerful weapon waiting to be used to protect our citizens from the economic ravages of an oil price shock.

Today we strengthen that weapon. We will make it more usable next week, and larger and more flexible in the years ahead. This is a good bill, and this is an important element of the energy policy we must put together in the months and years ahead. I urge my colleagues to support it.

□ 1600

Mr. Speaker, I want to compliment my colleague, the gentleman from California [Mr. MOORHEAD] and other Members on both sides of the aisle who have worked diligently and cooperatively. I believe we will find enormous support in both Chambers and on both sides of the aisle for the present problem.

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

Mr. SHARP. I yield to the gentleman from Texas.

Mr. BROOKS. Mr. Speaker, to my distinguished friend, the gentleman from Indiana [Mr. SHARP], I say that the gentleman is due a great tribute for his diligence in pursuing this issue. He worked hard on it, and he was farsighted. Establishing the strategic petroleum reserve, including the Big Hill Site in my congressional district, was a prudent and wise step. The gentleman was willing to take the heat, and I can remember when people said that it was foolish to "put the oil back in the ground."

I can hear those people making those arguments now, but they were wrong. The judgment that the gentleman had about this program has proved to be absolutely accurate now. Opponents of SPRO tried to terminate work on the Big Hill site twice. We had to get it reauthorized, restructured, started all over again. Now Big Hill is being filled, and it is serving the exact purpose the gentleman said it would. The Strategic Petroleum Reserve is a bulwark against increased prices, against pressure and threats from abroad, against speculation, and for our national interests. I want to commend the gentleman, and also to commend Republicans such as the gentleman from California [Mr. MOORHEAD], who stood with us in support of SPRO all the way.

Mr. SHARP. Mr. Speaker, I thank the gentleman for his kind remarks. Certainly he deserves considerable credit for his determination and work over the years to bring us to this point today.

Mr. SPEAKER. I yield such time as she may consume to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, I rise in strong support of the Energy Policy and Conservation Act Amendment of 1990. The strengthened powers given the Secretary of Energy in this bill would give him the needed flexibility to make the strategic petroleum reserves the stabilizing force they were intended to be.

In the week following the invasion of Kuwait by Iraq, gasoline prices at the pump shot up 10 to 20 cents on speculation that oil supplies would be interrupted. Home heating oil, which was in very low demand at the time, saw an increase of about 40 cents. The muscle provided by this bill would ease such speculatory hysteria. The additional powers to sell off incoming strategic petroleum reserves, thus lowering demand on oil markets during times of crisis, along with the prospect of actually using reserves, will aid in calming oil markets much like when the Federal Reserve takes action to calm monetary markets.

In a recent letter to President Bush, I called for immediate consultation with our allies to coordinate a policy on using strategic petroleum reserves to quell the runaway gas price increases resulting from the invasion of Kuwait by Iraq. A direct result of a hearing held before the House Banking Economic Stabilization Subcommittee which I chair, the letter also emphasized the importance that the President develop a feasible national energy policy as soon as possible. This national energy policy, of which the strategic petroleum reserves would likely be a key provision, would help avoid problems that result from action such as the crisis in Kuwait and the subsequent erratic behavior of world oil markets.

The additional authority given to the Secretary of Energy in this bill to contract for specific amounts of refined products and to acquire storage facilities in regions of the country that may be adversely affected by interruptions in oil supplies are practical solutions to real problems that may result from energy supply interruptions. These are proactive steps that can be taken now to insure that future conflicts will not result in price gouging and baseless fluctuations. Had this and the previous administration had a national energy policy in place before the current situation as authorized by the Energy Department Organization Act of 1977, it is quite likely that many of the problems we now face in the Persian Gulf crisis could have been avoided.

I congratulate the gentleman from Indiana [Mr. SHARP], and the conferees for their work on this bill. The strategic petroleum reserves is an ace up our sleeves but only if we have a rational plan and a willingness to use it. I urge the support of this important legislation.

Mr. BRUCE. Mr. Speaker, adopting the strategic petroleum reserve conference report is essential to protecting the Nation's domestic energy security. Since 1975, when the reserve was authorized in response to the 1973–74 Arab oil embargo, the Nation has filled Louisiana and Texas salt caverns with 590 million barrels of crude oil.

But more must be done for energy security.

In addition to the need to expand the Nation's reserves closer to the 1 billion mark by early in the next century, this agreement addresses problems with refinery shutdowns which threaten our future energy security. The drop in U.S. refinery capacity makes it necessary for Congress to require the Department of Energy to maintain reserves of refined products, such as gasoline and heating oil.

The Strategic Reserve Program is also improved in this legislation by ensuring that domestic supply shortages, which may be caused by pipeline breaks or exceedingly cold winters, could also trigger the release of the reserve. By maintaining a refined product reserve which includes home heating oil, this Nation will be in a better position to deal with dramatic weather disruptions which threaten the lives of our citizens. Last December's cold, had it continued into January and February, would have been disastrous in many parts of the United States.

Finally, I want to urge the President to release strategic reserve crude later this month when the last of Iraqi and Kuwaiti crude en route during the invasion is delivered. The 2- to 6-week period in which the full effect of lost Kuwaiti and Iraqi crude will be felt—before increased production in Saudi Arabia and other areas comes on line—will provide a critical test of America's ability to respond to energy supply disruptions. Without the release of reserve oil, the price shocks of October could be worse than those of August. There is no reason to extend the economic trauma of the Persian Gulf crisis when crude oil supplies are plentiful in the reserve, and the international situation we have spent 15 years preparing to handle has forced us into needing this crude.

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

Mr. Speaker, I rise in support of the conference report on S. 2088, the Energy Policy and Conservation Act amendments of 1990.

The most important provision of this legislation is an extension of title I and title II of the Energy Policy and Conservation Act from September 15, 1990—this Saturday—to September 30, 1994. The importance of this extension is self-evident.

Title I provides for the fill and the basis for drawing down the strategic petroleum reserve. In light of the current situation in the Middle East and the impact of these events on energy markets, our energy insurance policy is that unlike the energy shortages of the 1970's, we now have almost 600 million barrels of crude oil in storage on the gulf coast.

Title II is important because it allows for the participation of the United States and its energy industry in the International Energy Agency. The IEA is the forum through which the United States works with its fellow oil consuming countries to coordinate a response to the world oil situation.

The other important change in current law made by this legislation is that the Secretary of Energy is to make plans for the eventual storage of 1 billion barrels of crude oil or refined product in the reserve.

The existing law contains a goal of a 1 billion barrel reserve, but the law only directs the Secretary to make plans for storing 750 million barrels. The last facility necessary to store 750 million barrels will be completed next year. While at projected fill rates it will likely take until the late 1990's to fill the reserve to 750 million barrels, the Department of Energy should begin making plans in the next few years if we are to be ready to fill to 1 billion barrels later.

Another feature of the bill I want to emphasize is its provisions allowing the Department of Energy to lease petroleum product and facilities as cost-saving ways in which to acquire more crude oil and product with less of a drain on the Federal Treasury.

Current events vindicate those of us who have long supported the strategic petroleum reserve. I urge the House to give its support to this conference report.

Before closing, I want to commend my fellow Republican conferees—Mr. LENT and Mr. DANNEMEYER—and the conferees from the other side of the aisle—Mr. DINGELL, Mr. SHARP, Mr. MARKEY, Mr. TAUZIN, and Mr. BRUCE—for their assistance and cooperation in the work which produced this timely conference report for the consideration of the House today.

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

□ 1610

Mr. SHARP. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I want to compliment the distinguished chairman of the Subcommittee on Energy and Power, the gentleman from Indiana [Mr. SHARP] for his fine work on the bill and for his leadership in the energy field. He has indeed distinguished himself in the area of energy and has been a tremendous help to our country. Back 10 years ago when we were not getting much leadership from other sources in our Government, the gentleman from Indiana was providing it, and I am here today to compliment the gentleman for his fine leadership, and the gentleman from California as well. Both have contributed substantially to the formulation of a national energy policy about which we are all hopeful.

Of course, I stand up today to support this bill, but I would like to add one other comment. We need conservation. The President stood here just the other night and said we must have conservation. There is an area of conservation within our midst should we seize it that is available to us in a dramatic way to reduce our dependency on foreign oil and at the same time to clean up the environment, and that is the requirement within the clean air bill that requires the use of oxygen in automotive fuels and transportation fuels. The mandate which we hope to come from the conference report of at least a 2.7-percent content of oxygen by weight is equal to about 10 percent by volume.

Now, should we require oxygen in all automotive fuels, that lessens our dependence on foreign oil by that amount; that is to say if you require 10 percent by volume of oxygen in 100 billion gallons of automotive fuels consumed in the United States annually, you need 10 billion gallons less of foreign oil.

If it very easy for us in this country to supply oxygen for our fuel because it comes from many products that are in abundance in this country, like compressed natural gas, like ethanol or methanol and liquified petroleum. There are many abundantly supplied products in America that we do not have to import from Saudi Arabia that supply oxygen for our automotive fuels. If we in this House insist upon an oxygen content in the Clean Air Act, not only does it clean up the fuels, because the more oxygen you have, the less hydrocarbons in emissions and the less carbon monoxide you have, the less dependence on foreign oil.

I would like to see the House insist on an oxygen content of twice the amount that is in the clean air bill, and hopefully someday we can address that subject and debate it, but for now I think we are talking about 2.7 percent by weight, which is equal to about 10 percent by volume.

Mr. SHARP. Mr. Speaker, I yield myself 1 minute.

Mr. Chairman, I want to indicate on the important subject that the gentleman has raised that we can develop alternative motor fuels in this country. The gentleman from Arkansas has been working on this for many, many years. The gentleman from Arkansas has worked very closely with us since 1988, when we passed the alternative motor fuels legislation, and I am very pleased to indicate that today the Department of Energy announced that the U.S. Government will be purchasing its first vehicles that can operate on neat, or total ethanol or methanol and can switch back and forth, flexible fuel cars. This is one of the things we have been pushing for many years, but finally we are going to see at least a small improvement, and this is critical to our future.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield just for one further statement?

Mr. SHARP. I yield to the gentleman from Arkansas.

Mr. ALEXANDER. Mr. Speaker, I neglected to mention that I am a member, I am speaking today as a member of the U.S. Alternative Fuels Council. I am the Democratic representative to that council. It is a new council. It has not yet been exposed to the membership, but we have the availability of the fuels here in the

United States, alternative fuels, if the Congress should adopt the legislation and create the policy to make us less dependent on foreign oil.

Mr. MOORHEAD. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. LENT], the ranking member of the Committee on Energy and Commerce.

Mr. LENT. Mr. Speaker, I rise in strong support of this conference report on S. 2088, the Energy Policy and Conservation Act Amendments of 1990. It is imperative that we get this legislation to the President for his signature by Saturday because current law expires at that time. Many of us have recommended that this authority be used to commence a modest drawdown of the reserve in coordination with other Government stocks.

By extending titles I and II of EPCA through September 30, 1994, with amendments, we will have a sound policy in place for the fill and use of the strategic petroleum reserve as events in the Middle East and in world oil markets continue to unfold.

From my perspective and that of the Long Island area I represent, the most important change in current law made by S. 2088 as recommended by those of us who served on the conference committee—is the section on refined petroleum products.

Current law authorizes storage of crude oil, refined products, or both. However, only crude oil is now stored in the reserve. This may have been understandable in the past on the basis that we cannot predict in advance what type of refine products might be needed.

Nonetheless, we learned last winter in the Northeast and again in the current energy environment that our major problem is low inventories of refined product and over-stretched U.S. refinery capacity. Thus, a barrel of refined product is more valuable to energy security than more crude oil in the reserve.

The compromise in the conference report on future storage of refined product is just that—a compromise. Unfortunately, some Members of the other body are not as sympathetic to our concerns as we might otherwise hope.

Under the conference report version of S. 2088, the Department of Energy will conduct a 3-year test program on mechanisms to store refined product under the control of the reserve. These mechanisms must include storing 10 percent of the volumes acquired in the 3-years for the reserve as refined product, subject to a funding cap. I expect and I hope that this will be heating oil in the Northeast. That is a product we are very much concerned about. The Department will also examine and may implement State set-asides and industrial reserves.

In conclusion, Mr. Speaker, I want to commend my colleagues on the conference, Chairman, DINGELL, Chairman SHARP, and gentleman from California [Mr. MOORHEAD], and the committee staff for their work on this important bill, and I strongly urge adoption of the conference report.

Mr. SHARP. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan [Mr. DINGELL], the chairman of the full committee.

Mr. DINGELL. Mr. Speaker, I rise in strong support of this legislation. Events in the Middle East have shown us that the strategic petroleum reserve is a very important tool in easing our dependence on imports of petroleum products and petroleum from the Middle East in times of crisis, and that is the most economically, politically, and militarily dangerous area in the world today.

Had we filled the strategic petroleum reserve at the rate many of us proposed in earlier times when prices were low, we would now be much better protected than we are. We would be protected, in fact, not only against terrific spikes in oil prices, but also we would be better protected with regard to potential future supply.

□ 1620

However, previous and current administrations did not want to spend the money.

This is oil that has gone under the bridge.

We do have, however, before us an opportunity to enhance our energy security for the future by passing this conference report.

I urge my colleagues to do so. The bill would expand the strategic petroleum reserve to 1 billion barrels from its current 750 million barrels.

It will also, for the first time, create a reserve of refined petroleum products such as heating oil and gasoline.

I bring to my colleagues' attention the fact that we are now short in a very serious way of refining capacity. Our refineries are functioning at about 96 percent of capacity, and that is a level just below the danger level.

So we do need a product reserve, to help us ease the stress upon product supply during the time that we arrange to commence to use that strategic petroleum reserve.

Certainly those who are going to be dependent on heating oil are facing a long, expensive winter, one made worse by the fact that we do not have such a reserve in hand.

Every one of us has heard from our people about the substantial and the sudden spike in the price of gas. The harsh fact is that even if we were drawing from the existing reserve today, we would be hard-pressed to turn it into usable product. Indeed we would begin drawing, if we drew it today, too late to have prevented about a 50-percent increase in the price of crude oil.

Some of the crude that is now in our supply system is of low quality, and our refining capacity is stretched, as I indicated, to the limit.

This bill will protect the United States in the future. More is going to need to be done. As events go forward, the Committee on Energy and Commerce will be going into its responsibilities in this area to see what it is that we should be doing to assure not only supply but intelligent and sensible and bearable pricing without the destructive effects and the inflationary impacts of expensive price spikes.

Mr. Speaker, I commend the distinguished gentleman from Indiana [Mr. SHARP], the distinguished gentleman from California [Mr. MOORHEAD], and the distinguished gentleman from New York [Mr. LENT] for the fine work they have done on this legislation.

The SPEAKER pro tempore (Mr. MAZZOLI). The gentleman from California [Mr. MOORHEAD] has 24 minutes remaining.

Mr. MOORHEAD. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. DANNEMEYER], who recently represented the minority on the trip to Saudi Arabia to explore the situation over there.

Mr. DANNEMEYER. I thank my colleague from California [Mr. MOORHEAD] for yielding me this time.

Mr. Speaker, I rise in support of this conference committee report. I think we should note that just prior to the invasion of Kuwait by Iraq, that the world witnessed the daily production of about 63 million barrels of oil per day. The quantity that came from Iraq and Kuwait, now denied to the world market, was about 2.8 million in the case of Iraq and about 1.86 million in the case of Kuwait.

That means that the world supply is now experiencing a shortage of about 4.4 million barrels per day.

If we Americans wonder how it comes to be that the price has gone up roughly from $20 a barrel up to, at times, $30 a barrel, this is the reason.

There is a law of supply and demand. We in Congress may try to repeal it or alter it, but the market system establishes it very eloquently.

So what are we going to do? It is my hope that the President will exercise his discretion under this legislation, in coordination with our allies, to draw down the strategic petroleum reserve at this time so as to replace to the market what is now deprived to it by not getting the production from Iraq and Kuwait, such amount as is necessary to drive the price down to $20 a barrel or thereabouts.

This is part of the goal why we are in the Middle East to begin with, to stabilize the price of oil, so that we do

not experience having our economy go into the tank because of having to digest the increased cost of oil through our entire economic system.

I would also like to take this time to talk a little bit about how the cost of this operation should be equitably shared.

We should recognize that two of the countries in the gulf, specifically Saudi Arabia and the United Arab Emirates, are benefiting in a very direct way by this increase in the price of oil. For instance, Sauda Arabia produces about 5.2 million barrels a day and the United Arab Emirates about 2 million barrels a day. Together those two countries produce a little over 7.2 million barrels a day.

It does not take a great deal of calculation to realize that as a result of this crisis, these two countries are experiencing increased income from the same quantity of oil of about $72 million a day—based on $10 per barrel increase above the $20 price prevailing before the invasion.

Now, this quantity of money is more than adequate, depending on what estimate you choose to believe, to pay for the cost of what our American involvement in the Middle East is now experiencing.

I want to commend Secretary Baker for the job that he has done, along with President Bush, in convincing nations of the world, specifically in the Middle East, specifically Saudi Arabia, to recognize they have an obligation to pay for the cost of this.

It is in America's national interest to be there because it is not in our national interest to have Saddam Hussein in charge of 45 percent of the world's oil reserves.

I accept that as an American citizen, as a Member of Congress. But it is also, I think, obvious or should be obvious to the leaders of Saudi Arabia and the United Arab Emirates that the experienced taxpayer is not going to sit still one day for the idea we are going to pay for this cost to preserve their ability to get the increased revenues from this resource that the world needs.

So I think it incumbent upon Secretary Baker and President Bush and his team and leaders in this country to develop a consensus whereby the cost of this incident in the Middle East can be paid by those nations in that region who have benefited by this increase.

Lastly, let me comment for just a moment on the energy alternatives that many of us in this body have been struggling to produce legislatively.

I am talking about reform of the nuclear regulatory system so we can get rid of the second redundant adjudicatory hearing. A bill to do that is pending in the Rules Committee. It has been pending there for over a year.

Why we have not brought it to the floor I am not sure. But it is a mistake, it is an error in judgment that we have not done so. Nuclear power is one of the options we should pursue.

We have a field in northeastern Alaska called ANWR. Nobody knows what is there. The estimates are 10 billion barrels, more or less. Take your pick.

We cannot even drill it because Congress has tied it up. Off of my coast of California we have three fields containing 3 billion to 5 billion barrels of oil. We cannot drill in those known fields because they are tied up.

I think we should focus for just a moment on the political force that has produced this debacle in energy-dependent status in this country, and specifically it is the environmental party.

There may be some in this Chamber who believe that the Democratic Party and the Republican Party are the majority parties in America. If you believe that, forget it; it is not true.

The contributing base of the combined National Democratic and National Republican Parties in America totals about 2.4 million people. Annually, this contributing base contributes about $93 million a year to influence all political action in America.

The contributing base of the environmental party consists of a little less than 13 million people, and this contributing base believes in their cause enough that they put up $335 million a year, focusing their attention on environmental issues.

The two national parties, $93 million; the environmental party $335 million. The contributing base 2.4 million and 13 million.

We Americans must come to understand that the energy policy of this Nation is now being held hostage by the environmental extremists, the environmental party of America, that has stopped nuclear reform in America, that has stopped the development of the field in Alaska, ANWR, and it has stopped expansion of offshore drilling and has also produced for us the Endangered Species Act of America adopted in 1973, that has produced the ridiculous position that we are now concerned more with Stephens kangaroo rats, with spotted owls and caribou herds and gnat chasers than we are with human beings.

□ 1630

What kind of a society have we become where we are tenderly watching a caribou herd grazing in Alaska at a time when we are having the men and women in this Nation in the armed services risking their lives in the sands of the Middle East? What kind of a selfish political movement would produce such an absurdity?

I say to my colleagues, "It's the environmental party. They have got a lock on this Congress. Unfortunately they have got a ring through the nose of the Congress of the United States. Nothing is going to happen outside of conservation, which they support, in developing energy options to remove the dependence of this Nation on outside energy just so we can survive."

Mr. Speaker, the only way we are going to move these energy options which I have been talking about is for the American public to, I believe, rise up in indignation and say to Members of Congress, "Cut out letting the environmental tail wag the energy dog of America."

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

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

Mr. LENT. Mr. Speaker, I would just like to commend the gentleman from California [Mr. DANNEMEYER] for his statement and also for the work that he does on the Committee on Energy and Commerce.

I would just like to add one footnote to the gentleman. I am sure he knows this, but he mentioned the caribou in the same breath as he mentioned the oil coming down from Prudhoe Bay and the North Slope. He did not mean to suggest that the caribou have been at all injured by the development of oil in the North Slope; did he, because the fact is, for those of us who have the privilege of going up there, one of the problems they have on the North Slope, Prudhoe Bay, along the oil line there that goes down to Valdez, is the caribou population has tripled since Prudhoe Bay was developed. I did not know whether the gentleman from California [Mr. DANNEMEYER] knew that.

Mr. DANNEMEYER. Yes.

Mr. LENT. But there really has been a remarkable upsurge in the population of caribou, and, contrary to what the environmentalists said at the time they were trying so hard to stop the development of that pipeline which gives us one in every five barrels that are used in the United States today; they told us that this pipeline and its development was going to hurt the caribou. We have now tripled the herds of caribou in Alaska since that pipeline has gone through.

Mr. Speaker, it is a small point. I just wanted to make it because I thought the gentleman from California [Mr. DANNEMEYER] might enjoy hearing it.

Mr. DANNEMEYER. Mr. Speaker, I am glad the gentleman from New York [Mr. LENT] mentioned that because I heard the view expressed by some in the environment party in America that we cannot build another pipeline because it would increase the caribou herd and pose a possibility that the grazing capacity would be exceeded by the caribou that would grow

in numbers to exceed what can be accommodated. And so it goes, and my reason for mentioning this today is just that, hopefully, we Members of Congress will recognize that when we send our men and women in our military service to fight on the sands of the Middle East and put their lives on the line, just maybe, just maybe, those caribou in Alaska should be subordinated to the lives of our men and women.

I would also like to read with this comment:

As a Californian, I would rather explain to parents residing on the coast of California why there is an oil platform off of our coast than I would explain to those parents why we need to take their son or daughter into the military service of this Nation and go to the Middle East to defend the resources that some of us unfortunately in this country do not have the courage to develop on our own.

The recent invasion of Kuwait by Iraq's Saddam Hussein raises many questions for United States public policymakers concerning our interests abroad. America finds itself in a few conflicting patterns of behavior. On the one hand, many liberal pundits demanding an emasculation of our national defenses in the wake of changes in Eastern Europe are now struck with the reality that the cold war is not over, it has simply moved to the Third World.

On the other hand, these same creators of conventional wisdom are having to rethink our commitment to energy independence as they face the reality of an increasingly unstable Middle East as juxtaposed to risking the lives of young Americans defending Japanese and Western European oil flowing from the Persian Gulf.

The greatest enemy for the United States has always been the enemy from within—those who would sacrifice American independence on the altar of global interdependence. No foreign enemy could threaten our national security more than we have done to ourselves by keeping us mostly dependent on foreign sources of energy.

The enemy I speak of in this case is a group of powerful special interests I refer to as the Environmental Party. I describe them as a political party because of the massive monetary and grassroots resources they have managed to tap across this country.

For instance, six political organizations comprise the base of our two party political system. Three organizations are controlled by Democrats: Democratic National Committee [DNC], Democratic Congressional Campaign Committee [DCCC], and the Democratic Senatorial Campaign Committee [DSCC]. Three of the six organizations are controlled by Republicans: Republican National Committee [RNC], National Republican Congressional Committee [NRCC], and the Republican Senatorial Committee [RSC].

Data from the Federal Elections Commission [FEC] reveal that the Republican organizations took in contributions of $71.1 million in calendar year 1989. Democrat organizations took in $18.6 million in the same year. The donor base for Republicans is 1,881,260, while the donor base for Democrats is not available—but, if we extrapolate, the Democrats could have a donor base of about 489,128.

All told, both parties took in $89.7 million and have an approximate donor base of 2,370,388. Now consider the Environmental Party.

Twelve organizations comprise the base of support for the Environmental Party: Center for Marine Conservation, Clean Water Action Project, Environmental Defense Fund, Greenpeace, USA, National Audubon Society, National Wildlife Federation, Natural Resources Defense Council, The Nature Conservancy, Public Interest Research Group, Sierra Club, The Wilderness Society, and World Wildlife Fund.

All told, the Environmental Party has an operating budget of $336.3 million—1988—and has a donor base of 12,959,000. That's nearly $250 million more than the Republican and Democrat Parties combined and a donor base some 10 million persons more.

The Environmental Party is an awesome new dimension in American politics. They are a much bigger security threat than Saddam Hussein could ever hope to be. The Environmental Party's path of destruction has come in four general areas: Nuclear power, offshore oil drilling, the Arctic National Wildlife Refuge [ANWR], and the Endangered Species Act.

NUCLEAR POWER

The average time it takes to build a nuclear powerplant in the United States is 14 years. The average cost is $3 billion. France, which receives 70 percent of its energy from nuclear power, can build a plant in just under 5 years and at a cost $1 billion. Less than half the time and a third of the cost as the United States. What is the difference?

The difference is the Environmental Party. Countries such as France and Japan have a one-step licensing process for all proposed nuclear plants. The United States has a two-step process thanks to the Environmental Party. Their thinking is that the longer they can successfully draw out the construction process, the more cost prohibitive the project will become. And they are right. By driving up the costs of nuclear power, oil and coal are given a market advantage.

On June 15, 1989 I offered an amendment to a nuclear licensing reauthorization bill in the Energy and Power Subcommittee. The amendment created a one-step process. It was approved 13 to 10, four Democrats joined with me. The same measure lost in full committee by a vote of 20 to 22. I added a Democrat, but lost two from the subcommittee—Representatives BRUCE and RICHARDSON. These losses were a direct result of lobbying from the Environmental Party.

The newly passed Clean Air Act contains a provision to develop clean coal technology, but the costs to develop it will not keep coal competitive with oil and gas prices. What will consumers do—not to mention coal miners—when the market forces Americans to rely even more on foreign imported oil? The United States depends on these imports for half of our total consumption. Are we ready to rely solely on oil and gas given the Environmental Party's success at pricing nuclear and coal sources out of the market?

OFFSHORE OIL

One of the greatest ironies manifest by the Environmental Party is their zealous concern for oil shipped by tankers combined with their adamancy against offshore oil. Almost every last drop of imported oil comes to us by tankers like the *Exxon Valdez*, and yet the Environmental Party refuses to promote safe and ecologically sound offshore oil expansion as a matter of environmental policy.

The Bush administration's moratorium on the sale of offshore leases affects way over a trillion cubic feet of natural gas and up to a billion barrels of oil. This moratorium is thanks to the Environmental Party.

The current estimate of undiscovered oil reserves beneath the Federal Outer Continental Shelf [OCS] is about 18 billion barrels of oil and 145 trillion cubic feet of natural gas, or approximately one-third of all the recoverable oil and gas remaining to be discovered in the United States.

I would much rather explain to a parent why we have offshore drilling expanding off our coasts than I would to explain why we sent their child to a foreign land to defend oil largely consumed by Japan and Western Europe.

The Environmental Party would rather have us send our kids to be killed defending oil shipped by tankers which they view as an environmental threat. Figure that out?

ARCTIC NATIONAL WILDLIFE RESERVE

The Arctic National Wildlife Refuge is comprised of almost 19 million acres in northeast Alaska. A 1.5-million-acre tract known as the Coastal Plain, less than 1 percent of the total area of ANWR, is where substantial oil and gas reserves are located. Geological surveys and seismic exploration of ANWR indicate that the area contains between 4.8 and 29.5 billion barrels of oil and 31.1 trillion cubic feet of natural gas.

The Environmental Party wants this acreage locked up from energy development and, so far, they have been successful.

THE ENDANGERED SPECIES ACT OF 1973

The year 1973 was a watershed year. Congress voted to adopt a policy that would effectively protect a number of wildlife under the provisions of the Endangered Species Act and, in that same year, the Supreme Court issued the Roe versus Wade decision allowing men and women to kill the unborn.

We have become a society, moved greatly by the Environmental Party, that worships the creation more than the Creator. The Environmental Party says that it is okay to slaughter 1½ million unborn humans every year, but that it is not tolerable to kill one fish or critter.

We have seen what the snaildarter can do to public policy. Now we will witness what the Stevens kangaroo rat, the spotted owl, the gnatcatcher bird, and the least belles vireo will do.

Consider the economic impact of providing an exclusive home for the gnatcatcher. A minimum of 15,000 acres in San Diego, Orange, Riverside Counties will be sequestered from all current uses. Thousands of housing starts in Orange County alone would be lost in the next 2 years, with devastating effects on affordable housing and related business.

Seventy miles of road, toll booths, and interchanges, which were to have been built over

the next decade would be sacrificed. The 200,000 vehicular trips per day projected for these roads would be diverted to existing roads. The message from the Environmental Party is clear: grow wings and you will be secured a domicile for life.

Somewhere in the neighborhood of 10 to 15,000 jobs will be lost because of another feathered friend, the spotted owl. The timber industry in the Pacific Northwest is being asked to set aside acreage to allow this owl an unfettered livelihood. I have to wonder when the tab for these set-asides will exceed the value of the land?

The Endangered Species Act is up for reauthorization in 1992 and I plan to offer an amendment to say that if Americans must be forced to set aside lands for innumerable animals, then the land should be one geographic location, a sanctuary for all of these animals to congregate, rather than provide numerous places dotting the landscape and disrupting the economy. The Environmental Party will, no doubt, oppose this plan but, then again, they will also oppose my alternative plan to place humans on the endangered species list.

The Environmental Party is the enemy from within. Saddam Hussein is a marginal threat to the United States compared to the Environmental Party. We are being held hostage by extremists. They leave no room to negotiate. It is time for Americans to rise up and regain their national security. We should demand energy independence. To do so will save the lives of young Americans fighting for causes for which they have little interest.

Mr. SHARP. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oklahoma [Mr. SYNAR].

Mr. SYNAR. Mr. Speaker, I rise in support of this legislation, and, first, I want to commend those people who worked so hard on it, including our chairman, the gentleman from Indiana [Mr. SHARP], the gentleman from Michigan [Mr. DINGELL], the gentleman from California [Mr. MOORHEAD], and others.

I think that, as all the Members who preceded me have said, this is one small step that this Nation can take, and should take, and is in timely fashion taking today, to respond to what was a missed opportunity in the 1980's to establish a long-term energy strategy for this country. But today we are sending the message out that in a multistrategy front, one of the things that we will be doing is to continue to build a buffer for this Nation for the types of things that we are now facing in the Middle East. This legislation goes a long way to build that buffer. I support it, and I commend my colleagues to it.

Mr. SHARP, Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Speaker, I thank the chairman of our subcommittee, the gentleman from Indiana [Mr. SHARP] for the important work he has done and continues to do as we struggle to find an energy policy for America, and the gentleman from California [Mr. MOORHEAD] for the great efforts of the minority for bringing forth a bill which I think improves dramatically the the strategic petroleum reserves for our country.

As my colleagues know, those of us in Louisiana and Texas have closely associated with the SPR because it is located within our boundaries. The SPR is an important asset for America, and completing work on this bill is an important step, and I think the President has called for us, the other night, to begin work on building a real and rational plan for our country.

The bill advances that effort in three very important aspects, I believe. One is that it does finally mandate and authorize the full billion barrel reserve. As my colleagues know, we are authorized to 750 million barrels. We only had about 590 million barrels in reserve when the Congress intended initially to go to a full billion. We ought to be there already. At least this bill will take us, I hope, the rest of the way, as soon as we can, in fact, to find oil supplies to fill that reserve.

I have suggested ways we could do that: of course, by encouraging here in America domestic drilling incentives, and we ought to look at that in terms of our own energy protections, and, hopefully, as part of our energy strategy, we will get to that point.

Second, Mr. Speaker, the bill advances the idea of the strategic petroleum reserve at a lease cost option. The bill advances the proposition of leasing space or leasing oil, not necessarily duplicating facilities that already exist.

In Louisana, for example, the loop, the offshore oil facilities, currently has storage capacity of Corvelli Dome, currently fills and draws down that capacity and pumps it into the cap line system for the refineries of America every day. Leasing additional space for America's security would make sense. The bill makes provision for that, and for that I compliment the chairman and the minority who have worked so hard on the bill.

Finally, the bill sets up something that I think is critically important. That is the possibility of refined product reserves, and this has been something the chairman has been pushing for a long time, an idea whose time has come.

When my colleagues look at America's dependence on foreign products, they will see that a larger and larger share of the imported fuel to America is already refined, and, if my colleagues think America was in trouble in the 1970's, when we got cut off in terms of our crude supply, think what happen if we got cut off in terms of those refined products that are imported into America.

Our refining capacity is down, dramatically down, and we are in trouble in that regard. Those imported refined products are critical to us. Without refineries at home, without the import of those crude oil refined products, America could be in desperate shape today and could well be in the future. A refined products reserve is a critical part of this new bill that we hopefully will authorize today.

Mr. Chairman and members of the committee, this bill, as it finally is drawn, in fact advances our SPR dramatically. It is just one step, and it is time, as the President has said, for us to come to grips with the notion that America cannot endure a policy on energy that is, in fact, vacant, a policy that allows cheap foreign oil to come into this country in a flood, as it has, to the point where we become so dependent on it that the life blood of our children is now on the line in defense of somebody else's energy supplies.

If my colleagues have any doubt about America's capacity, let me assure them we have five times in shale oil what all the Arab nations have put together in crude oil. We have in Louisiana 100,000 trillion cubic feet of natural gas compressed in salt reservoirs underlying Texas and Louisiana, and we have 400 years of coal in America. We have vast supplies of energy. What we lack is a policy to bring it forward for America. What we lack is the incentive and the initiative to make ourselves energy independent.

Mr. Speaker, maybe this crisis will make us think again, and I say to the gentleman from California [Mr. DANNEMEYER], "Maybe it will focus this Nation, this Congress, on the need to be self-sufficient. This SPR program is but one element, one safety net, but we ought to get busy building a platform upon which this Nation's economy and its security is firmly built around domestic production for our domestic needs."

□ 1640

Mr. Speaker, I commend the gentleman from Indiana [Mr. SHARP] on this bill, and I urge its adoption by the House.

Mr. MOORHEAD. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. EDWARDS].

Mr. EDWARDS of Oklahoma. Mr. Speaker, I merely wanted to compliment the gentleman from Indiana [Mr. SHARP] and the gentleman from California [Mr. MOORHEAD] and others who have worked on this legislation. I am convinced that this current situation in the Middle East is at the state it is in terms of the involvement of American personnel on the ground because of our dependence on foreign energy sources. Had we merely had the invasion by one country of another, and not had the United States so dependent on those energy sources, my guess is we probably would have rattled sabers, sent ships, done a lot of

things, but not sent 150,000 American troops to be over there.

Mr. Speaker, we desperately need to increase our independence in the field of energy. I thought that was one of the most important things in the President's speech the other night.

Mr. Speaker, I compliment the committee for taking this step toward helping us increase our energy independence.

Mr. SHARP. Mr. Speaker, I want to indicate that the distinguished gentleman from Louisiana [Mr. TAUZIN] was a member of the conference committee. He has always been a very important participant on this issue, very creative in his ideas, and very determined in seeing that we had a solid policy of preparation, as well as a broader energy policy.

Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts [Mr. MARKEY], another member of our committee who has also been very active on a number of these issues and who is very much responsible, as is the gentleman from New York [Mr. LENT], for the work on the refined product reserve.

Mr. MARKEY. Mr. Speaker, I thank the gentleman from Indiana [Mr. SHARP] very much, and want to begin by complimenting him and his staff for the excellent work which they have done in the report which we have before us today. I think that similar gratitude and praise belong to the gentleman from California [Mr. MOORHEAD] and the gentleman from New York [Mr. LENT] and other members of the committee who worked together in a bipartisan fashion in order to present this to the House today.

Mr. Speaker, let me just make a few points. I think that as we begin the 1990's, it is very important for us to put aside the partisan ideological bickering which so often characterized the energy dialog of the 1970's and the 1980's in this country. I think that a brief bit of history is important, just so we can put in context how far we have come.

In March 1981, as James Edwards from South Carolina is named President Reagan's first Secretary of Energy, in testimony before Congress when asked if his goal was to abolish the Department of Energy, he said yes. He said, "I want to be back in South Carolina in April or May, because the catfish are jumping." When told that it might take a little longer than that for him to accomplish his goal of dismantling the agency that he had just been named Secretary of, he said, "Well, they are still jumping in June and July."

That inauspicious beginning to the 1980's in the wake of two energy shocks in the early and late 1970's, was unfortunately the beginning of a major debate, which led to a paralysis and the lack of construction of a real energy program for this country.

As we sowed the wind in the 1980's and early 1990's, we reaped the whirlwind. We find ourselves more dependent upon imported oil. We find ourselves without the progress that we would have hoped on solar and conservation, alternative energy resources.

Yes, we have made progress. We have moved along as far as we could hope. But as we remember when the 1980's unfolded, the Department of Energy was 75 percent for energy in the budget and 25 percent for nuclear weapons. As the 1980's ended, 75 percent of their budget was for nuclear weapons, 25 percent for energy. Of that remaining 25 percent, 75 percent of that 25 percent was for nuclear energy, even though there has not been a nuclear powerplant ordered in the United States in the last 14 years.

Mr. Speaker, let us move on to a new agenda. Let us move on to an era where we can work together on the things that we can do, not the things that divide us. Because 95 percent of the issues that are before us we can work out on a bipartisan basis.

Mr. Speaker, instead of getting up and talking about the things that we disagree on, let us work together and leave those final issues to the end.

Mr. Speaker, in this bill our chairman, the gentleman from Indiana [Mr. SHARP] and the conferees have included a provision, long overdue, for a refined product reserve. For many parts of the country it is not a problem. There is plenty of crude and there is plenty of refined product. But for the Northeast and other parts of the east coast, and parts of the west coast, when there is a shortage, yes, there is crude oil out there in the system, but there is no refined product. There is no home heating oil, no gasoline, for those parts of the country.

What we do in this bill is ask, actually order, the Department of Energy to begin a 3-year pilot program that will begin the process of creating an area of refined product reserve so that those areas of the country as well during periods of shortage can also be dealt with.

Mr. Speaker, this is the kind of issue that should be the foundation, the building block, for the construction of a smart, progressive, modern energy policy in the 1990's.

Mr. Speaker, my feeling is that the strategic petroleum reserve should have already been used. My feeling is we should have used the reserve before we called up the Reserves. It is as much a weapon in the battle against Saddam Hussein as any of the aircraft carriers that are over there. One million barrels out of that strategic reserve, thank God 600 million barrels strong, could last for 2 years. But it could also serve as a real depressing effect upon the increase in oil prices and the concomitant effect upon every industry in America for all intents and purposes, with the exception of the oil industry.

Mr. Speaker, we cannot afford to run the risk of finding out what kind of shock economically that is going to send throughout our system over the next several years. We should already be using it.

That is why I am glad we are able to come together in this kind of a bipartisan fashion. It is a tribute to the gentleman from Indiana [Mr. SHARP], a tribute to the gentleman from California [Mr. MOORHEAD], a tribute to the gentleman from New York [Mr. LENT], and a tribute to the gentleman from Michigan [Mr. DINGELL].

Mr. Speaker, that is the atmosphere I think we are going to have to have in the 1990's. We are going to have to put behind us the battles of the 1980's. They were nonproductive, and to a large extent those battles could become the battles of the 1990's, but it would just be allowing almost Frankie Avalon records to set the agenda for the future.

Mr. Speaker, let us move on. My congratulations to the gentleman from Indiana [Mr. SHARP]. He has done an excellent job.

Mr. SHARP. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Speaker, I would say to the gentleman from Indiana [Mr. SHARP], the conferees, the members of the Committee on Energy and Commerce, and all those who worked diligently on this matter, that I feel very strongly about being energy independent. We need coal and oil and hydro and nuclear and alternative energy sources, and need to put much more emphasis on conservation than we have ever done before, and place those incentives there.

Mr. Speaker, I thought we learned our lessons in the 1970's but it is obvious history has repeated itself. Now we are energy dependent again. If we do nothing between now and the year 2000, we are going to be 60 percent dependent on foreign oil.

Mr. Speaker, most of those oilspills, as all Members know, are not from domestic production. Not at all. They are from transportation of foreign tankers to the United States that have been responsible for those oilspills.

We need to do a much better job than we have done in the past in terms of producing our oil and our energy resources in this country. We can do it, Congress can do it, working with the President. America will be proud of us, being energy independent, as well as being energy diversified.

Mr. PENNY. Mr. Speaker, I rise in strong support of this conference report. In light of the present uncertainty of oil supplies and

price volatility in the oil markets, I think that we can all agree that the strategic petroleum reserve [SPR] serves a critical role in the energy policy of this Nation. I also support the goal of increasing the SPR to 1 billion barrels of crude oil, and the creation of "refined product reserves" that the House indicated should consist of 20 million barrels of refined petroleum products.

An issue related to this Nation's energy security is the use of ethanol, a truly renewable energy resource. As many of my colleagues are well aware, alcohol blend fuels are increasing in use in this country and have tremendous potential for increasing our energy security, decreasing our dependence on imported oil, strengthening markets for farmers, and combating air pollution by reducing automobile emissions.

I would like to express my support for including ethanol in the regional refined product reserves. The conference report states that refined product reserves should be located in regions of the country that are dependent on imported petroleum products. Minnesota, and the Midwest in general, is such an area, and in my home State 12 percent of all gasoline marketed today is a 10-percent ethanol blend.

Critics of ethanol say that it is not price competitive with gasoline, but their calculations are based on outdated and distorted assumptions. What is the real price of a barrel of crude oil from the volatile Middle East? Alan Tonelson and Andrew Hurd of the Economic Strategy Institute argue that the real price of imported oil is about $80 per barrel if we include:

The $40 to $50 billion that America spends a year on military forces assigned to protect the Persian Gulf;

The nearly $6 billion the United States gives every year in foreign aid to Israel, Egypt, and Pakistan;

The yet unknown cost to the Federal budget to counter the terrorism of Saddam Hussein; and

The interest payments on the national debt to borrow for these funds.

It would interest my colleagues to note that today Agriculture Secretary Yeutter announced that all Agriculture Department employees wil be required to use ethanol blended gasoline in their vehicles. And, the Administrator of the General Services Administration announced the award of two Federal contracts to the Ford Motor Co. and General Motors Co. for a number of alcohol-powered vehicles.

Rather than move to diversify oil imports, improve energy conservation, and support alternative energy sources, the United States has allowed its dependency on oil imports from Arab OPEC members to rise from 8.5 percent of imports in 1985 to 26.6 percent in 1989. Let's start back down the road to energy self-sufficiency, including support for U.S.-produced ethanol in the strategic petroleum reserve.

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

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

The SPEAKER pro tempore (Mr. MAZZOLI). without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

Mr. MOORHEAD. 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 391, nays 0, not voting 41, as follows:

[Roll No. 331]

YEAS—391

Ackerman
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
Baker
Ballenger
Bartlett
Barton
Bateman
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Bonior
Borski
Boucher
Brennan
Brooks
Broomfield
Browder
Brown (CA)
Brown (CO)
Bruce
Bryant
Bunning
Burton
Byron
Callahan
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clarke
Clay
Clement
Clinger
Coble
Coleman (MO)
Collins
Combest
Condit
Conte
Cooper
Costello
Coughlin
Courter
Cox
Coyne
Craig
Crane
Dannemeyer
Darden
Davis
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
Dixon
Dorgan (ND)
Dornan (CA)
Douglas
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Flippo
Foglietta
Frank
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Grant
Gray
Green
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hoagland
Hochbrueckner
Holloway
Hopkins
Horton
Houghton
Hoyer
Hubbard
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kyl
LaFalce
Lagomarsino
Lancaster
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Laughlin
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
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Levin (MI)
Levine (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken, Thomas
Lukens, Donald
Machtley
Madigan
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
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Natcher
Neal (MA)
Neal (NC)
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Nowak
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Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Parris
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Rahall
Rangel
Ravenel
Ray
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Roe
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Sangmeister
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schneider
Schroeder
Schuette
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (VT)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stangeland
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swift
Synar
Tallon
Tanner
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Thomas (WY)
Torres
Towns
Traficant
Traxler
Unsoeld
Upton
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Walsh
Waxman
Weber
Weiss
Weldon
Wheat
Whittaker
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

NAYS—0

NOT VOTING—41

AuCoin
Barnard
Bosco
Boxer
Buechner
Bustamante
Coleman (TX)
Conyers
Crockett
de la Garza
Donnelly
Ford (MI)
Ford (TN)
Frenzel
Gephardt
Gingrich
Hall (OH)
Huckaby
Kostmayer
Lewis (CA)
Marlenee
Martin (IL)
McCrery
Michel
Miller (OH)
Morrison (CT)
Pashayan
Patterson
Quillen
Robinson
Rostenkowski
Schulze
Smith (IA)
Smith, Denny (OR)
Torricelli
Udall
Valentine
Washington
Watkins
Whitten
Williams

□ 1712

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHARP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on the conference report on S. 2088 just agreed to.

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

There was no objection.

PERSONAL EXPLANATION

Mr. BUECHNER. Mr. Speaker, I unavoidably missed rollcall 331, the last vote on S. 2088. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. PANETTA. Mr. Speaker, I was participatingin the budget summit negitiations at Andrews Air Force Base and was unable to case my vote during House proceedings. had I been present, I would have cast the following votes:

Rollcall No. 330—"no," on the Goodling amendment to the National Service Act of 1990, which would have forgiven Federal student loans for those who volunteer for certain full-time public service. Rollcall No. 331—"yea," in favor of the conference report on S. 2088, to amend the Energy Policy and Conservation Act.

PERSONAL EXPLANATION

Mr. BOSCO. Mr. Speaker, because of a pressing engagement in my congressional district, I regret that I was unable to vote on S. 2088, the Energy Policy and Conservation Act Amendments of 1990. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mrs. PATTERSON. Mr. Speaker, due to a death in my family, I was not present for votes. Had I been present I would have voted "yes" on rollcall 328, "yes" on rollcall 330, and "yes" on rollcall 331.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 603

Mr. CLEMENT. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Oklahoma [Mr. MCCURDY] be removed as a cosponsor of House Joint Resolution 603.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONCURRING IN SENATE AMENDMENTS TO H.R. 4328, CUSTOMS AND TRADE AGENCIES AUTHORIZATIONS, FISCAL YEARS 1991 AND 1992

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 101-699) on the resolution (H. Res. 464) providing for agreeing to the Senate amendments to the bill (H.R. 4328) to authorize appropriations for fiscal years 1991 and 1992 for the customs and trade agencies, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERMISSION FOR COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS TO HAVE UNTIL MIDNIGHT FRIDAY, SEPTEMBER 14, 1990, TO FILE A REPORT ON H.R. 2840, THE COASTAL BARRIER IMPROVEMENT ACT OF 1990

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the Committee on Banking, Finance and Urban Affairs have until midnight Friday, September 14, 1990, to file a report on the bill, H.R. 2840, the Coastal Barrier Improvement Act of 1990.

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

There was no objection.

FEDERAL COMMUNICATIONS COMMISSION AUTHORIZATION ACT OF 1990

Mr. MARKEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3265) to amend the Communications Act of 1934 to provide authorization of appropriations for the Federal Communications Commission, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Communications Commission Authorization Act of 1990".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. (a) Section 6 of the Communications Act of 1934 (47 U.S.C. 156) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. (a) There are authorized to be appropriated for the administration of this Act by the Commission $109,831,000 for fiscal year 1990 and $119,831,000 for fiscal year 1991, together with such sums as may be necessary for increases resulting from adjustments in salary, pay, retirement, other employee benefits required by law, and other nondiscretionary costs, for each of the fiscal years 1990 and 1991.

"(b) In addition to the amounts authorized to be appropriated under this section, not more than 4 percent of the amount of any fees or other charges payable to the United States which are collected by the Commission during fiscal year 1990 are authorized to be made available to the Commission until expended to defray the fully distributed costs of such fees collection.

"(c) Of the amounts appropriated pursuant to subsection (a) for fiscal year 1991, such sums as may be necessary not to exceed $2,000,000 shall be expended for upgrading and modernizing equipment at the Commission's electronic emissions test laboratory located in Laurel, Maryland.".

COMMERCIAL RADIO OPERATOR EXAMINATIONS

SEC. 3. Section 4(f) of the Communications Act of 1934 (47 U.S.C. 154(f)) is amended by adding at the end the following new paragraph:

"(5)(A) The Commission, for purposes of preparing and administering any examination for a commercial radio operator license or endorsement, may accept and employ the services of persons that the Commission determines to be qualified. Any person so employed may not receive compensation for such services, but may recover from examinees such fees as the Commission permits, considering such factors as public service and cost estimates submitted by such person.

"(B) The Commission may prescribe regulations to select, oversee, sanction, and dismiss any person authorized under this paragraph to be employed by the Commission.

"(C) Any person who provides services under this paragraph or who provides goods in connection with such services shall not, by reason of having provided such service or goods, be considered a Federal or special government employee.".

TRAVEL REIMBURSEMENT PROGRAM

SEC. 4. Section 4(g)(2)(D) of the Communications Act of 1934 (47 U.S.C. 154(g)(2)(D)) is amended by striking "1989" and inserting in lieu thereof "1992".

COMMUNICATIONS SUPPORT FROM OLDER AMERICANS

SEC. 5. Section 6(a) of the Federal Communications Commission Authorization Act of 1988 (47 U.S.C. 154 note) is amended by striking "and 1989" and inserting in lieu thereof ", 1989, 1990, and 1991".

HAWAII MONITORING STATION

SEC. 6. (a) Section 9(a) of the Federal Communications Commission Authorization Act of 1988 (Public Law 100-594; 102 Stat. 3024) is amended—

(1) by striking "and 1990" and inserting in lieu thereof ", 1990, 1991, and 1992";

(2) in paragraph (4) by striking "a facility at the new location" and inserting in lieu thereof "facilities at new locations"; and

(3) in paragraph (6) by striking "a facility at a new location" and inserting in lieu thereof "facilities at new locations".

(b) Subsection (b) of section 9 of the Federal Communications Commission Authorization Act of 1988 (Public Law 100-594; 102 Stat. 3024) is amended to read as follows:

"(b) The Administrator of General Services is authorized to dispose of, only to the State of Hawaii, as much of the real property (including improvements thereon) at the present location of the Hawaii Monitoring Station as is necessary for the purposes of relating, at a minimum, the antennas associated with the Monitoring Station.".

(c) Section 9 of the Federal Communications Commission Authorization Act of 1988

(Public Law 100-594; 102 Stat. 3024) is amended by striking subsections (c) and (d), by redesignating subsection (e) as subsection (i), and by inserting immediately after subsection (b) the following new subsections:

"(c) Pursuant to the authority provided in subsection (b), the Administrator of General Services shall sell and convey to the State of Hawaii the real property and improvements thereon described in subsection (b) on an expedited basis, including provisions for lease-back as required.

"(d) In consideration of such sale, the State of Hawaii shall agree to—

"(1) pay to the General Services Administration an amount not less than the fair market value, as determined by the Administrator of General Services, of the property to be conveyed under subsection (c), or

"(2) convey to the Federal Communications Commission real property that would be suitable, as determined by the Commission, for the relocation of the Hawaii Monitoring Station and, in addition, pay to the General Service Administration an amount equal to the difference between the fair market value of the two properties, as determined by the Administrator of General Services, if the Federal property conveyed is of greater value.

"(e) The General Services Administration shall reimburse the Federal Communciations Commission from the net proceeds of such sale for all of the expenditures of the Commission associated with the relocation of the Hawaii Monitoring Station. Any such reimbursed funds received by the Commission shall remain available until expended.

"(f) The net proceeds of such sale, less any funds reimbursed to the Federal Communications Commission pursuant to subsection (e), and less normal and reasonable charges by the General Services Administration for costs associated with such sale, shall be deposited in the general funds of the Treasury.

"(g) If the General Services Administration and the State of Hawaii are unable to execute a contract for sale as required by this section or complete any other transaction necessary to carry out such sale, the Administrator of General Services shall not proceed to public sale of the property described in subsection (b).

"(h) The Hawaii Monitoring Station shall continue its full operations at its present location until new facilities have been built and are fully operational.".

(d) Subsection (i) of section 9 of the Federal Communications Commission Authorization Act of 1988 (Public Law 100-594; 102 Stat. 3024), as so redesignated by subsection (c) of this section, is amended by striking ", in fiscal years 1989 and 1990".

TARIFF NOTICE PERIOD

SEC. 7. (a) Section 203(b)(1) of the Communications Act of 1934 (47 U.S.C. 203(b)(1)) is amended by striking "ninety days notice" and inserting in lieu thereof "one hundred and twenty days' notice".

(b) Section 203(b)(2) of the Communications Act of 1934 (47 U.S.C. 203(b)(2)) is amended by striking "ninety days" and inserting in lieu thereof "one hundred and twenty days".

AMATEUR RADIO SERVICE RECIPROCAL PERMITS

SEC. 8. (a) Section 303(l)(3) of the Communications Act of 1934 (47 U.S.C. 303(l)(3) is amended by striking "bilateral agreement between the United States and the alien's government" and inserting in lieu thereof "multilateral or bilateral agreement, to which the United States and the alien's government are parties,".

(b) Section 310(c) of the Communications Act of 1934 (47 U.S.C. 310(c)) is amended by striking "bilateral agreement between the United States and the alien's government" and inserting in lieu thereof "multilateral or bilateral agreement, to which the United States and the alien's government are parties,".

WILLFUL OR MALICIOUS INTERFERENCE

SEC. 9. Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following new section:

"WILLFUL OR MALICIOUS INTERFERENCE

"SEC. 333. No person shall willfully or maliciously interfere with or cause interference to any radio communications of any station licensed or authorize by or under this Act or operated by the United States Government.".

APPLICABILITY OF FORFEITURES TO APPLICANTS

SEC. 10. The first sentence of section 503(b)(5) of the Communications Act of 1934 (47 U.S.C. 503(b)(5)) is amended by inserting "and if such person is not an applicant for a license, permit, certificate, or other authorization issued by the Commission," immediately before "unless, prior".

Mr. MARKEY (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. RINALDO. Mr. Speaker, reserving the right to object, I would like the gentleman from Massachusetts [Mr. MARKEY], the distinguished chairman of the Subcommittee on Telecommunications, to briefly explain the differences between the House-passed version and the Senate-passed bill.

Mr. MARKEY. Mr. Speaker, if the gentleman will yield, I rise today in support of H.R. 3265, the Federal Communications Commission Authorization Act of 1990.

Mr. Speaker, the Senate-passed bill represents a compromise between H.R. 3265 as passed by the House and S. 1022 as it was reported by the Senate Commerce Committee. The differences between the two bills are minimal, and the compromise is very close to the House bill passed last October.

As passed by the Senate, H.R. 3265 authorizes $109,831,000 in funding for fiscal year 1990, which is the same amount contained in the Senate and House bills and is the same amount requested by the President. For fiscal year 1991, it retains the figure of $119,831,000 contained in the Senate bill, as reported, rather than the figure of $121,478,000 contained in the House bill. The President requested an appropriation of $117,998,000 for fiscal year 1991. Since the President's request is well below the amount authorized by both the House and Senate bill, we have chosen to accept the figure in the Senate bill.

The compromise includes the House statutory provision concerning the upgrading and modernizing of the Commission's test laboratory in Laurel, MD. It directs that no more than $2 million "shall be expended" for upgrading this laboratory. The bill also extends the FCC Travel Reauthorization Program until 1992 and, in addition, it accepts the Senate language which will continue to ensure the Hawaii monitoring facility will operate fully in its present location until new facilities are fully operational at a new location.

Today, as we enter an unprecedented period in the evolution of America's telecommunications industries, the role of the FCC is critical to promoting a competitive marketplace, providing timely development of efficient, innovative communications facilities and services. This independent agency must have the resources needed to implement congressional policies, to regulate the dynamic, burgeoning telecommunications industry and to carry out its statutory responsibilities to promote the public interest.

The Commission should be especially cognizant of its statutory responsibilities as it considers adopting new regulatory mechanisms for the telecommunications industry. It must ensure that it can guarantee American consumers the benefits and protections they deserve.

The compromise contains the provision in the House bill that authorizes 4 percent of any fees or other charges collected by the Commission during fiscal year 1990 to be "authorized to be made available to the Commission until expended." This provision is intended to help defray the FCC's fully distributed costs of enforcing the fee collection provisions in section 8 of the Communications Act.

The House bill had authorized the FCC to retain 4 percent of these fees for both fiscal years 1990 and 1991. The Senate bill, as reported, stipulated that 2 percent of the fees collected by the Commission "shall be available" for both fiscal years.

The compromise accepts the House's 4-percent figure for fiscal year 1990 only and the House wording out of recognition that the FCC's costs of enforcing this congressionally mandated fees provision will be substantial, and that even the 4-percent figure will not compensate the Commission completely for its costs of collecting the fees. Even at the 4-percent level, the FCC informs us that it is likely to incur costs in collecting these fees that are $1.5 million greater than the amounts retained in fiscal year 1990. Because the FCC's fiscal year 1990 appropriation passed the Congress before the reconciliation bill was enacted, the appropriation level did not account for this additional expense. The bill before us would allow the FCC to retain 4 percent of these fees for only fiscal year 1990 in

recognition of the unfairness of this unique situation.

LAUREL LABS

The compromise includes the House statutory provision concerning the upgrading and modernizing of the Commission's test laboratory in Laurel, MD. It directs that no more than $2 million "shall be expended" for upgrading this laboratory. Although the Senate bill, as reported, did not contain statutory language directing the expenditure of funds for the laboratory, the Commerce Committee explicitly expressed its intention that the FCC expend such funds for this purpose. The Committee amended S. 1022 as introduced to increase the FCC's authorized funding for fiscal year 1991 by $2 million—from $117,831,000 to $119,831,000—before reporting the bill. The committee report accompanying the bill expressly declares that the $2 million "is to be used for the sole purpose of modernizing the FCC's Electronics Emissions Test Laboratory in Laurel, MD." (Senate Report 101-215. p. 2). Thus, by accepting the House statutory language the compromise codifies a requirement that the Commerce Committee already imposed in its report.

The committee expects the Commission to use its discretion in establishing the priorities for the laboratory's modernization. However, it is our intention that the funds will be primarily used for the purchase of new equipment. The necessary equipment purchases would include, but need not be limited to: programmable spectrum analyzers and signal generators; an enclosed test site for radiated emission measurements; and computers for technical analysis.

TRAVEL REIMBURSEMENT PROGRAM

The bill before us also extends the FCC's travel reauthorization program until 1992. Both the Senate bill, as reported, and the House bill would have extended the program until 1991. This bill extends the program an additional year because of its demonstrated success. Such an extension should also permit the FCC to continue to implement the travel reimbursement program through the end of fiscal year 1992 even if the next FCC authorization bill is not passed until after the end of 1991.

HAWAII MONITORING STATION

In the FCC Authorization Act of 1988, the Congress included a provision permitting the FCC to move the Waipahu, Oahu, monitoring station to a new suitable location. The bill reported by the Senate would have extended by 2 years the FCC's authority to relocate the monitoring facility. The House bill contained no provisions concerning this monitoring station.

The compromise extends the FCC's authority to relocate the monitoring station for 2 years until 1992. It also makes some substantial changes in the authorizing language to ensure that the land currently being used for the Hawaii monitoring station is sold to the State of Hawaii, which has a strong public interest in acquiring the property.

Under the new language contained in this bill, the Administrator of the General Services Administration [GSA] shall sell to the State of Hawaii as much of the land associated with the Hawaii monitoring station as is necessary to relocate, at a minimum, the antennas associated with the monitoring station. The State of Hawaii is permitted either to pay the fair market value, as determined by the Administrator of the GSA, of the property it acquires or to swap another piece of property for the property acquired from GSA and pay the difference in price between the two properties, if the value of the property conveyed by the State of Hawaii is less than the value of the property it receives. These provisions do not foreclose the State of Hawaii from buying or selling these properties in conjunction with or as an agent for a third party that the State of Hawaii deems appropriate. Together, these provisions should provide the FCC, the GSA, and the State of Hawaii with sufficient flexibility to allow them to reach an agreement on the disposition of this property expeditiously.

As in the Senate bill, the bill before us ensures that the Hawaii monitoring facility will continue to operate fully in its present location until new facilities are fully operational at a new location. The GSA shall reimburse the FCC for the expenses of the relocation from the net proceeds of the sale. Any excess funds from the sale of the property will be deposited into the general funds of the Treasury.

The language further directs that the provisions of this section should in no way disrupt or defer the ongoing programs or regulatory activities of the Commission by diverting appropriated funds to the relocation of the Hawaii facilities. While we assume that the sale of the property will result in adequate funds for the relocation of the monitoring facilities, if this does not occur, the FCC should immediately inform the Congress.

STOLEN MOBILE TELEPHONES OR TELEPHONES USED FOR DRUG DISTRIBUTION

The compromise does not contain the provisions in the Senate bill, as reported, concerning the procedures to be followed if there is a suspicion that a mobile radio unit is stolen or is being used to engage in the illegal distribution of a controlled substance. These provisions were not included in the House bill. These provisions raise several important issues which deserve to be studied in greater detail before they are adopted into law. The Senate has thus agreed to drop these provisions so that both Houses of Congress can explore these issues more fully.

TECHNICAL AMENDMENT

In the Omnibus Budget Reconciliation Act of 1989, Public Law No. 101-239, Congress amended section 503(b)(2) of the Communications Act in a manner that, as the conference report made clear, was intended, inter alia, to clarif[y] and confirm the FCC's authority to impose forfeitures on applicants who engage in misconduct during the application process. Unfortunately, however, Congress did not amend section 503(b)(5) of the act, which by its terms requires that a citation, rather than a forfeiture, be issued to a first-time offender who does not hold a Commission authorization. In order to correct this apparent anomaly, and to clarify that the Commission need not first issue a citation before imposing a forfeiture on an applicant for a Commission authorization, the bill includes a technical amendment to section 503(b)(5).

FCC TRADE AUTHORITY

The House adopted a provision—section 9 of the House bill—that would have given the FCC explicit authority to assess the impact of its public interest decisions on the foreign commerce of the United States. This provision—an amendment by our colleague, Representative BILL RICHARDSON—was an excellent addition to H.R. 3265. It made explicit what is implicit in the Commission's public interest standard. By doing so, the Richardson amendment heightened the importance of the Commission taking into consideration the impact of its decisions on the balance of trade.

The bill being considered today does not contain any similar provision. This omission should not be taken as an indication of any less concern about the FCC's ability to consider trade matters when making its decisions. Rather, the decision not to include this provision simply reflects the belief of the Congress that the FCC already has ample authority to consider the impact of its decisions on foreign commerce before making those decisions.

The committee intends to conduct vigorous oversight over the Commission's attention to trade matters. In the past there have been instances in which the Commission was apparently oblivious to the trade consequences of its decisions. The committee intends to see to it that the Commission not repeat these mistakes.

UNCHANGED PROVISIONS

The bill includes all the other provisions that were contained in both the Senate bill, as reported, and the House bill. These provisions are as follows:

The Commission is given additional authority to prevent willful or malicious interference to radio communications.

The Commission can extend the tariff notice period from 90 to 120 days, with the extra time used primarily for the processing of access charge tariffs.

The Commission may accept and employ the services of qualified persons to prepare and administer commercial radio operator exams for a fee that the Commission determines is appropriate, without those persons being considered Federal employees.

The Older Americans Program is extended for an additional 2 years until the end of 1991.

The Commission may permit aliens to operate over the amateur radio frequencies based on multilateral treaties as well as bilateral treaties.

Mr. Speaker, H.R. 3265 contains a careful balance of the fiscal restraints we must face, and the recognition that the various telecommunications industries are growth industries that require an appropriate commitment of public funds. I urge my colleagues to support the bill.

Mr. RINALDO. Mr. Speaker, I thank the gentleman for his courtesy in explaining the bill, and I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider is laid upon the table.

GENERAL LEAVE

Mr. MARKEY, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on the Senate amendment to H.R. 3265.

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

There was no objection.

□ 1720

LEGISLATIVE PROGRAM

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

Mr. WALKER. Mr. Speaker, I have asked to proceed for 1 minute for the purpose of ascertaining the schedule for the upcoming week from the distinguished majority whip.

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

Mr. WALKER. I yield to the distinguished gentleman from Pennsylvania.

Mr. GRAY. Mr. Speaker, I would like to share with the distinguished gentleman from Pennsylvania on the minority side the schedule for the rest of the week and next week.

I would say to my colleague, the gentleman from Pennsylvania [Mr. WALKER], that it is our expectation that tomorrow will be a pro forma session. There will be no votes.

Votes will be held on Monday. We have a long list of suspensions, 22 bills, as follows:

H.R. 4962—Commemorative coins for the 1992 Olympics.

H.R. 5610—Permit FDIC to increase deposit insurance premiums.

H.J. Res. 226—Establish national policy on permanent papers.

H.R. 5254—Reauthorization of the Fish and Wildlife Conservation Act of 1980.

H.R. 5255—National Fish and Wildlife Foundation Act Amendments of 1990.

H.R. 5264—Alaska Maritime Wildlife Refuge.

H.R. 2419—Chattahoochee National Forest facilities.

H.R. 1576—Cranberry Wilderness boundary.

H.R. 4145—Maine Wilderness Act of 1990.

H.R. 2840—Coastal Barrier Improvement Act of 1989.

H.R. 4567—Exchange of lands in South Dakota and Colorado.

H.R. 4811—To expand the boundaries of the San Antonio Missions National Historical Park.

H.R. 4687—Designating segments of the Lower Merced River as part of the Wild and Scenic Rivers System.

H.R. 4309—To establish the Smith River National Recreational Area in California.

H.R. 4660—To establish a memorial at Custer Battlefield Monument.

H.R. 4878—To establish the Lake Meredith National Recreational Area.

H.R. 4107—Regarding Richmond National Battlefield Park and Colonial National Historical Park.

S. 830—Blackstone River Valley Heritage Corridor.

H.J. Res. 431—Support for Brazilian conservation efforts to protect the Amazon.

H. Con. Res. 248—Sense of Congress regarding linkage between the environment and national security.

H. Res. 312—Regarding Convention on Rights of the Child.

H. Res. 398—Regarding Convention for the Protection of the Natural Resources and Environment of the South Pacific Region.

It is our expectation that all votes will be at the end of those suspensions and it would be expected that the House will not be required to cast any votes until approximately 4 o'clock in the afternoon on those suspensions where a vote is requested.

Following the suspensions, there will be the Department of Defense authorization bill brought back to the floor, and therefore Members can expect a late evening, a very late evening on Monday.

Also, the House can expect that on Tuesday there will be a late evening. It is our expectation to meet at 10 a.m. on Tuesday, the 18th.

The textile bill and the Comprehensive Crime Control Act of 1990 will be before the House for consideration. It is expected that we will work late on Tuesday until we finish consideration of those bills, or carry them over to Wednesday, September 19, when the House will meet at 10 a.m. to complete consideration of the Comprehensive Crime Control Act and also the Assault Weapons Control Act.

It is our expectation that the House will adjourn early in the afternoon on Wednesday, September 19, for Members to observe Rosh Hashanah, the holiday, and thus we can expect that we would adjourn and there would not be votes probably after 3 o'clock on Wednesday, September 19.

Mr. WALKER. Mr. Speaker, I thank the gentleman for the explanation of the schedule. There is much negotiating. There is much negotiating going on here.

Let me ask the gentleman about the suspension votes on Monday. If we finish all the debate on the suspensions, would we plan on having the votes on suspensions prior to going to the debate on DOD and further votes on DOD?

Mr. GRAY. Mr. Speaker, if the gentleman will yield further, it is our expectation that we would have any votes required on suspensions before we go to the DOD bill.

Mr. WALKER. So the chances are that we could have votes on any suspensions where votes are ordered some time in the late afternoon?

Mr. GRAY. It is our expectation that there would not be any recorded votes until after 4 o'clock in the afternoon.

Mr. WALKER. Until after 4 o'clock?

Mr. GRAY. Yes.

Mr. WALKER. Then with regard to the schedule for Wednesday, the expectation is that we would complete the Crime Control Act by Wednesday and then we would only go to the assault weapons bill if there is time, is that my understanding?

Mr. GRAY. That would be our expectation, because we do want to adjourn so that Members can observe Rosh Hashanah.

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

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

Mr. RUSSO. Mr. Speaker, just a question for the majority whip. If the suspensions take until 5 or 6 o'clock, there would not be any votes until after 5 or 6 o'clock?

Mr. GRAY. Mr. Speaker, if the gentleman will yield, that is correct.

Mr. RUSSO. The process would not be interrupted to have votes at 4 o'clock?

Mr. GRAY. No. It is our expectation that if the 22 suspensions, the debate allotted for them goes until 5, the votes will be rolled until the end of the debate and consideration of all 22. It is only a guesstimate on our part that there would be no votes before 4 o'clock, so the gentleman is right. Votes could occur after 5 or as late as 6.

Mr. RUSSO. Mr. Speaker, I thank the gentleman.

Mrs. BYRON. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentlewoman from Maryland.

Mrs. BYRON. Mr. Speaker, if we take up the current bill before us on mail for the military in Saudi Arabia and if a vote is requested on that, could we have unanimous consent if a rollcall is requested to put that vote after the Suspension Calendar on Monday?

Mr. WALKER. Well, I do not have the authority on that.

Mrs. BYRON. It is my hope that there would be no rollcall vote on that.

Mr. WALKER. I would not have a particular objection to that. I am not certain that the Chair has the authority to do that, but I certainly personally would have no objection.

Mrs. BYRON. I am inquiring as to whether the gentleman would have an objection to that.

Mr. WALKER. I personally would not object to having the vote on Monday.

Mr. MYERS of Indiana. Mr. Speaker, will the gentleman yield?

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

Mr. MYERS of Indiana. Mr. Speaker, the committee has worked out an agreement with the Postmaster General that they are accepting postage-free mail already by complying with the free markup in the right-hand column, with the understanding that we would be able to get the bill on the floor today.

Now, if anyone here is intending to call for a vote, then we would be forced to wait until next Tuesday to bring this bill up and you are delaying action that is very badly needed by the troops in the Persian Gulf. So if anyone is going to ask for a vote, it is going to mess it all up.

Mrs. BYRON. Mr. Speaker, if the gentleman will yield, I can assure the gentleman that no one on this side will ask for a recorded vote.

Mr. MYERS of Indiana. The gentlewoman will lay down in the aisle and stop them? All right.

I think I can offer the same thing on this side. I tried to poll the group. I guess everyone is here, but it is just simply going to delay a very badly needed piece of legislation here to take care of this situation, so I hope everyone will understand.

Mr. WALKER. Mr. Speaker, I am glad there are so many people who think they can speak for 435 Members. I just said that I am not in a position to be able to do that. I would not guarantee anyone that there would not be a vote, but I am perfectly willing to have a unanimous-consent request.

ADJOURNMENT OF THE HOUSE FROM FRIDAY, SEPTEMBER 14, 1990, TO MONDAY, SEPTEMBER 17, 1990

Mr. GRAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, September 14, 1990, it adjourn to meet at noon on Monday, September 17, 1990.

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

There was no objection.

HOUR OF MEETING ON TUESDAY, SEPTEMBER 18, 1990

Mr. GRAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, September 17, 1990, it adjourn to meet at 10 a.m., on Tuesday, September 18, 1990.

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

There was no objection.

ADJOURNMENT OF THE HOUSE FROM WEDNESDAY, SEPTEMBER 19, 1990, TO FRIDAY, SEPTEMBER 21, 1990

Mr. GRAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Wednesday, September 19, 1990, it adjourn to meet at 10 a.m., on Friday, September 21, 1990.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GRAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

ALLOWING FREE MAILING PRIVILEGES TO MEMBERS OF THE ARMED FORCES

Mr. HAYES of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the bill (H.R. 5611) to amend title 39, United States Code, to allow free mailing privileges to be extended to members of the Armed Forces while engaged in temporary military operations under arduous circumstances, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

□ 1730

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

Mr. MYERS of Indiana. Mr. Speaker, reserving the right to object, and I certainly will not object, I do so in order that the House might know what is in this legislation, and at this time I yield to the chairman of the subcommittee, the gentleman from Illinois [Mr. HAYES], for that purpose.

Mr. HAYES of Illinois. I thank the gentleman for yielding.

Mr. MYERS of Indiana. If I may, Mr. Speaker, may I reclaim my time?

The SPEAKER pro tempore. The gentleman is entitled to proceed.

Mr. MYERS of Indiana. Mr. Speaker, under the procedure the gentleman from Illinois [Mr. HAYES] just requested, that it be considered in the House, is it not in order to have a full hour of debate equally divided under that procedure rather than reserving the right to object?

The request was made to consider it in the full House. My understanding of the procedure is that we would be entitled to a full hour and not have to worry about this waiver.

The SPEAKER pro tempore. The Chair would advise the gentleman he is correct. However, the reservation procedure could continue to be used.

Mr. MYERS of Indiana. Mr. Speaker, I suggest we go ahead with the hour, a half hour to each side, equally divided between the two. I have to stand up for an hour in order to do that.

I request to have an hour, each a half hour, equally divided between Mr. HAYES and myself.

Mr. WALKER. Mr. Speaker, reserving the right to object my understanding of the gentleman's request was that he simply requested that the bill be considered in the House, which would give the hour of debate. There is no need for the gentleman from Indiana's unanimous consent request.

The SPEAKER pro tempore. The gentleman is correct. There is an hour of debate.

Mr. WALKER. I withdraw my reservation of objection.

The SPEAKER pro tempore. Does the gentleman from Indiana withdraw his reservation of objection?

Mr. MYERS of Indiana. Mr. Speaker, further under my reservation, I continue to reserve with this explanation: It is 5:30 here in Washington. A great many people do wish to get airplanes. We are not intending to vote. I am sure everyone thoroughly understands the legislation. I do not think it is going to take the full hour. I hope we can really expedite this.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 5611

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3401 of title 39, United States Code, is amended—

(1) by striking "sound-recorded" each place it appears and inserting "sound- or video-recorded"; and

(2) in subsection (a)(1)(A), by inserting "engaged in temporary military operations under arduous circumstances," before "or serving".

(b) The amendments made by subsection (a) shall be effective as of September 12, 1990.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. HAYES] is recognized for 1 hour.

Mr. HAYES of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, so that the House may know what we are voting on, as chairman of the Subcommittee on Postal Personnel and Modernization, I rise to urge my colleagues to unanimously ap-

prove H.R. 5563, legislation by our colleague, FRANK MCCLOSKEY, chairman of the Subcommittee on Postal Operations and Services. This bill allows military personnel deployed in temporary oversees military operations to mail letters and parcels to their loved ones free of charge.

Members of this body who visited the Persian Gulf report that our servicemen and women were quite disturbed because they have been unable to obtain postage to mail letters back home to their relatives and friends.

Granting free mailing privileges is the least that we should do to ensure that the morale of our Armed Forces personnel in overseas military operations remains high. Again, I urge my colleagues to support this modest benefit to our service men and women who serve in temporary special deployments such as Operation Desert Shield.

Mr. Speaker, for purposes of debate only, I yield such time as he may consume to the gentleman from Indiana [Mr. MCCLOSKEY.]

Mr. MCCLOSKEY. I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of H.R. 5563 which provides for free mailing privileges for soldiers stationed in the gulf.

Over 50,000 members of the Armed Services have been stationed in Saudi Arabia for over a month now and, unfortunately, many of them have not been able to purchase stamps to write home. Communications with home are vital for our troops in the Persian Gulf. This is especially true now, when the troops are in a stable defensive posture, with periods of time available to write home.

H.R. 5563, which I introduced on Monday, would permit the President to grant free mailing privileges to troops engaged in temporary military operations under arduous circumstances, such as Operation Desert Shield. Since it appears that our troops will be stationed in the Middle East for an indefinite period of time, facing a potentially hostile enemy, I believe it is fitting that we give our military personnel the ability to communicate with their families and friends for free. This minor perk is a good morale booster and will send a clear message to our service men and women of our support for their efforts.

According to Defense Department estimates, the cost to the American public will be between $100,000 a month to $500,000 a month. At the most, this would amount to $6 million a year. This is a small price to pay to ensure constant communication between our troops and their families and friends back in the States.

Dramatic changes in the Soviet Union and Eastern Europe mean that the threats the United States will be facing in future years will be similar to the current situation in the Middle East. As such, military priorities will change and over time defense spending will decline. It seems reasonable to invest some of the money we will save by deleting funding for weapon systems, such as the B-2 bomber and SDI, to ensure that American men and women far from home are able to convey messages to the United States.

H.R. 5563 will also benefit families, friends and loved ones of our service men and women who are serving in the Middle East. Messages from the troops in the Middle East help alleviate the hardship of separation and loneliness.

This legislation will apply only to mail sent from the Middle East to the United States. It would cover letters, postcards, and audio and video cassettes but not other parcels.

In addition to providing the President with the ability to grant free mail privileges for our troops stationed in Saudi Arabia, this legislation would expand the current statute to allow free mail privileges in other cases involving temporary military operations. Situations similar to Panama and Grenada also would be covered.

I want to thank Chairman HAYES and our distinguished full committee chairman, Mr. FORD, for their leadership and assistance in this matter. I urge bipartisan support for this measure.

Mr. HAYES of Illinois. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have troops now serving in the Persian Gulf, the Middle East, under an environment that most of them are not familiar with; tremendous heat, the sand, the environment, the culture with which most Americans are not familiar.

So morale is very easily up and down. For those of you who have served in the service, you know that morale can go up and down. But there is nothing in this world that restores morale like a letter from home or even the ability to correspond.

The problem we have in this Arab country now, in the desert, is the fact that postage is just not getting there, the stamps. And after the stamps get there, because of the heat and humidity, the stamps stick together. So the kids are having real trouble sending mail out.

The reason it is absolutely necessary we do this today is that in the meeting with the Postmaster General yesterday he agreed that he would issue the order immediately to start accepting letters with the "Free" written in the position where the postage stamp would normally be. So they are now accepting this. In order to keep his word and ours, it is very necessary that we take this action today. But it is the kind of thing that most of us who can remember from World War II, the "brown shoe Army," that we all did that and we took it for granted that the kids could do that when they went to the Far East, not realizing that there is a technicality because this is required. So I am sure that no one would want to vote or otherwise detain it and take away a right or privilege that our young people very necessarily need, those who are struggling in the sands right now.

Mr. Speaker, I yield 5 minutes to the ranking Republican of the Committee on Post Office and Civil Service, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding and I rise to express my support for the legislation before us. It is my hope that this measure will serve as a token for our esteem of our Armed Forces and will serve to lighten the loads and spirits, and therefore the morale, of our men and women on duty in the Middle East as part of Operation Desert Shield, while they await the outcome of this confrontation so far from their homes and families.

As the ranking minority member on the Post Office and Civil Service Committee it is always a source of pride for me to bring to the attention of the House the truly bipartisan nature of our committee and how it is able to move so diligently and swiftly on matters of importance that fall within our committee's jurisdiction.

I would like to add and the House may not be formally aware of this but, yesterday, during our hearings on this bill the Postmaster General, Anthony M. Frank, announced that effective yesterday the Postal Service has placed these provisions into effect. However, the representatives of the Department of Defense advised us that they believe they are still restrained by the language in the existing statues and would need this measure enacted before they, too, can begin to pass those free mailing privileges on to our troops in the Persian Gulf.

I realize that our colleagues in the other body have attached similar language to the Treasury, Postal Service appropriations bill, however, it is my concern that this conference may be a protracted one, and I, for one, do not want to see enactment of this important legislation delayed as a result of extended debate on other issues. I believe we should move this bill as quickly as possible independent of any other legislative entanglements.

Our military personnel, whom we depend on for so much in this crisis, are now depending on us. They should not have to find change, and purchase

stamps that will melt in their pockets and become unusable under the intense desert heat, not to mention just how hot coins must get in that type of heat. These fine, well-trained representatives of our military services, have many pressing concerns on their minds, but, and I am certain that you will agree, that wondering how they are going to get a letter back home, should not be one of those concerns.

This is a relatively minor problem in this emergency that we can, as a body, immediately deal with and that will have a swift and favorable impact on their lives and the lives of their loved ones.

Accordingly, I urge my colleagues to concede to this request and support its adoption under this agreement and I withdraw my right to object.

□ 1740

Mr. HAYES of Illinois. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Speaker, let me first of all thank my colleagues, the chairman of the subcommittee, because, as I testified before his subcommittee yesterday on the importance that I felt so strongly on, on the trips that we have overseas, I was delighted to hear just shortly afterward that the Postmaster General came in and said, "It is a done deal."

I am very pleased to be able to think back to the faces of the young people that we saw in Saudi just 2 weeks ago who looked at me and said, "Your know, mail means so much to me, but I don't have a quarter in my pocket to buy a stamp, but then the stamps aren't here if I had the quarter. Can you do something about the mail?"

Mr. Speaker, it is very nice when they look to us as Members and we can, with this legislation, go back and say, "Well, we heard you. We did something about it."

So, Mr. Speaker, I thank the gentleman very much.

Mr. MYERS of Indiana. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Speaker, I join a number of my colleagues on the Post Office and Civil Service Committee, in support of H.R. 5563.

Representatives FRANK MCCLOSKEY, WILLIAM FORD, BENJAMIN GILMAN, CHARLIES HAYES, and JOHN MYERS are to be commended for the expeditious handling of this bill. We are all dedicated to its prompt enactment. The bill would permit free mailing privileges for members of the armed service engaged in temporary military operations such as the one in the Persian Gulf.

Mr. Speaker, many of us in the Congress, in fact, many of us here today fought for this Nation in previous conflicts. I am veteran of World War II, having fought in North Africa and in Italy. As one who has served in conditions similar to those facing our men and women in the Middle East today, I can say firsthand how important it is for soldiers to be able to communicate with their loved ones back home. Enacting this legislation would make the difficult situation for the men and women in uniform much more bearable.

As a nation, we have asked our soldiers, sailors, airmen, and marines to take on a difficult task to protect our way of life. The environment is hostile and the local culture is confusing. Permitting our men and women the opportunity to mail letters back home for free is one thing which we can do to thank them for their efforts.

Once again, I urge my colleagues to support this legislation.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself 2 additional minutes for an explanation of a condition that does exist in Saudi.

Mr. Speaker, I am sure that all of my colleagues have been hearing, or will be hearing, from our troops there that a procedure is occurring in Saudi Arabia which does not occur any place else in the world where we have troops. The Army Post Office in Saudi Arabia, when the mail comes through, must deliver the mail through the customs officials at Saudi. There first-class letters are generally going through without any problem, but parcels, packages, are being intercepted, opened and, in some cases, things are taken out. This is the condition that is not going on any place else in the world of all the places in the world we have troops. The kids' mail goes through without being opened, and it is just something this Nation cannot tolerate.

So, Mr. Speaker, we urged the Army yesterday when they appeared before our committee to renegotiate a status of force with Saudi Arabia, and I am sure the Saudis are watching this. I urge them, right away, that we need to clarify that. We are over there at the invitation of Saudi. We are doing a job to help them too. We are not over there trying to impose our views on Saudi Arabia, our customs, our norms. We are not there trying to do anything like that. But there are also our troops who are doing a job for them who are entitled to the same decency, the same rights, because we are helping them, too, and we owe it to our troops and to us to eliminate this under the status of forces agreement we have with Saudi Arabia.

So, Mr. Speaker, I urge that we take action immediately on this, and I hope the Saudis are watching this and take action on this without having to go any further.

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

Mr. HAYES of Illinois. Mr. Speaker, since I have no further requests for time, I will close the debate on this issue just by saying that this is the least we can do for those men and women who over there are making the sacrifice in that desert country over there.

I am advised by some who have been over there that it is so hot that even stamps stick together. So, the least we can do is provide them with free ways to write to their loved ones back here and just write on the letter "free mail."

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

Mr. HAYES of Illinois. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Speaker, I just want to commend the gentlemen and to add an additional point.

I recently learned from ham operators that third-party rights in Saudi Arabia have not yet been arranged for ham communication for our troops in the field. Having been over there with the gentlewoman from Maryland [Mrs. BYRON] and others, I can tell my colleagues that communications are critical, and I commend the gentlemen for what they are doing.

At the same time we pass this measure, we ought to appeal to the Department of Defense, and the State Department and the FCC to do something immediately about assigning somebody the job of securing third party rights in Saudi Arabia so our ham operators can provide communications for our service men and women there, too.

Mr. CLAY. Mr. Speaker, I rise in support of H.R. 5563, a bill which would amend title 39 of the United States Code to provide free mailing privileges for members of the Armed Services who are engaged in temporary military operations under arduous circumstances. I would like to commend my colleague, Representative FRANK MCCLOSKEY, for introducing this legislation, which I am pleased to cosponsor, to provide relief to the committed men and women who are currently deployed in the Persian Gulf and unable to write home to their families.

These individuals stationed in Saudi Arabia for the past month have faced serious difficulty trying to communicate with their loved ones back in the United States because they have been unable to purchase stamps to write home. A major complaint these soldiers expressed to our colleagues who recently returned from Saudi Arabia was their frustration in not being able to let their families know they are healthy and missing them.

The men and women are dedicated individuals who are stationed in hostile territory in order to serve the United States. Providing free mailing services is the very least we can do to support them. This extremely small gesture will boost morale and make an uncomfortable and difficult situation much more bearable.

I urge my colleagues to vote in favor of this measure.

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

The SPEAKER pro tempore (Mr. MAZZOLI). 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.

MOTION TO RECOMMIT OFFERED BY MR. RIDGE

Mr. RIDGE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. RIDGE. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. RIDGE makes a motion to recommit the bill to the Committee on Post Office and Civil Service with instructions to report back the bill forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. FREE MAILING PRIVILEGES FOR MEMBERS OF THE ARMED FORCES PARTICIPATING IN TEMPORARY OVERSEAS DEPLOYMENT IN ARDUOUS CIRCUMSTANCES.

(a) MAILING PRIVILEGES.—In a case in which members of the Armed Forces are temporarily deployed overseas for an operational contingency in arduous circumstances, as determined by the Secretary of Defense, members so deployed shall be provided mailing privileges under section 3401(a)(1)(A) of title 39, United States Code, in the same manner as if the forces deployed were engaged in military operations involving armed conflict with hostile foreign force.

(b) REIMBURSEMENT OF POSTAL SERVICE FROM LEGISLATIVE BRANCH APPROPRIATIONS.—There shall be transferred to the Postal Service as postal revenues, out of appropriations made for the legislative branch for the purpose of franked mailings, as a necessary expense of the appropriations concerned, the equivalent amount for postage due, as determined by the Postal Service, for matter sent in the mails under authority of subsection (a).

(c) EXPIRATION.—The provisions of this section shall expire on June 30, 1991.

Mr. RIDGE (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit 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.

POINTS OF ORDER

Mr. HAYES of Illinois. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. HAYES of Illinois. Mr. Speaker, we do not have a copy of the motion over here.

Mr. RIDGE. I would be pleased to give the gentleman from Illinois [Mr. HAYES] a copy of the motion.

Mr. GIBBONS. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. GIBBONS. Mr. Speaker, I have no idea what is in this, so I reserve a point of order.

The SPEAKER pro tempore. The gentleman from Florida [Mr. GIBBONS] reserves a point of order.

It would be appropriate at this time for the Chair to ask the gentleman from Pennsylvania [Mr. RIDGE], in order to inform the House, what the gentleman is endeavoring to do in his motion to recommit, the reading of which has been dispensed with. Would the gentleman rather succinctly describe what his motion to recommit is about?

Mr. RIDGE. Mr. Speaker, I would be very pleased to do that for the Chair, and that was my intention in my introductory remarks to begin with.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. RIDGE] is recognized for 5 minutes in support of his motion to recommit.

Mr. RIDGE. My colleagues, the motion is straightforward. I can say that we can deal with it without a recorded vote, and I can say I think, without reservation, that it deserves the unanimous support of both sides of the aisle. Many people have had different experiences with Operation Desert Shield, and I would like to relate to my colleagues one that I had.

However, Mr. Speaker, the motion simply involves the matter of how the cost of this free mail is to be paid. Yesterday at the hearing before the subcommittee the Postmaster General announced that as of yesterday the mail was going to be free. As of yesterday, by postal regulation, the mail would be free. So, this legislative act is basically confirming something that the Postmaster General did as a matter of regulation yesterday.

The motion to recommit simply says that this will be paid for by an out-of-appropriation fund that we, as Members of Congress, receive to subsidize our franked mail that I think we all agree upon, that the mothers, and the fathers, and the husbands, and the wives, and the brothers, and the sisters and the children would rather hear from them than from us. Now we stand around and applaud when the President talks about their courage, their sacrifice, their commitment, or we can make some small, but I think very significant, contribution, and that is to say to these young men and women whom everybody has praised prior to this time, "Not only will your mail be free, but we, as elected officials will send out one or two fewer pieces of mail so that the mail you send home, which I think is probably more important to the moms, and dads and the spouses back home, will pay for it out of our legislative appropriation which subsidizes our frank mail," and I think that is a very simple, straightforward motion to recommit. I think that the parents would prefer to have it that way. I think the American people would prefer to have it that way.

That is the explanation.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. HAYES] is recognized for 5 minutes to speak on the question of the motion to recommit offered by the gentleman from Pennsylvania [Mr. RIDGE]. Do the Gentlemen press their points of order?

□ 1750

Mr. HAYES of Illinois. Mr. Speaker, I rise in opposition to the motion to recommit.

Mr. Speaker, this is an appropriation which would be included in the authorization bill. We do not need it in here.

Mr. MYERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. HAYES of Illinois. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Speaker, this is what the Michel letter circulating around is. It is paid out of the Treasury of the United States, whether it is in appropriations for the legislative branch or the Defense Department. The Defense Department is on board. It has always been paid out of Defense Department. So it is still paid by the taxpayers of this country. It is just a matter of which pocket we take it out of. It makes absolutely no difference. The kids over there struggling could really care less about who pays for it, as long as the Treasury of the United States pays for it. I urge this be defeated.

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

Mr. HAYES of Illinois. I yield to the gentleman from Indiana, the author of the bill.

Mr. McCLOSKEY. Mr. Speaker, I thank the gentleman for yielding. This has been thoroughly discussed, not only with the Postal Service, but with the Pentagon. As Members know, we are in a downward track overall as far as the defense bill, making various savings. The Pentagon itself, at least informally with communications, has indicated they have no objection to taking it out of the Pentagon. The costs are already being taken care of. Why in effect thrust us into a partisan political issue?

Mr. HAYES of Illinois. Mr. Speaker, reclaiming my time. I have made my position very clear. I think that this motion is completely out of order, and we ought to vote it down.

The SPEAKER pro tempore (Mr. MAZZOLI). Without objection, the pre-

vious question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and on a division—demanded by Mr. WALKER—there were—yeas 24, nays 43.

Mr. RIDGE. 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. Without objection, the vote will be postponed until Monday, September 17, 1990.

There was no objection.

EMERGENCY MEDICAL SERVICES WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 568) designating the week beginning September 16, 1990, as "Emergency Medical Services Week," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so to acknowledge the work of the gentleman from New York [Mr. MANTON], the chief sponsor of House Joint Resolution 568, designating the week of September 16, 1990, as "Emergency Medical Services Week."

Mr. MANTON. Mr. Speaker, I rise today in strong support of House Joint Resolution 568, a resolution I have introduced to designate the week beginning September 16, 1990, as Emergency Medical Services Week. I want to express my deep appreciation to Subcommittee Chairman SAWYER for his important help in bringing House Joint Resolution 568 to the floor, and for his cosponsorship of this resolution. Also, I want to thank my colleagues who joined me in cosponsoring this important measure. I know the emergency medical personnel in their districts are aware of their help in ensuring passage of this important resolution.

Mr. Speaker, Emergency Medical Services Week is designed to recognize the invaluable contributions and dedication of emergency medical services teams across the Nation. EMS teams include emergency medical physicians, paramedics, nurses, technicians, educators, and administrators. Thousands of lives are saved each day because of the work of EMS teams. From the prehospital setting to the hospital emergency department, EMS teams are available 24 hours a day, 7 days a week to provide access to emergency medical care for our citizens.

Every year the medical community's knowledge and expertise in the field of emergency medicine increases. Organizations such as the National Association of Emergency Medical Technicians, the American College of Emergency Physicians and the National Council of State EMS Training Coordinators help emergency personnel remain current with the latest developments in emergency medicine. EMS teams across the Nation also work together to improve and adapt their skills as new methods of emergency treatment are developed.

EMS personnel are a special part of the medical community who are trained to expect the unexpected and may be called upon to treat any illness or injury. They must make rapid decisions on appropriate treatment and the need for hospitalization, often while working under hazardous conditions. Advancements in the specialty of emergency medicine also have greatly contributed to the reduction of deaths resulting from emergency-related injuries during the past 25 years.

Mr. Speaker, it is unfortunate that we oftentimes take Emergency Medical Services personnel for granted because they are so reliable. Emergency Medical Services Week will afford cities and towns around the Nation the opportunity to honor their local EMS teams for the important contributions they provide the community. Emergency Medical Services Week also will provide EMS teams with an opportunity to educate the public about accident prevention and emergency treatment.

Every year since 1986, the Congress has passed resolutions recognizing the vital work of EMS professionals. Let us once again honor EMS by proclaiming the week beginning September 16, 1990, as Emergency Medical Services Week. I urge my colleagues to join me in supporting this important resolution.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 568

Whereas the members of emergency medical services teams devote their lives to saving the lives of others;

Whereas emergency medical services teams consist of emergency physicians, nurses, emergency medical technicians, paramedics, educators, and administrators;

Whereas the people of the United States benefit daily from the knowledge and skill of these trained individuals;

Whereas advances in emergency medical care increase the number of lives saved every year;

Whereas the professional organizations of providers of emergency medical services promote research to improve emergency medical care:

Whereas the members of emergency medical services teams work together to improve and adapt their skills as new methods of emergency treatment are developed;

Whereas the members of emergency medical services teams encourage national standardization of training and testing of emergency medical personnel and reciprocal recognition of training and credentials by the States;

Whereas the designation of Emergency Medical Services Week will serve to educate the people of the United States about accident prevention and what to do when confronted with a medical emergency; and

Whereas it is appropriate to recognize the value and the accomplishment of emergency medical services teams by designating Emergency Medical Services Week: Now, therefore, be it.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning September 16, 1990, is designated as "Emergency Medical Services Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on House Joint Resolution 568, the joint resolution just passed.

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

There was no objection.

ALLIES SHOULD INCREASE SUPPORT

(Mr. DONALD E. "BUZ" LUKENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, well, Hitler had his fool in Mussolini, now Iraq has Iran.

The other idiots in the Mideast have now thrown their hat into the ring. Iran Chief Mullah yesterday, formally called for a holy war against the United States and the multinational forces in the Persian Gulf. How is it that Iran is constantly claiming to be, or wants to be, a member of the international community, yet they continually support individual terrorist acts. And now they support the international terrorist Saddam Hussein and the horror he is inflicting on Kuwait and the entire Mideast.

Mr. Speaker, with Iran jumping into the ring, Saddam may now think he can be a little bolder in his actions. It is now much more important for our largest and wealthiest allies, Germany and Japan to increase their support in this international effort.

It is not right for the German and Japanese Governments to claim that it is sufficient that Kuwait and Saudi Arabia have pledged billions of dollars to cover the costs. Saudi Arabia and Kuwait do not have much more at stake than do Germany or Japan. Germany and Japan have their national economies, and their national security at stake and words are not enough.

German marks and Japanese yen is a small price to pay compared to the lives of Americans and our allies.

[From the New York Times, Sept. 13, 1990]

GERMANY AND JAPAN DRAW HARSH ATTACKS ON GULF CRISIS COSTS

(R.W. Apple, Jr.)

WASHINGTON, September 12.—A storm of animosity, extraordinary in its extent and intensity, has burst out on Capitol Hill and in the country at large over what critics are portraying as paltry contributions by Japan and West Germany to the international effort to confront Iraqi aggression in Kuwait.

An anti-Japanese amendment to the military spending bill, which would probably have died if not for resentments generated by the Middle East crisis, sailed through the House of Representatives this afternoon by a vote of 370 to 53. The measure is unlikely to survive in its present form.

President Bush's effort to spread the burden of financing the American effort in the Persian Gulf, which was intended to reassure Congress and the public, has failed to do so. Large numbers of Republicans and Democrats, conservatives and liberals, have attacked Tokyo and Bonn this week for what Senator John McCain, Republican of Arizona, described as "contemptible tokenism" and Senator John Kerry, Democrat of Massachusetts, called "almost an insult."

As the debate over the cost of the Persian Gulf operation continues, the United States finds itself in the somewhat embarrassing position of being in substantial debt to the United Nations, although President Bush has asked Congress to approve a major contribution to the organization.

On the burden-sharing issue, the legislators are using startlingly abrasive language on the floor, in television and newspaper interviews and in speeches to their constituents. To a considerable degree, that reflects the views of newspaper editorialists and of the general public, as reflected in recent opinion surveys.

"The most negative question you hear is why our allies aren't doing more." said Senator Trent Lott, a conservative Republican from Mississippi.

Representative Carroll Hubbard, Democrat of Kentucky, said that "the Japanese have been acting totally the way they usually do: if there's no profit in it for Japan, forget it."

In a speech on Tuesday night, Speaker Thomas S. Foley sought to quiet the rebellion arguing that "Japan has done more to respond to requests for assistance, arguably, than any other nation, yet finds itself more singled out" for attack more than other countries.

The Bush Administration is also trying to limit the damage; Mr. Bush treaded lightly on the issue in his speech Tuesday night, and Marlin Fitzwater, the White House spokesman, observed today that "generally, we think that the response has been good," while conceding that "in some cases, we think countries can do more."

But the potential for damage to relations with two important political and economic allies is great, and Senator Malcom Wallop, Republican of Wyoming, warned today that "these people who are talking this way run the risk of eroding the political support for the President's policy by focusing attention on arguments over money instead of on defeating Saddam Hussein."

Burden-sharing dominated the debate in the House today on the military spending bill. The amendments, proposed by Representative David Bonior, Democrat of Michigan, would require Japan to pay the full cost of stationing United States armed forces in that country, including their salaries, which Mr. Bonior estimated at more than $4.5 billion a year.

If the amendment became law and Japan refused to pay the costs, the United States would be obliged to begin withdrawing 5,000 of the 50,000 troops now based in Japan every year.

Representative Les Aspin, Democrat of Wisconsin, who heads the House Armed Services Committee, opposes the measure, as does his counterpart in the Senate, Sam Nunn, Democrat of Georgia. That makes it highly improbable that the amendment will ever reach the law books, but the vote nonetheless sent a powerful political signal, which might ultimately oblige Bonn and Tokyo to reassess their positions.

Mr. Aspin said that "if you're picking on one country, it should be Germany, which is doing even less than Japan." Mr. Nunn said the Japanese response to any such legislation would be to say to the American troops, which defend United States regional interests as well as Japan, "adios, amigo."

But both said they shared the general feeling that the two countries, which have the world's largest trade surpluses, two of the world's most productive economies and considerably more dependence of Middle East oil than the United States, have done too little.

Both countries are sending equipment to the international force, but Bonn has pledged no money yet and Japan has pledged only $1 billion.

The two nations have constitutional prohibitions against the use of their troops except in self-defense. But Chancellor Helmut Kohl of West Germany has said he will seek to remove that prohibition from the constitution of the new, unified Germany, which is to come into being in three weeks.

Hideaki Ueda, the counselor for public affairs at the Japanese Embassy here, confirmed tonight that Japan would announce this weekend a grant of $2 billion to Turkey, Egypt and Jordan, the three countries other than Iraq that have been hardest hit by the United Nations trade sanctions. He said, "The is not a small amount."

"We find this criticism disturbing," Mr. Ueda said. "We need to show unity. We are not fighting against each other, and we hope that reasonable men in the Senate and the House of Representatives will come to see that."

A senior German official, who insisted on anonymity, said: "We are astonished. We said we would bear our fair share, and we are ready to."

Mr. Kohl is expected to present to Secretary of State James A. Baker 3d, who is scheduled to arrive in Bonn on Friday or Saturday, a plan for West German underwriting of American air- and sea-lift expenses in the Persian Gulf.

[From the Washington Post, Sept. 13, 1990]

AMERICANS NEED NOT FEEL PUT-UPON BY THEIR ALLIES

(By Jim Hoagland)

Once again, East is East and West is confused. While the Soviet Union pursues its objectives in the Persian Gulf with a free hand, the United States and its allies find discord and differences as they join to force Iraq out of Kuwait.

In one important aspect, nothing has changed for the Soviet Union. Moscow did not bother to consult and coordinate with its "allies" when it claimed to have some. Now the Soviets do not even go through the motions.

Americans meanwhile are muttering into their gasoline tanks about the rest of the world sponging off U.S. might and treasure. The call rises for the Europeans and Japanese to do more. Congressmen returning here from summer recess and reporters out interviewing folks in the Midwest about the Mideast find concern soaring about faithless foreigners taking advantage of America's trusting nature and natural riches.

This intense reaction, while understandable, misses two essential points. The first is that America's allies in Europe and the Middle East are making significant contributions to the international campaign to rescue Kuwait from physical and political annihilation. The notable and unfortunate exception is West Germany, which is preoccupied with reunification and the December elections. (For Helmut Kohl and Hans-Dietrich Genscher, it is still reelection *uber alles.*) Japan, after a faltering start, is chipping in.

Americans feel more imposed upon than ever, despite this better-than-usual response in the politics of burden sharing. President Bush's proposal to write off $7 billion in Egyptian debts that would never have been repaid anyway is a clever accounting maneuver to clear the books at an opportune moment. But the write-off stirs anger among American taxpayers who get no such relief at home.

The misunderstanding about burden sharing is rooted in the fundamentally different images of each other held by America and its allies. The arrival of the Persian Gulf crisis, as the Cold War ends, should bring a less emotional sorting out of respective responsibilities and rights in the global political and economic system that took form after World War II.

Americans complain that they should not be expected to shoulder the world's problems at a time when their own domestic problems are at a time when their own domestic problems are so serious. The complaint implies that our international involvement is a net drain on American resources and the rest of the world contributes nothing or little to American well-being.

But for many abroad, the leading role America plays in this and other international crises is a natural consequence of the rights that America asserts in a global political and economic system that has been shaped and run by American values—and needs more than any other single nation.

The Financial Times of London—no radical anti-American sheet by anyone's measure—questions periodically why the United States should be allowed to go on "hogging the surplus capital of the world" to finance its budget and trade deficits. The willingness of Japanese, German and other foreign investors and lenders to help Americans live $150 billion a year beyond their means is perhaps the most immediate measure of how America benefits (in the short run, and at a price) from the international system it leads.

But the British newspaper's point is one that is too rarely considered by Americans. Dollars, Deutsche marks and yen sent to the United States are not available to pay for consumer goods or infrastructure invest-

ment in other countries that also need to import foreign capital.

While we focus on the reality that the Europeans and Japanese are more dependent on the energy resources Americans are protecting in the Persian Gulf, many abroad see another compelling reality: Americans, who make up 5 percent of the world's population, consume 24.1 percent of the world's energy supplies.

Americans reject high gasoline taxes and other forms of discipline that Europeans and Japanese use to cut petroleum consumption by industry, government and individuals. Lacking the room to maneuver that the United States felt it had, West Germany and Japan rode out the oil shocks of 1973 and 1979 and made their industries even more energy-efficient.

Because the dollar is the international reserve currency, the United States has been able to run budget and trade deficits that no other country has ever been allowed to accumulate without being disciplined, and to reap other special benefits of the global financial system the United States dominates. If allowed to spread, the Persian Gulf crisis would present a direct challenge to that system and thus to international stability.

The Americans take in global stability is clear. It has acted to protect its interests. So have most of its allies, although on a much smaller scale. The Europeans and Japanese need to up their ante in this particular crisis, while the Americans need to lower the resentment index in their dealings with foreigners.

The enemy is Saddam Hussein, not each other.

□ 1800

THE OMNIBUS CRIME BILL

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from New Hampshire [Mr. DOUGLAS] is recognized for 5 minutes.

Mr. DOUGLAS. Mr. Speaker, as the Members know, next week we are going to take up the omnibus crime bill which is H.R. 5269. I serve on the Judiciary Committee and I also serve on the Crime Subcommittee of the Judiciary Committee, and in looking this over, having voted against it, I want Members to understand that the Attorney General of the United States opposes this bill, the U.S. attorneys oppose this bill, the district attorneys oppose this bill and the attorneys general of the United States oppose this bill.

How could something that is called an anticrime bill be opposed by all of the law enforcement officers in this Nation who would have to administer it? The reason is very simple. The omnibus crime bill is the Christmas list of the American Civil Liberties Union enshrined in print with a House bill number on it called H.R. 5269. It is as if Michael Dukakis had won the election and this is the bill that he would be waiting to sign down at the White House, because this is a bill that ends the death penalty, makes it virtually impossible to get evidence into our courts, and otherwise guts the criminal justice system in this country.

Let me quote from Richard Ieyoub, president of the National District Attorneys Association.

This bill—

looks like it was drafted by the death row PAC at Leavenworth or Attica.

These provisions which at best can be characterized as pro-criminal, will dramatically increase the opportunity for delay, abuse and repetitive litigation in both capital cases and in cases that are not capital. And for the Congress, under the guise of reform, to try to pass this legislation is a sham.

That is the end of the quote from the head of the District Attorneys Association.

What about the attorneys general? Mike Moore, attorney general for Mississippi said:

The legislation would make the perpetrators of violent crime, not the victims or their families, the beneficiaries of an act of Congress.

I don't think you are going to find a single prosecutor anywhere in America that supports the habeas corpus provision in the House bill as it stands right now.

We think it is a bill that is pro-criminal and is not an anticrime package.

Finally, Richard Thornburgh, Attorney General of the United States, the Nation's chief law enforcement officer said, "Under the bill as it is coming to the floor, it requires two aggravating circumstances," if you are going to have someone put to death for assassinating the President of the United States. That means you cannot just shoot the President of the United States or stab him, you would first have to torture him, then shoot him or stab him before the perpetrator would end up getting the death penalty. That is absolutely ridiculous.

This bill also in its death penalty provisions would exempt the blowing up of an airliner that could kill 200 or 300 people. I have called that portion of the bill the PLO protection act of 1990. There is no rational reason to let airplane bombers off from the death penalty, but the liberals who control the House Judiciary Committee have no trouble doing that, and I am sure the Civil Liberties Union would think that is a neat idea as well.

But here is one that even they might be troubled over, murdering a civil rights lawyer or murdering a civil rights worker by sending a bomb through the mail. That will not get the death penalty even when you kill somebody, and I think it should. The Gekas amendment that will be offered next week, if the Rules Committee permits it, I think will bring that rationality back to the bill.

Murdering members of families of Federal officials, murdering witnesses, all of these folks who currently under Federal law should be getting the death penalty will walk if this bill becomes law. They will go to prison, but they will not pay the price that they should pay for a very heinous crime.

When this bill comes before the House I just hope the Members of this body will listen to the Attorney General, the U.S. attorneys, the attorneys general, the district attorneys, and the U.S. attorneys because these are the guys and gals out on the firing line that have to enforce the law. When they say we would be better off if we did not pass this thing than if we pass it, that should be telling the House something. Even the House liberals ought to think very carefully about voting for this so-called anticrime bill, because actually this bill will do more to help get our cities unsettled and to increase murder in this country than any single act we can do.

I am certain that we will be offering a number of amendments, and I certainly hope the amendments prevail.

ALTERNATIVE ENERGY AND FUELS IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. ALEXANDER] is recognized for 5 minutes.

Mr. ALEXANDER. Mr. Speaker, I am here today to join my friend and colleague, the gentleman from Missouri [Mr. VOLKMER] in a special order which I will not be able to be present during, but I would like to compliment the gentleman from Missouri for taking the initiative to address the question of alternative energy and alternative fuels in America. He recalls as I do back about 10 years ago when we established a commission, the National Alcohol Fuels Commission, on which I was privileged to serve as a member, that outlined a plan for alternative fuels in America which, if followed, would have eliminated the necessity of sending United States troops to Saudi Arabia.

Simply put, we abdicated our responsibility in the national energy area. We failed in that responsibility, and as a result we are spending $15 billion a year for operational costs just to keep our troops in Saudi Arabia for the purpose of protecting the oil supply. We can dress up the reasons. We can talk about grand design, a new world order. But back where I am from in Arkansas we know that the real reason our troops are in Saudi Arabia is to protect the oil supply.

I am trying with others to determine the real cost of that supply, and I will include an editorial published in the New York Times that estimates the real cost of oil at about $80 a barrel. I have asked the General Accounting Office to estimate those real costs, and some of the data Members might be interested in are as follows: We consume as a Nation about $100 billion of gasoline annually. We get about 25

percent of that gasoline from Saudi Arabia. It costs us in capital costs, in defense costs about $100 billion a year to keep, to prepare, to defend that oil.

So just with that simple data it costs us about $4 a gallon at the pump to subsidize or defend the cost of that gasoline getting to the pumps in the United States. Thus the real cost of fuel at the pump, it is about $1.25 at the pump and about $4 for the military escort.

We will try to estimate those costs and quantify those costs in a way that the American people deserve to have, and we hope very much to expedite that study.

I would like to mention one other thing. I compliment President Bush for confessing the failure of the last decade and for asking the Congress to present conservation measures. One such conservation measure is possible under the Clean Air Act which calls for about 2.7 percent oxygen content in all automotive fuels. That is by weight, and it is equivalent to about 10 percent by volume. If we should pass that and apply it to all transportation fuels, it would reduce our dependence on foreign oil by 10 billion gallons a year.

Those are the kinds of things that we can do in the Congress. Those are the kinds of initiatives that will lessen the need for sending troops to Saudi Arabia to protect the oil supply.

In effect, what we are saying here is that for less than a third of the cost of keeping our troops there, we can have a national energy policy and bring those troops home. I compliment the gentleman from Missouri [Mr. VOLKMER] for taking this initiative today.

□ 1810

THE GREATEST RISK IS GLOBAL WAR OVER OIL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. RITTER] is recognized for 5 minutes.

Mr. RITTER. Mr. Speaker, while nearly 100,000 American service men and women are in the Saudi Arabian desert or in its waters about Kuwait, we here at home have some really hard thinking to do about the risk that we are subjecting our service men and women to, and we have to do some really hard thinking about where we have been on the production of American energy since the oil shock of 1973, and when OPEC cut off supplies, or the Iranian oil crisis of 1979, when Iran shut off supplies.

Where have we been to avoid this crisis in the Middle East today? And If we think about it, we have not really been anywhere. We have not gone very far. Those crises back in the 1970's were tough; I mean, there were gas lines, and that was painful in a way, and there was a lot of inconvenience and it cost people money, and the policies caused shortages perhaps. But what we experienced in 1973 and 1979, is minuscule to what is happening today.

Today now we find that Iran is not going to respect the embargo and the United Nations sanctions, that Iran is going to work a deal with Iraq to transship oil for food and for medicine and whatever it takes to break the embargo. Iran feels they can make a lot of money on this. I guess, whatever the new ayatollahs think over there, I never could understand their line of reasoning, but the bottom line is this: the crisis we face today, the risk we face today with hundreds of thousands of American young men and women on the front lines is far different and far greater than 1973 and 1979. We are risking global war over oil to some very large extent because we did not do our homework and learn from the 1973 and 1979 crisis years.

What do I mean by that? Well, for starters, I mean that we seem to have turned off the oil spigot in the United States. We have taken our own potential for continental production and kind of put it out of the picture, and when it comes to offshore oil, we have considered the environmental risks of going offshore, the California coast or other coasts, we have considered those risks essentially greater than the risk of global war over oil. Think about it. We have considered the risk to the environment of high-technology, very sound processess of taking oil out of the North Slope and the ANWR in Alaska, we have considered that risk greater than the risk of global war over oil. That is what we essentially have done with our energy policy in the past decade.

Then take coal. We have not moved nearly fast enough forward with substitution of coal and the electricity it produces for those uses in our economy of oil. There are many areas where you can take electricity and substitute it for oil. We have not done that. As a matter of fact, we have built very little in terms of new electric-generating capacity in the 1980's and, as a matter of fact, the environmental problems that stem from oil-fired gasoline-burning engines could be mitigated somewhat with electric vehicles, but those electric vehicles at night will have to plug into some outlet at home, in someone's garage. It is going to need vast new quantities of electricity. That would be one way to help the Los Angeles Basin over its problems with smog.

But, no; the anti-central-generated-electricity movement has seen to it that we have put on line very little additional generating capacity.

Then we get to nuclear energy. I ask you: Is the risk of nuclear energy where not one person has ever died in the peaceful uses of atomic energy, where there is no air pollution in nuclear-generated electricity, where we responded very well to the problems of Three Mile Island and came back with a far safer nuclear alternative, no, it takes 14 years to license a powerplant. One cannot finance a powerplant in this country because of the interventions along the way and the time it takes. It is simply priced out of the market.

There is an interesting individual case in point which I would like to close with, and that is in the New York City metropolitan area. My colleagues, ladies and gentlemen, in the New York City metropolitan area there is a facility, a $5.5 billion electric generating facility, called the Shoreham nuclear powerplant, invented in America, made in America, American jobs, American technology, paid for initially in the Manhattan project by the American taxpayer, there is this $5.5 billion electric generating capacity which can substitute for oil, which is clean, which is kept out of production, which is kept down. There is an attempt to dismantle it by the Governor of the State of New York while New York State and New York City, in particular, is one of the biggest importers of Middle Eastern oil. So think of the decision. The decision has been made to shut down Shoreham by the Governor of New York State, Mario Cuomo. The decision has been made to shut down the facility in the face of massive oil imports by New York City from the Middle East for electricity, yes, to produce electricity. The decision has been made to risk essentially hundreds of thousands of American lives, global war over oil by those who refuse to produce American energy.

The greatest risk of all is not nuclear power or coal or offshore drilling or the ANWR's drilling. The greatest risk of all to our health, to our lives, to the environment is global war over oil.

PYRO MINING CO. TRAGEDY—1 YEAR AGO TODAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky [Mr. HUBBARD] is recognized for 5 minutes.

Mr. HUBBARD. Mr. Speaker, earlier today my colleague and friend Congressman RON MAZZOLI reminded us that 1 year ago tomorrow—September 14, 1989—a crazed gunman killed eight employees of Standard Gravure Corp. in Louisville, KY, and injured 13 others before killing himself.

Well, just 1 year ago today—September 13, 1989—an explosion shook Pyro Mining Co.'s William Station Mine near Wheatcroft, KY, in my congressional district, and claimed the lives of 10 miners. Today, 1 year later, we are still feeling the aftershock of that tragedy.

This past Sunday, the Courier-Journal, Kentucky's largest newspaper, published excellent articles that focused on the pain and loss felt by the families of the victims of this terrible accident. These news and feature articles were written by Fran Ellers and Robert Garrett of the newspaper's staff. All of us in western Kentucky have been affected by this loss.

I congratulate the news media in Kentucky and in nearby Evansville, IN, for their attempts to educate the public with regard to what took place at the William Station Mine on September 13, 1989. Coal mining is critical to Kentucky's economy, and every citizen should know about safety and health conditions in our mines.

Moreover, those of us in Congress share a unique responsibility to learn exactly what took place at this mine and what actions we can take to avoid such accidents in the future. Miners, whether they are involved in coal mining or the mining of some other mineral or commodity, can be found all across these United States.

Since the explosion at Pyro Mining Co., 18 other coal miners have lost their lives in mining accidents in Kentucky, including three miners who died in a single explosion at Big Mama Coal Co. in Knox County, KY, on July 31 of this year.

Under the provisions of the Federal Mine Safety and Health Act of 1977, we in Congress look to the Department of Labor's Mine Safety and Health Administration to enforce safety and health standards in the Nation's mines. Without that agency's constant vigilance, the men and women who work in these mines remain vulnerable to the type of senseless tragedy which occurred at the William Station Mine.

I applaud the recent actions taken by the Mine Safety and Health Administration to improve enforcement in the Nation's mines. However, I still believe that more must be done.

It is to that end that I draw your attention to special oversight hearings that will be conducted by the House Education and Labor Committee's Subcommittee on Health and Safety with respect to the Pyro Mine disaster. These hearings will take place in the Rayburn House Office Building on Thursday, September 27, and I am grateful to have the opportunity to take part in the hearings at the invitation of the subcommittee's chairman, my friend JOE GAYDOS of Pennsylvania.

Hopefully, through these oversight hearings we will be able to best ascertain what actions we need to take to make certain that an accident of this nature does not repeat itself, in western Kentucky or your home State.

Finally, I would like to congratulate a member of the congressional staff representing Kentucky's First Congressional District, namely Joey Lucas of Lancaster, KY, for his efficient and diligent work toward seeing to it that our Nation's mines are safer. Also, Joey Lucas, a 29-year-old projects director in our office, has been very helpful to the families of the 10 deceased coal miners who died 1 year ago today at William Station Mine, Wheatcroft, KY.

□ 1820

DEBATE NEEDED ON NATION'S ENERGY SECURITY

The SPEAKER pro tempore (Mr. MCDERMOTT). Under a previous order of the House, the gentleman from New York [Mr. WEISS] is recognized for 5 minutes.

Mr. WEISS. Mr. Speaker, when President Bush addressed Congress last Tuesday night, I listened with interest when he said, "Americans must never again enter any crisis, economic or military, with an excessive dependence on foreign oil * * *."

Such an admission from the President was curious. Although he voiced concern about our energy dependency, his proposals to reduce our dependency left something to be desired.

It seems one of the important lessons of the energy crises of the 1970's must be relearned—that of energy efficiency. The President mentioned energy conservation Tuesday night, but then he breezed on to discuss domestic oil drilling.

Such an oversight on the President's behalf was discouraging. In short, one issue that screams for attention from the Persian Gulf crisis is how rudderless the United States is in terms of long-term energy use strategy, much less energy independence.

Unfortunately, the energy efficiency and conservation measures gained in the 1970's were neglected during the 1980's for the seductive lure of cheap oil. Congress and the Reagan and Bush administrations slashed and burned our energy conservation and renewable energy programs. In fiscal year 1990, these programs have been reduced from their 1980 funding levels by 40, 50, and sometimes 60 percent.

Energy efficiency and conservation cannot be overemphasized. It is important for national security, economic stability, our environment and our health. An article in the Wall Street Journal points out that energy efficiency is a high priority for the national and economic security of many industrialized nations, especially Japan. As the Journal reports, "No country was harder hit than Japan by the oil shocks of 1973 and 1979. And no country subsequently insulated itself better from the vagaries of world oil markets."

In the midst of the Persian Gulf crisis, it is opportune to revisit the issue of energy efficiency and to focus on achieving a comprehensible, reasonable strategy for long-term energy use.

That's why I intend to propose legislation that calls attention to our energy problems. The bill would test the congressional waters, so to speak, for a proposal to request that President Bush call for a energy summit, much like the education summit held last year. As I see it, such a summit would be a national forum for the discussion and establishment of natural energy goals.

I envision a primary purpose of the summit is to develop national goals for the use of renewable and nonrenewable energy resources by the year 2000. It could be a forum for addressing national energy problems, prioritizing them and offering solutions to them. Just as the education summit established national goals for American education, the energy summit would come forth with general policy goals regarding foreign oil, domestic natural resources, and the role of the Federal Government in conservation—to name just a few policy areas. To be sure, I am by no means limiting the discussion to these issues.

I would like to briefly address the concern that some of my colleagues might have about the Department of Energy's national energy strategy, which is due to be released in December. The energy summit is not an attempt to short circuit the national energy strategy. On the contrary, the summit could be used to spotlight the plan and to integrate it into overall policy goals.

I encourage my colleagues to join in the discussion about our Nation's energy security, to offer ideas and to help direct the Nation's long-term energy use strategy. Most of all, I look foward to a sustained debate and concern about America's future energy use. One thing remains sure. Our energy woes certainly will not be resolved with the direction and preoccupations of our current energy policy.

RACING FOR CONFIDENCE: WILLIAM OLSON AND 52 ASSOCIATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York [Mrs. LOWEY] is recognized for 5 minutes.

Mrs. LOWEY of New York. Mr. Speaker, when we passed the Americans With Disabilities Act earlier this year, we took a major step to help the disabled to fulfill their dreams, to achieve everything that they hope to. In Westchester County, NY, William Olson and the members of the 52 Association are striving to help achieve that same end.

The 52 Association, an organization based in Ossining, NY, helps the disabled with their Confidence Through Sports Program. Eight thousand amputee, paraplegic, and blind vet-

erans and handicapped civilians come every year to the 52 Association's 41-acre sports center to strengthen confidence in themselves—to prove that handicaps aren't obstacles to full and meaningful lives.

Tonight, Regatta 52 is honoring Mr. William Olson—the chairman, president, and chief executive officer of People's Westchester Savings Bank—at their annual medal of honor dinner. He is being rewarded for his commitment to improving the quality of life for all, particularly for the handicapped. It is a reward he truly deserves.

It's not surprising that Mr. Olson is being given this honor. His commitment to public service, his tireless dedication to serving our Westchester community, is too great to go unnoticed. Besides his work with the 52 Association, William Olson has served as president and director of Phelps Memorial Hospital and of Westchester Residential Opportunities. He was chairman of the 1982 Summer Jobs for Disadvantaged Youth Campaign, and was recognized with an award by President Reagan. He has chaired the Westchester County Association, and the Housing Task Force Committee of Westchester 2000.

His public service includes responsibilities as a director or trustee of Lyndhurst Council, Historic Hudson Valley, Hudson River Valley Association, Westchester County Historical Society, Society for the Prevention of Cruelty to Animals, Community Preservation Corporation, and the Association for Mentally Ill Children of Westchester, and other active community organizations.

The 52 Association held their annual 52 Regatta this past weekend. Fifty-two able-bodied skippers sailed as their partners—52 disabled men and women--contested the 4 kilometer race on shore. The competition was fierce but free from rancor. Every one of these competitors had won before the race even started because they were showing that no disability could stop them from striving for excellence.

I'm proud to be associated with the 52 Association, and I'm proud to represent a concerned and involved citizen like William Olson. I offer him and every member of the association my warmest congratulations. I commend their work toward making the spirit behind the Americans with Disabilities Act a reality

CENTRAL AMERICAN DEMOCRACY AND DEVELOPMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. FASCELL] is recognized for 5 minutes.

Mr. FASCELL. Mr. Speaker, I am pleased to introduce today the Central American Democracy and Development Act.

This legislation is the initiative of Senator TERRY SANFORD, who is introducing identical legislation in the Senate. The bill seeks to integrate the recommendations of the report of the International Commission for Central American Recovery and Development with current United States policy toward Central America. The bill also incorporates the President's recent Enterprise for the Americas Initiative.

The report by the Commission which was established at the suggestion of Senator SANFORD and was composed of 47 members from 20 countries, makes comprehensive recommendations to address social, economic, and political problems in Central America. The Commission's recommendations are consistent with U.S. policy and should help direct U.S. priorities. Similarly, the President's recent initiative to promote trade and investment opportunities and to ease the external debt burden of our southern neighbors is an important addition to U.S. policy.

I would also like to note that the five Central American Presidents, in their June Declaration of Antigua, adopted a plan for the development and economic integration of the region. The recommendations of the Commission, President Bush's initiative, and the integration scheme of the Central Americans all point to a consensus regarding the direction of development in and United States policy for Central America.

I commend Senator SANFORD for taking the initiative in attempting to develop a consensus, both within the United States Government and with leaders of Central America, on a framework for a United States policy response to the breadth of problems confronting the countries of Central America.

This billl has been developed with the cooperation of the administration, and I hope it will receive the appropriate bipartisan support.

IRAQ EMBARGO ENFORCEMENT ACT

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, the United Nations-ordered trade embargo of Iraq is our best hope for resolving the crisis in the Persian Gulf.

With our huge budget deficits, slowing economy, and S&L debacle, we can hardly afford a large long-term deployment of troops halfway around the world.

And anyway, why should we pay most of the expense? Europe and Japan import more of their oil from the Persian Gulf than we do, let them contribute their fair share.

And why should it be mostly American soldiers putting their lives at risk? Let United Nation troops protect Saudi Arabia. The whole world benefits from stopping Saddam Hussein so the whole world should help bear the burden.

That's why the embargo is our best hope. The cost is shared by everyone and there's the chance to minimize loss of human life.

But not everyone is observing the embargo. Increasingly there are reports of cracks here, leaks there. Cargo planes are flying in from Libya and Yemen. Cuba and Romania have reportedly struck oil deals with Hussein. Middlemen have set up in Cyprus and Lebanon and formed networks to move supplies into Baghdad, often passing through Jordan.

Worst of all, companies in several Western European countries are attempting clandestinely to ship goods into Iraq. And some of our new Eastern European allies are apparently trying to continue selling arms to Hussein.

I say it's time to take a stand against these cheaters who profit at the world's expense. I'm introducing the Iraq Embargo Enforcement Act. Under this legislation, any foreign company that violates the embargo is prohibited from exporting goods to the United States.

Let the smugglers try to make a few extra bucks while our soldiers sweat in the desert. They'll lose the biggest, richest, and most rewarding market the world has to offer. And they'll lose it for good.

ELOQUENT WORDS ON PERSIAN GULF CRISIS FROM HOUSE MAJORITY LEADER GEPHARDT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. SYNAR] is recognized for 5 minutes.

Mr. SYNAR. Mr. Speaker, on Tuesday night, the House majority leader, Congressman DICK GEPHARDT, spoke to the Nation for 10 minutes about the Persian Gulf crisis and the budget deficit reduction talks. Our colleague was eloquent, strong, and faithful to the American people and the principles for which all of us stand.

In recent days, DICK has been representing the national interest by leading a bipartisan delegation to the Persian Gulf and by chairing the budget summit talks currently underway between the administration and Congress. He was, beyond question, the best qualified to talk to the Nation about both of these issues.

Congressman GEPHARDT spoke with pride about the leadership role America is playing in the Persian Gulf crisis. He commended President Bush for organizing international resistance to Iraqi aggression, and called the United States "the only power capable of summoning a grand and global alliance on the scale we have seen in Operation Desert Shield."

But, unlike the President, Mr. GEPHARDT forcefully made the case that America's prosperous allies, especially Japan and Germany, should make a greater contribution to our Persian Gulf effort. He said:

> When countries like Egypt can stand beside us, when young Americans stand on front lines, only miles from the threat of poison gas, the least the Japanese and Germans can do is support us—and not just with words; they must respond to our potential sacrifice of lives with at least a financial sacrifice of their own.

In discussing the budget, the majority leader expressed the values of our party and our commitment to writing a budget that fairly treated working Americans.

"To help the President write a budget," said Congressman GEPHARDT,

> We Democrats have offered cuts in domestic programs while trying to protect the most important ones. But we will never abandon the cause of working families * * * They already pay for government, their student loans have already been cut, and their sons and daughters are at risk in the Persian Gulf.

I would like to share with all Americans the eloquent words and forceful ideas of our colleague, DICK GEPHARDT. I ask unanimous consent that the entirety of his address be inserted in the RECORD at this point.

HON. RICHARD A. GEPHARDT, HOUSE MAJORITY LEADER, REMARKS TO THE NATION, SEPTEMBER 11, 1990

Good evening.

I have been asked to give the Democratic response to the President's speech. But tonight, in this crisis, we are not Republicans or Democrats. We are only and proudly Americans.

The President has asked for our support. He has it. The effort will not be easy; it involves burdens and bravery, perhaps more of each than any of us can now predict. The end of what John Kennedy called "the long, twilight struggle" has not put an end to the darkness of aggression and conflict.

Yet as Americans, we enter this new world with a remarkable degree of purpose and confidence. Here at home the sense of unity and the absence of widespread opposition to this action in the Persian Gulf testify to our powerful, instinctive feeling that this is a cause worth standing and fighting for.

We are standing—and if necessary we will fight—because a vital national interest is at stake. We cannot and will not permit the invading forces of a fanatical regime to control half of all the oil reserves which are the lifeblood of the world economy.

Yet more is involved here than national interest, as important as that is. There has been, and there always should be, a moral component of American foreign policy. This has sometimes been criticized as weakness; in truth it is our greatest strength. When our policy has a moral center, we gain the unbreakable resolve that comes from standing for things we believe in.

So we are now in the Persian Gulf not simply for oil, or to save emirs and kings—but to defend the most fundamental values of a more stable and decent world. We are defending basic rights—of families to be safe in their homes, of nations to be secure within their borders, of individuals to travel freely and without fear.

The tyrant who rampaged into Kuwait has also murdered his own citizens with poison gas, plotted to acquire nuclear weapons, waged genocide against a minority people, and now taken hostage thousands of men, women and children.

To watch him on television touching the head of a hostage child stuns and then outrages us.

Firmly, clearly and unequivocally, we must say to Saddam Hussein: Let our people go. Let Kuwait go. And if you start a war, know that we will finish it.

We have learned before that the large conflicts which engulf the world begin from small and unanswered aggressions. If the civilized world had looked the other way, the Iraqi war machine could have rolled across the Arabian Peninsula. It would be only a matter of time until Iraq had ballistic missiles with chemical, biological and nuclear warheads that could reach Israel, Egypt and Europe itself.

But this time, other nations have acted in time.

Among them is the Soviet Union, a nation we did not often praise in the years of the Cold War. From the summit at Helsinki, where President Gorbachev and President Bush stood in common purpose, we could see beyond the present shadows of war in the Middle East to a new world order where the strong work together to deter and stop aggression.

This was precisely Franklin Roosevelt and Winston Churchill's vision of peace for the post-war period. Their hope, suspended in time for fifty years of Cold War, has come alive in this new, post-Communist era.

America is still the leader—the only power capable of summoning a grand and global alliance on the scale we have seen in Operation Desert Shield. But it is not enough for other nations just to share our commitment. They must also share the burden.

When Bangladesh is putting troops in harm's way, so should our powerful and prosperous allies.

When Japan, Germany, and other NATO countries depend far more heavily on Mideast oil than we do, they can and should contribute to defend their own vital interests in the Persian Gulf.

When countries like Egypt can stand beside us, when young Americans stand on front lines, only miles from the threat of poison gas, the least the Japanese and Germans can do is support us—and not just with words; they must respond to our potential sacrifice of lives with at least a financial sacrifice of their own.

We are there because it is right. But it is also right to tell our friends that they, too, have to stand up to international immorality and aggression. The United States will do its part—and we will also insist that other countries carry their share of the struggle.

We have not finished the job, but how powerful are the signs of a new world coming. Today we can see Egyptian or Saudi troops wearing Hungarian gas masks or carrying Russian rifles, standing guard in the desert next to a PFC from Pittsburgh who is wearing a chemical-proof suit made in Israel. The infamy of Saddam Hussein has made us United Nations in deed as well as name.

But ultimately, for America to lead the world, we must put our own economic house in order. For as another American president reminded us, "We cannot be strong abroad if we are weak at home."

For a decade America has been left with no real energy policy at all. It is time for energy security—more production, more conservation, more support for new forms of fuel. But our aim cannot be to make America safe for isolationism. Rather we must secure America's capacity to act overseas without maximum damage from oil embargo. This nation must not be permanently faced with a choice between standing up against aggression or standing still in gas lines.

Economic strength also demands action on the budget deficit.

To help the President write a budget, we Democrats have offered cuts in domestic programs while trying to protect the most important ones. But we will never abandon the cause of working families. They benefitted the least from the decade of the 80's; they should not have to sacrifice the most in the decade of the 90's. They already pay for government, their student loans have already been cut, and their sons and daughters are at risk in the Persian Gulf.

The standard of fairness should also be applied to President Bush's commitment to raise taxes. The working people who got almost nothing from the tax cuts of the past must not be asked to pay most of the tax increases of today. Just as we must ask wealthy nations to pay their fair share to deter aggression, so we must ask wealthy Americans to pay their fair share to prevent recession and reduce our debts.

Beyond this, we must be vigorous in shaping the defense policy that we now need—one that is more relevant and more responsive.

We can and will afford weapons critical to efforts like Operation Desert Shield: tanks, precision missiles and fast sealift.

But Star Wars, the B-2 Bomber and the M-X Missile are costly systems designed for a Cold War that we have already won. We can and must reduce the part of the Pentagon budget that is nothing more than shadow-boxing with the past.

But for all of us tonight, our deepest concern is for the most fundamental realities—the hundreds of American families with a loved one held hostage—the hundred thousand young Americans in uniform: daughters, sons, husbands, wives and friends, who have been so swiftly sent to Saudi Arabia. A few days ago on a trip to that country, I saw them transforming the trackless desert sand into the frontier of international defense.

I spoke with a soldier who described telephone lines melting in the Saudi sun. Pilots told me of cockpit temperatures reaching 140 degrees.

There was another young man who was supposed to be married next Sunday. But his wedding must wait. Before toasting his bride, he will be drinking six to seven gallons of water each day just to survive the unyielding heat.

None of the young men and women I met doubted their mission. They react to such problems as sand blowing into a machine or a gearshift with that remarkable American sense of ingenuity; they respond to frustration with that irreverent American sense of humor. They worry most about their families worrying about them.

Randy King of Arkansas handed me a scribbled note for his mother: "Doing fine. Having no problems. Please write. Love ya, Randy."

And Ronald Lloyd of Idaho spoke for most of the troops when he asked me to tell his family to "send stamps and cookies—and plenty of both."

Their courage commands our support. We will stand behind them as one, indivisible nation.

We will challenge other countries to match their resolve and sacrifice.

We will insist that to ignore aggression is to invite aggression.

We will try to solve this crisis peacefully, but without appeasement.

And if our soldiers have to fight, we will make sure they win.

Tonight that is our common purpose and our prayer—for them—and for our country.

TIME FOR THE LAW TO BE ENFORCED AND OBSERVED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, American patience is wearing thin with Japan as its people go through their routine of stalling on infringement of American patents along with other actions I won't mention here.

What is distressing is this behavior is nothing new. You would think our Government would have learned by now how to deal with the Japanese other than giving in to them.

An almost identical situation took place 20 years ago. When our trade deficit with Japan was a mere $3.5 to $4 billion. To try to remedy that small

deficit, President Nixon met with Prime Minister Tanaka in Hawaii. The reports coming out after the meeting was that the Government of Japan would liberalize allowing improved investment opportunities in retailing, processing, and packaging as well as the decision to allow greater sales of American computer products in Japan.

We all know how long those agreements have taken. I thought I was reading about this year's structural impediment talks instead of a news clip from 20 years ago.

I mention this to show that what our United States companies are encountering is a long-term behavior of the Japanese Government. The Americans negotiate and then we wait.

The latest example of Japanese stalling and feinting with patents is the Allied-Signal case charging Japan with patent infringement of their amorphous metals process. Theirs is but one of the long list of complaints from American companies.

In the spring Allied-Signal filed a 301 unfair trade violation against the Japanese but agreed to a 150-day postponement to allow our Trade Representative, Ambassador Hills, to negotiate a settlement of their complaints. The 150 days are up and nothing is settled so far.

It is imperative that we now move forward swiftly with a 301 unfair trade investigation. The Allied-Signal process is not only important financially to the company but, it is also valuable to the commerce of the United States.

That amorphous metals process represents for Allied a potential $1 billion world market in transformers and more than $2.5 billion for other applications. Japan has been stalling every way it knows for 14 years to give Japanese companies a jump start on this American process—and of course on the $3.5 billion world market.

Allied-Signal has built the world's first commercial plant to manufacture amorphous metal alloys. Allied has been stymied selling in Japan although it has entered a joint venture with Mitsuiti. Even a joint venture is no guarantee for Japanese acceptance of an American product in Japan.

For years we have been hearing that Japan's patent process is rigged in favor of their own companies getting an advantage on pending American patents. A 301 investigation with Allied's claims should be most informative to us on just how the Japanese system is working.

Some of Allied's complaints are the following:

One, Japan organized and funded a 34 company Amorphous Metals Group under the Japan Research and Development Corporation to speed development of a Japanese product to compete with Allied-Signal. Through this government agency, the Research and Development Corporation has given large subsidies to Japanese steel companies to develop amorphous metal production.

Two, Japan manipulated its patent system so that it took 11 years for Allied-Signal's basic patent to issue. Allied-Signal has just 3 years of effective life remaining on its patent.

Three, the Japanese Government pressured Allied-Signal to license its proprietary technology to Japanese companies on unreasonable terms, backed by the threat of government aid to help evade the company's patents.

Four, the refusal by all Japanese electric utilities to buy imported amorphous metal for transformers despite its clear superiority.

All of this has been done under the overall direction of the Ministry of International Trade and Industry, be better known as MITI and other agencies of the Japanese Government. It is obvious that they never intended to deal fairly with Allied, although a subsidiary of the company has done business there for 30 years.

All the Government asks, and all Allied asks is to be dealt with fairly on a level playing field. This is not fair trade nor is it free trade. In this country, neighborhood bullies act better than Japan has toward Allied-Signal.

The reason for this behavior by the Japanese is not only the $1 billion market but that the amorphous metals process is one of the keys to America's future competitiveness.

The Commerce Department's 1990 Industrial Outlook describes advanced materials—amorphous metals, fine ceramics, carbon fibers, and engineering plastics—along with biotechnology as the key to any nation's future global competitiveness.

That statement is something we should pay attention to, and it certainly underscores the importance of the Allied-Signal process.

Allied's amorphous metal alloys are marketed under the name Metglas, and which is used in the cores of electronic transformers to reduce energy losses by 70 percent.

In Japan this would save oil and electricity and be a tremendous benefit to the consumers. The cost in oil expenditures alone would save $625 million per year and would eliminate the need to build two 750-megawatt nuclear plants.

This should be a boon to Japan which is dependent on the Middle East for 70 percent of its oil. The savings from Allied's process would certainly amount to more than the $2 billion that Japan now says it will contribute toward our efforts in the Persian Gulf.

While we are involved in the gulf, Japan continues to target this process as a strategic marketing area for Japanese business. We hear charges from them that American business will not spend the money for research and development and our businessmen are lazy.

Well, not in this case. Allied-Signal has invested $200 million in this technology and more than 15 years of research and development. They have earned the right to their patent.

This story is repeated by other companies but the Japanese Government continues to stonewall on all of their complaints.

Japan has manipulated patents and practiced market exclusion for Go-Video, the Arizona VCR double-deck manufacturer, Micro-Power systems, Fiberview, Therma-Systems, and the list goes on and on.

What the Japanese are doing is gobbling the minnows and then they will move on the larger fish. Allied-Signal is a larger fish. It is 28th of the Fortune 500 companies which are used to make up the Dow Jones Industrial Average and, has assets of $12 billion. It is definitely not a minnow. So if it happens to a big company, where else can it happen?

Well, it can happen to an American company in Japan or here in the United States regardless of its size if the company has a product the Japanese desire, particularly if it is a strategic company affecting an industry.

A good example of patent infringement by the Japanese and how they stalled an American business is the Go-Video case. This Arizona company is the manufacturer of the double-deck VCR—and they are the only American company making VCR's. Go-Video reacted to the obstacles and stalling by the Japanese by suing the major Japanese trading companies.

At one time the Japanese began marketing double-deck VCR's and actually sold some sets to another country, but Go-Video's attorney Joe Alioto stopped them. Go-Video owns the world patent on the dual-deck VCR's.

Then the Japanese took another tact. In good faith the Go-Video executives responded to an invitation by NEC to go to Japan and discuss their venture.

After the meetings in Japan, they thought they had a deal to buy parts from the Japanese to make their machine. No such thing. NEC had entered a "voluntary restraint agreement" not to manufacture or sell components parts, and collectively to boycott the American dual-deck VCR and prevent the VCR from being sold in the United States.

According to the CEO of Go-Video, the ringleaders of the boycott, EIAJ-NEC, Sony, Panasonic, Sanyo, JVC, and Sharp—"effectively denied Americans the choice of what VCR features they could purchase."

That may not sound so important but VCR's play a big part in our trade deficit with Japan. VCR's account for

approximately $5 billion of our trade deficit. In the past decade Americans have purchased 80 million VCR's. We sell 33,000 VCR's a day in the United States and none of them are manufactured here.

So the dollar stakes are high in this case both for the United States and Japan, but the United States interests are well represented by the executives at Go-Video.

I have spoken before about the gallant young men, Terry Dunlap and Eric Schedeler, who run this Arizona company.

They, like Allied-Signal hung tough with the Japanese although Go-Video is just a small company and not a global entity like Allied-Signal.

Go-Video went to court, and just recently received a court date for the charges of a trade conspiracy against Matshushita Electric, Sony, NEC, and others.

Can you imagine what a David and Goliath fight this is? What a show in the best of American tradition of fighting for your rights.

This small company, just getting started with its VCR, has named the Japanese trade giants in conspiracy charges and they now must stand trial in Phoenix, AZ. Now conspiracy is an interesting word.

Isn't that what Allied-Signal has been saying in a different way about the Japanese Government coordinating actions against it and its patent process? Other American companies have the same experience.

Therma-Systems of New Jersey did business with the Japanese for several years, only to find its patented hospital trays were duplicated by a Japanese company. After being praised for the quality of its product for 5 years, Therma was told overnight by its Japanese partner that its trays were not as good as the quality of the Japanese copies.

What happened was its patented process was infringed upon. After the Japanese learned everything that was needed they threw out Therma-Systems.

These cases are a case study in Japanese domination of an industry through illegal activities. I quote now from Terry Dunlap's testimony before the Republican Task Force on Technology Transfer of which Congressman FRANK HORTON and I are cochairmen.

Mr. Dunlap stated,

> The so-called "Japanese Miracle" has been accomplished over and over by the reformation of the Japan pre-war zaibatsu, which secured advanced technology from American companies under the guise of cooperation—then eliminate all competition through patent pooling, dumping, and complete disregard for antitrust laws in both countries.

He went on to explain.

> You see, the American electronics industry, like others around the world, has fallen prey to such Japanese cartel practices as price-fixing, patent and technology pooling and other illegal trade practices. The cartel meets regularly to decide collectively what products American consumers will be allowed to have * * * In these secret meetings, they and they alone choose which companies in Japan will make those products for American households.

At that same hearing Ken Cole of Allied-Signal testified to the effect of these practices. He said,

> Unless Japanese markets are opened to Metglas alloys now, a familiar pattern will have been established that will be impossible to break. We must establish the rules now or, for American companies that invest to compete in the global market with advanced technologies, the game will be over before it begins.

For those reasons just stated, and what has happened to Allied-Signal I believe a 301 investigation should be pursued vigorously by the U.S. Trade Representative. As part of the Executive Office of the President, our Ambassador should be able to win this one for the United States.

We must win this case. We can be tough and fight the good battle, but that is not good enough. The name of the game is winning. There are no prizes for second best in this economic war with Japan.

Mark Shields wrote in a recent Washington Post article, "The gold rule of international finance continues to prevail: He who has the gold rules."

Well, the way to have the gold is to win control of the strategic industries and, it is winner takes all in market dominance. Either we have the jobs, the jobs, the tax revenues, the opportunities for our citizens to do better, or we work for someone else.

As Akio Morita, chairman of Sony, said in his New York speech last year, "A service economy does not drive the engine of a country. You must have value added manufacturers."

That means some strong basic industries. The companies I have discussed together contribute to those strong basic industries. Some of them are in high technology and some are in the industries of the future.

Allied-Signal's amorphous metals process is one in both areas. As the Commerce Department stated, amorphous metal alloys is one of the key industries for our global competitiveness.

There is no giving in on this one. The trade negotiators at USTR must win this for the United States.

Our future rests with this small band of young trade warriors. We should wish them well, and let them know that all eyes are on them now, because all Americans will pay the price if they lose. It is up to them.

□ 1850

WHAT WOULD HARRY TRUMAN SAY ABOUT OUR U.S. ENERGY POLICY?

The SPEAKER pro tempore (Mr. MCDERMOTT). Under a previous order of the House, the gentleman from Missouri [Mr. VOLKMER] is recognized for 60 minutes.

Mr. VOLKMER. Mr. Speaker, I have taken this special order to highlight the need for a consistent energy policy at a time when this country is again feeling the effects of an energy crisis.

A number of my colleagues will be joining with me in this discussion and I appreciate them sharing their expertise on energy policy, alternative fuels programs, coal liquefaction, electric car technology, wind and solar energy, and conservation programs. What is said here tonight will be very helpful in focusing this nation on the need to commit to a long term energy policy.

At present, administration leadership in this area is lacking. Last Tuesday night when the President spoke to the American people before a joint session of Congress, he devoted less than 12 lines to developing our energy sources and increasing our conservation effort. It took less than 30 seconds time and that is not a national commitment.

To further illustrate the point that we need more Presidential commitment to energy independence let me point out that this special order on energy independence occurs 45 years after the end of World War II, a war which on the part of the Germans was fought with a military machine fueled by synthetic fuels derived from coal liquefaction and gasification technologies.

At the end of the war, American scientists began to build on that German technology with a research and demonstration project in Missouri. However, in the 1950's the Eisenhower administration shut-down the coal liquefaction plant at Louisiana, MO, because the availability of cheap oil and gas raised questions about the commercial viability of these synthetic fuels—in brief the big oil companies objected to the competition and flooded the American marketplace with oil and scuttled the fledgling synthetic fuels program.

In 1980, following two more energy crises in 1973 and 1979, President Carter and Congress passed legislation and established research and demonstration programs and promoted coal liquifaction and gasification plants. By 1981, the new Reagan administration agreed with the big oil companies that there was no need for experimentation with exotic energy sources and over the next 3 years the guts of alternative fuels program ground to a halt.

Today there exists an oil shale plant in Colorado, a windmill farm for electric power exists near Barstow, CA, and a goal has not been encouraged. The geothermal program is shutdown and solar energy program is defunct. The electric car program is not funded. The United States has no alternative energy source policy or program and the American people are at the mercy of foreign oil sources.

If Harry Truman were here today, I am sure he would be plainspoken on this subject and say to his assistants:

At the end of the Second World War I thought we had American scientists use German research and technology to develop an alternative fuel capability. We sponsored a coal liquefaction plant at Louisiana, Missouri to meet this problem head-on. We laid a base in the late 40's and early 50's. Why hasn't this problem been solved? Why isn't the United States energy independent? What have you been doing for the past 45 years?

While some administrations can report that they addressed the problem and developed an energy policy—other administrations have come up short. For the past 10 years this has been the case with the Reagan and Bush administrations. Alternative fuel and energy conservation programs have been downplayed and underfunded with the result that the 1980's have passed and, now in a moment of international crisis and a potential recession at home, the United States is faced with sky-rocketing gasoline and oil prices, higher fuel costs will affect employment, inflation, interest rates, winter heating costs, airline travel, automobile production, farm production cost, and so forth. The list is long and very costly, particularly since our national leaders refuse to face up to the major oil companies and develop a policy which commercializes alternative fuels and is not reliant solely on foreign oil.

Mr. Speaker, the time has come to reverse the Reagan-Bush policy of inaction and neglect and establish a policy and goal of energy independence by 2000.

In this respect, I have introduced legislation to reauthorize a number of alternative fuels and energy conservation programs. My legislation—the Commercialization of Alternative Energy Sources and Energy Conservation Technology Act of 1990—is designed to put back on the books programs which Congress started in 1979 and 1980 but which have been ignored for the past decade. Had these programs been on the books and funded as the Congress intended, our private businesses, farmers, Federal, State, and local government agencies, homeowners and individual citizens would not be faced with the sky-rocketing costs of fuel, and our American fighting forces would not be stationed in the Middle East because we would not have needed to rely on imported oil as we do under the Reagan-Bush policy. Frankly, had these alternative fuels and conservation programs been carried through the 1980's our life-style would not be threatened in 1990.

Mr. Speaker, my legislation encourages the production and use of electric vehicles by Federal, State, and local government agencies, it extends the 6-cent tax exemption on gasohol made with alcohol, ethanol—corn derivatives, it provides loan guarantees for individuals and firms building commercial refineries to liquify coal and crack oil shale, a 20-percent tax credit for equipment for businesses who use 20 percent or less natural gas or oil for heating purposes, and a solar bank to provide loans to homeowners to install solar heating devices is reestablished.

Finally, this legislation increases funding for programs providing low-income weatherization assistance, increases conservation assistance to schools and hospitals, funds a program to assist State agencies implement conservation techniques, and provides money for an energy extension service to benefit the agriculture sector.

Mr. Speaker, there will be some who object to the United States embarking on an energy independence program because it is too costly during this period of budget constraint.

In response, I would point out that the current cost of maintaining our military in the Middle East is $1 billion each month we are there—and there is no end in sight. Obviously, an energy independence program would not be this costly and it would save money in the long run.

Mr. ROE. Mr. Speaker, I am honored to join my distinguished colleague, Congressman HAROLD VOLKMER from Missouri, in this most timely special order on American energy independence.

The common denominator of contemporary society is energy. There is an energy component in every product we use, in every morsel of food we eat, in every machine we employ, and in virtually every activity of our daily lives. In fact, energy is so pervasive in our existences that we ignore its existence, that is until that energy component is threatened or altered in some way.

Over the past decade, we as a nation have spent an enormous amount of time and money trying to determine how to improve American competitiveness in the global marketplace. Somehow we have managed to disconnect that competitive quest from the availability and the cost of the energy component in the products and services we need to sell to be more competitive. The bottom line cost of a commodity is determined by how much it cost us to produce it.

The cost of energy is such a crucial economic factor that over the last 90 years of oil prices, a recession has followed each of the three major oil price rises in this century, 1920–21, 1974–75, and 1981–82.

We know that in most instances, oil is the energy resource of choice. The dramatic increase of world oil consumption can be portrayed best by two simple and stark statistics. The first 200 billion barrels of world oil were produced and consumed in 109 years. However it took only 10 years for the world to produce and consume the next 200 billion barrels. These are not judgments or opinions. These are facts. We cannot alter their reality. But it is within our power and determination to change future facts about oil consumption, its prevalence and its pace.

A rational American energy policy must accept and include another set of facts, facts that can never be changed. The fundamental determination of where the world's energy resources are located was set eons ago for this planet. Those facts and realities cannot be changed by either politics or power, now or at any point in the future.

Over half of the world's known oil resources, and one quarter of known global natural gas reserves are located in the Middle East. The United States has roughly 4 percent of world oil reserves and 6 percent of the natural gas reserves. On the other hand, the Middle East has virtually no coal resources, while America sits on more than one-fourth of the world's supply of coal.

These facts can be reduced to a simple conclusion. If the United States continues to be primarily an oil dependent economy, and most of the oil is located elsewhere, then our economic dependence translates into economic vulnerability. We learned the meaning of vulnerable overnight in 1973.

That grim, but luckily brief, period when the Middle East oil tap was turned off sent us into a 7-year search for national energy solutions. From 1973 to 1980, under the leadership of first, the Energy Research and Development Administration [ERDA], and then, the Department of Energy [DOE], we initiated numerous energy R&D programs in both alternative resources and new technologies.

Our philosophy was that future energy security could not rely on any one energy resource. A mix of diverse energy sources and technologies was the reasonable and rational way to avoid future vulnerability.

In 1980, we saw a turnabout in both energy philosophy and policy regarding private and public sector roles and responsibilities in energy development.

There was a nosedive in the funding for R&D programs related to conservation, solar, fossil, geothermal, and synthetic fuels commercialization. There was a national prejudice against nuclear power despite the proven track record of its safety. Many of those programs atrophied and disappeared, some hung on by a thread, but the energy program lost its mission and its momentum.

Mr. Speaker, it is time to change the words "American Energy Independence" from rhetoric to reality. It is time to learn this lesson for the last time, not for yet another time.

There are myriad possibilities for both conserving energy and for switching to other energy sources. We are not starting from ground zero. We developed a store-house of knowledge and experience in the years of strong and varied energy R&D programs. It's time to put the commitment back into the energy Agenda. It's time to design a comprehensive energy policy that will serve the

Nation, not a particular adminstration, only to be reversed by another administration.

Energy is the feedstock of our industrial economy. Let's not permit outside forces to determine the cost of our production and thus the competitiveness of our products. Let's not leave our energy stability open to the changing winds of some other nation's politics, or perfidy.

I want to commend my colleague, Mr. VOLKMER, for this special order on energy. I hope that it marks a turning point in our national resolve to promote American energy independence.

Mr. ALEXANDER. Mr. Speaker, I would first like to thank my friend, HAROLD VOLKMER, for arranging this special order. I can think of no more important topic than energy independence for America.

For more than 15 years, I have fought to expand the use of alternate energy, including farm-grown ethanol, in order to lessen our dangerous dependence on foreign oil, put more money in the farm economy, and prevent our foreign policy from being held hostage by the likes of Saddam Hussein.

The reasons for increasing reliance on alternate fuels and decreasing our dependence on foreign oil are many and have been stated many times. But, in providing naval escorts for Kuwaiti tankers and in mounting Operation Desert Shield, we have been presented with another striking and very compelling reason: Our dependence on foreign oil has now placed America in the position of possibly trading blood for gasoline.

Let us be honest with the American people and with ourselves. The lives of men and women wearing the uniform of this country are currently at risk because this Government has failed to formulate an energy policy which shakes off America's reliance on foreign oil.

Despite the warnings, despite the oil shocks of the 1970's, despite the experience with reflagging tankers—despite all of that and more, we refused to act while the gas tank was full.

We went about our business until an Iraqi despot forced us to yet again focus on the problem. Saddam Hussein may play a more important part in shaping this Nation's future energy policy than all of us put together.

On the whole, this situation represents a disgraceful abdication of leadership. Even when the gas tank is full, we must continue our work toward forging a new energy policy. We owe that to the people wo elected us—and to their children.

With our current addiction to oil, the decisions of a Saddam Hussein can directly affect the Nation's ability to compete in a global economy, jeopardize the jobs of our people, make it more expensive for them to even drive to and from work, dictate how much we pay for gasoline, and place the lives of American military personnel at risk.

It's just too high a price to pay.

As a long-time advocate of alternative fuels and a member of the U.S. Alternative Fuels Council, I have heard the argument ad nauseam that we cannot expand the use of alternate fuels, such as ethanol, because they are not price competitive with gasoline.

My question is: How can anyone make that statement without knowing the true cost of gasoline?

The total cost is certainly not reflected by the pump price.

What about the spending on military operations to protect the Mideast oil supply, increased health care costs which can be attributed to pollution, and the environmental damage done mainly by vehicle emissions?

We must also ask: If it were not for oil would the Egyptian debt writeoff proposal have been made?

I believe until we determine the true cost of gasoline, we will be writing the Nation's energy future in the dark. At a meeting of the U.S. Alternative Fuels Council last month, I announced that I would seek a study by the General Accounting Office [GAO] and the Office of Technology Assessment [OTA] of the hidden cost of gasoline.

The results of that study, I believe, will open some eyes.

I was interested in an article which appeared in the New York Times on September 4, which dealt with this subject. The authors of the article only factored in military and foreign aid costs and came up with an $80-a-barrel price tag for oil.

It goes without saying that when other items are factored in, the per-barrel cost will rise much beyond that figure.

Mr. Speaker, I would like to place in the RECORD the article from the New York Times. And I would also like to enter in the RECORD editorials which appeared in two of the leading newspapers in my district, the Jonesboro Sun and Batesville Guard.

These enlightened voices are most welcome in the debate over our energy future. They help shape public opinion and we must have public opinion behind us to forge a new policy on energy use in this country.

America, Mr. Speaker, can no longer be hostage to foreign oil. We must rely more on our own natural resources * * * turning to the grain fields of the Midsouth, instead of the oil fields of the Mideast for our energy supply.

You will not have to reflag grain trucks and it will not be necessary to send the military into the Nation's Farm Belt to insure the supply of raw material for our fuel.

Mr. HUGHES. Mr. Speaker, 12 years ago, I organized a solar energy conference and exhibition in Atlantic City to give homeowners and businesses the opportunity to examine solar energy equipment first hand. At the time, government, industry, and the public were earnest in their efforts to conserve energy and to utilize alternative energy sources. We were determined to reduce our dependence on imported oil and not let ourselves be held hostage to events in other parts of the world. Unfortunately, once the long gas lines disappeared, so did the commitment for such a forward looking energy policy.

Now, energy consumption in the United States is at its highest level ever. In fact, oil imports have doubled since the early 1980's. In the first 4 months of 1990, 46 percent of our oil needs were met by imports. About one-quarter of that oil came from Persian Gulf countries. The increase in oil prices immediately effected consumers. And if the price increase is sustained, the U.S. economy will most certainly be adversely affected as more resources are diverted to cover energy costs.

On Tuesday night, President Bush said, "We have moved in the wrong direction. Now we must correct that trend." Indeed, we have been moving in the wrong direction of nearly a decade. Federal energy conservation programs have been ignored and left to wither away by the Reagan and Bush administrations. The lack of leadership and programs has led to a lack of alternatives to oil.

It is the time to seriously develop a comprehensive national energy policy which will reduce our dependence on imported oil and is sensitive to environment.

The Arctic National Wildlife Preserve and the Outer Continental Shelf are not the first places to look to solve our energy needs. Exploitation of important national treasures should be our last resort—not our first—in addressing the energy security of our Nation. In the case of the Outer Continental Shelf, the oil and gas produced might last a few weeks or days at present levels of consumption. The environmental costs, on the other hand, would be high to our already heavily impacted beaches and coastline.

Conservation and efficiency must be our first priorities. After the crises of 1973 and 1977, we were committed to finding alternatives to meet our energy needs. Between 1979 and 1986, savings from increased efficiency in the United States resulted in seven times more energy than from additional capacity. Today, with energy consumption at an all-time high, the potential energy savings from conservation can be substantial. Clearly, the barriers to conservation must be reduced. And we must once again muster the will and determination to develop a long-term policy.

The Iraqi invasion of Kuwait has again demonstrated the dangers of not having a national energy policy. The time is ripe for creating a comprehensive energy policy that balances security with environmental concerns.

Mr. HARRIS. Mr. Speaker and colleagues, the ongoing tension in the Persian Gulf highlights the vulnerability of the U.S. economy because of our continued dependence on foreign petroleum to meet our energy needs. A comprehensive national energy policy with a reduced dependence on foreign oil is necessary for energy security and economic stability. As part of this national policy we need to encourage and promote clean fuels produced from American resources.

Coalbed methane is just such an energy product and can be an integral part of our national energy policy. Alabama has taken the lead in the rapid development of this clean-burning alternative fuel and related technologies. The coal seams of the Black Warrior and Cahaba River Basins offer uniquely efficient conditions for its recovery. Twenty trillion cubic feet of national gas is trapped in their ribbons of coal seams. According to the largest gas distributor for Alabama, that is enough natural gas to support its customers for the next 200 years.

I urge my colleagues to join me in encouraging the development of alternative fuels as part of a national energy policy. And assure you that Alabama will continue to contribute to the development of clean-burning coalbed methane.

GENERAL LEAVE

Mr. VOLKMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MILLER of Ohio (at the request of Mr. MICHEL), for today, on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DOUGLAS) to revise and extend their remarks and include extraneous material:)

Mr. DREIER of California, for 60 minutes, on September 17, 18, 19, and 20.

Mr. DOUGLAS, for 5 minutes, today.

Mr. WOLF, for 60 minutes, on September 14.

Mr. RITTER (at the request of himself), for 5 minutes, today.

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. ALEXANDER, for 5 minutes, today.

Mr. HUBBARD, for 5 minutes, today.

Mrs. LOWEY of New York, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. FASCELL, for 5 minutes, today.

Mr. STARK, for 5 minutes, today.

Mr. SYNAR, for 5 minutes, today.

Mr. DORGAN of North Dakota, for 5 minutes, today and 5 minutes on September 14.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GILMAN following Mr. ACKERMAN in 1 minute speeches today.

(The following Members (at the request of Mr. DOUGLAS) to revise and extend their remarks and include extraneous material:)

Mr. SCHUETTE.

Mr. DANNEMEYER.

Mr. MCGRATH.

Mr. MACHTLEY.

Mr. MCCANDLESS.

Mr. CRAIG.

Mr. SMITH of New Jersey.

Mr. LAGOMARSINO.

Mr. PASHAYAN.

Mr. DONALD E. "BUZ" LUKENS.

Mr. BURTON of Indiana.

Mr. FRENZEL.

Mr. DOUGLAS.

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. DORGAN of North Dakota.

Mr. LAUGHLIN.

Mr. YATRON.

Mr. MCHUGH.

Mr. SMITH of Florida.

Mr. STARK in three instances.

Mr. LEHMAN of Florida.

Mr. FASCELL in two instances.

Mr. KANJORSKI.

Mr. CLAY.

Mr. EVANS.

Mr. WHEAT.

Mr. DYSON.

Mr. LANTOS.

Mr. MANTON.

Mr. ROYBAL.

Mr. LAFALCE.

Mr. KILDEE in three instances.

Mr. JACOBS.

Mr. VISCLOSKY.

Mr. BOSCO.

Mr. OWENS of New York.

Mr. MORRISON of Connecticut in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1805. An act to authorize the Secretary of the Interior to reinstate oil and gas lease LA 033164; to the Committee on Interior and Insular Affairs.

S. 2680. An act to provide for the conveyance of lands to certain individuals in Stone County, AR; to the Committee on Interior and Insular Affairs.

S. 3024. An act to require the Secretary of Agriculture to announce an acreage limitation program for the 1991 crop of winter wheat; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 7. An act to amend the Carl D. Perkins Vocational Education Act to improve the provision of services under such Act and to extend the authorities contained in such Act through the fiscal year 1995, and for other purposes; and

H.R. 94. An act to amend the Federal Fire Prevention and Control Act of 1974 to allow for the development and issuance of guidelines concerning the use and installation of automatic sprinkler systems and smoke detectors in places of public accommodation affecting commerce, and for other purposes.

ADJOURNMENT

Mr. VOLKMER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Friday, September 14, 1990, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3878. A letter from the Export-Import Bank of the United States, transmitting the annual report of the Bank's operations for fiscal year 1989, pursuant to 12 U.S.C. 635g; to the Committee on Banking, Finance and Urban Affairs.

3879. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense equipment sold commercially to Spain (Transmittal No. OTC-24-90), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3880. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense equipment sold commercially to Taiwan (Transmittal No. DTC-23-90), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

3881. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense equipment sold commercially to Korea (Transmittal No. DTC-22-90), pursuant to 22 U.S.C. 2776(c), (d); to the Committee on Foreign Affairs.

3882. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the twentieth 90-day report of progress on the investigation into the death of Enrique Camarena, the investigations of the disappearance of U.S. citizens in the State of Jalisco, Mexico, and the general safety of U.S. tourists in Mexico, pursuant to Public Law 99-93, section 134(c) (99 Stat. 421); to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 3383. A bill to authorize the National Park Service to conduct a study of park system boundaries, and for other purposes; with an amendment (Rept. 101-695). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on Government Operations. H.R. 4279. A bill to amend title 31, United States Code, to improve cash management of funds transferred between the Federal Government and the States, and for other purposes; with amendments (Rept. 101-696). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on Government Operations. S. 535. An act to increase civil monetary penalties based on the effect of inflation; with amendment (Rept. 101-

697). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHARP: Committee of Conference. Conference report on S. 2088 (Rept. 101-698). Ordered to be printed.

Mr. DERRICK: Committee on Rules. House Resolution 464. Resolutions providing for agreeing to the Senate amendments to the bill (H.R. 4328) to authorize appropriations for fiscal years 1991 and 1992 for the customs and trade agencies, and for other purposes (Rept. 101-699). Referred to the House Calendar.

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. FASCELL:

H.R. 5609. A bill to set forth United States policy toward Central American and to assist the economy recovery and development of that region; to the Committee on Foreign Affairs.

By Mr. GONZALEZ (for himself and Mr. WYLIE):

H.R. 5610. A bill to amend the Federal Deposit Insurance Act to remove the caps imposed on deposit insurance premiums and annual premium increases, to allow the assessment rates to be adjusted more frequently than annually, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. McCLOSKEY (for himself, Mr. FORD of Michigan, Mr. CLAY, Mr. HAYES of Illinois, Mr. GILMAN, Mr. HORTON, Mr. RIDGE, Mrs. BYRON, Mrs. MORELLA, Mr. ROBINSON, Mr. HAYES of Louisiana, Mr. WOLPE, Mr. GALLO, Mr. MYERS of Indiana, Mr. TORRICELLI, Mr. McNULTY, Mr. LANCASTER, Mr. BARNARD, and Mr. BURTON of Indiana):

H.R. 5611. A bill to amend title 39, United States Code, to allow free mailing privileges to be extended to members of the Armed Forces while engaged in temporary military operations under arduous circumstances; to the Committee on Post Office and Civil Service.

By Mr. CONYERS:

H.R. 5612. A bill to safeguard individual privacy of genetic information from the misuse of records maintained by agencies or their contractors or grantees for the purpose of research, diagnosis, treatment, or identification of genetic disorders, and to provide to individuals access to records concerning their genome which are maintained by agencies for any purpose; jointly, to the Committees on Government Operations and the Judiciary.

By Mr. GOSS:

H.R. 5613. A bill to eliminate the 25-percent increase in pay for Members of the House of Representatives provided by the Ethics Reform Act of 1989, and for other purposes; jointly, to the Committees on Post Office and Civil Service, House Administration, Ways and Means, and Rules.

By Mr. LAFALCE (for himself, Mr. NOWAK, Mr. HORTON, Mr. HOUGHTON, Mr. PAXON, and Ms. SLAUGHTER of New York):

H.R. 5614. A bill to authorize the use of the symbols and emblems of the 1993 Summer World University Games; to the Committee on the Judiciary.

By Mrs. LLOYD (for herself, Mr. MORRISON of Washington, Mr. ROE, Mr. TRAFICANT, Mr. VALENTINE, Mr. SCHIFF, Mr. STALLINGS, Mr. BOUCHER, Mr. BRUCE, Mr. FAWELL, Mr. WOLPE, Mr. SMITH of Texas, Mr. COSTELLO, Mr. WALGREN, and Mr. BUECHNER):

H.R. 5615. A bill to authorize certain science, mathematics, and engineering education activities of the Department of Energy's research and development facilities; to the Committee on Science, Space, and Technology.

By Mr. McDADE (for himself and Mr. MONTGOMERY):

H.R. 5616. A bill to amend the Small Business Act to establish programs and undertake efforts to assist and promote the creation, development, and growth of small business concerns owned and controlled by veterans of service in the Armed Forces, and for other purposes; jointly, to the Committees on Small Business and Veterans' Affairs.

By Mr. MARLENEE:

H.R. 5617. A bill directing the Secretary of Agriculture to utilize available funding under the Export Enhancement Program and agricultural sales credit programs against competing nations which fail to reduce agricultural production during any period of time in which the United States has in effect a production reduction program for surplus agricultural commodities; jointly, to the Committees on Agriculture and Foreign Affairs.

By Mr. NEAL of Massachusetts (for himself and Mr. PORTER):

H.R. 5618. A bill to amend the Federal Prison Industries Reform Act of 1988 to provide for the creation of the maximum number of jobs for Federal inmates; to the Committee on the Judiciary.

By Mr. ROWLAND of Georgia:

H.R. 5619. A bill to authorize the Secretary of the Interior to accept a donation of land for addition to the Ocmulgee National Monument in the State of Georgia; to the Committee on Interior and Insular Affairs.

By Mr. SCHIFF:

H.R. 5620. A bill to confer jurisdiction on the U.S. Claims Court with respect to land claims of Pueblo of Isleta Indian Tribe; to the Committee on the Judiciary.

By Mr. SCHUETTE (for himself, Mr. GUNDERSON, Mr. PURSELL, Mr. DAVIS, Mr. BROOMFIELD, Mr. HENRY, Mr. VANDER JAGT, Mr. MARLENEE, Mr. MORRISON of Washington, Mr. ROBERTS, and Mr. UPTON):

H.R. 5621. A bill to encourage energy conservation among farmers, ranchers forest industry, and utilizers of wood for energy, and for other purposes; to the Committee on Agriculture.

By Mr. STARK:

H.R. 5622. A bill to impose trade sanctions against any foreign person that exports items to Iraq which would not be permitted to be exported from the United States; to the Committee on Ways and Means.

By Mr. OWENS of Utah (for himself, Mr. GILMAN, Mr. SOLARZ, Mr. YATRON, Mr. BEREUTER, Mr. BERMAN, Mr. SMITH of Florida, Mr. WEISS, Mr. TORRICELLI, Mr. ENGEL, Mr. JOHNSTON of Florida, Mr. HYDE, Mr. CAMPBELL of California, Mr. CLARKE, Mr. FEIGHAN, Mr. STUDDS, Mr. MILLER of Washington, and Mrs. MEYERS of Kansas):

H. Con. Res. 370. Concurrent resolution commending President Hosni Mubarak of Egypt; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. THOMAS of Georgia introduced a bill (H.R. 5623) to authorize issuance of a certificate of documentation for employment in the coastwise trade of the United States for the vessel *Open Return*, which was referred to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 118: Mr. ANDERSON.

H.R. 733: Mr. FROST, Mr. DONALD E. LUKENS, and Mr. MAVROULES.

H.R. 857: Mr. SERRANO and Mr. PALLONE.

H.R. 1500: Mr. MANTON and Mr. BERMAN.

H.R. 1691: Mr. CONYERS.

H.R. 2037: Mr. DOWNEY, Mr. JONES of North Carolina, and Mrs. JOHNSON of Connecticut.

H.R. 2615: Mr. FISH.

H.R. 2707: Mr. TAYLOR and Mr. SCHUETTE.

H.R. 2731: Mr. FRANK.

H.R. 2786: Mr. HOPKINS.

H.R. 2816: Mr. MILLER of Washington and Mrs. LLOYD.

H.R. 2870: Mr. RAHALL, Mr. NEAL of Massachusetts, and Mr. KOSTMAYER.

H.R. 3085: Mr. KENNEDY.

H.R. 3139: Mr. ROSE and Mr. MADIGAN.

H.R. 3252: Mr. McCRERY.

H.R. 3368: Mr. YATES.

H.R. 3690: Mr. KYL.

H.R. 3789: Mr. SERRANO.

H.R. 3842: Mr. BROOKS.

H.R. 3856: Mr. DOUGLAS.

H.R. 3880: Mr. BYRON.

H.R. 3954: Mr. STOKES, Mr. FASCELL, Mr. BROOMFIELD, Mr. HAYES of Louisiana, Mr. PENNY, and Mr. BILIRAKIS.

H.R. 3977: Mr. PRICE.

H.R. 4133: Mr. BOUCHER, Mr. GORDON, Mr. HERGER, Mr. JONES of North Carolina, Mr. PARKER, Mr. PAYNE of Virginia, Mr. PICKETT, Mr. RITTER, Mr. ROBINSON, Mr. SISISKY, Mr. SUNDQUIST, and Mr. WILSON.

H.R. 4231: Mr. WAXMAN.

H.R. 4289: Mr. FISH, Mrs. BOXER, and Mr. LAGOMARSINO.

H.R. 4345: Mr. LIPINSKI and Mr. GRANDY.

H.R. 4433: Mr. HERTEL, Mr. OWENS of New York, Mr. BATES, Mr. JONTZ, Mr. BOEHLERT, and Mr. ECKART.

H.R. 4494: Mr. LEATH of Texas, Mr. ORTIZ, Mr. PRICE, Mr. CARDIN, and Mr. BROWN of Colorado.

H.R. 4548: Mr. MARKEY.

H.R. 4622: Mrs. COLLINS.

H.R. 4690: Mrs. BENTLEY, Ms. KAPTUR, Mr. SCHAEFER, Mr. YATES, Mr. RAVENEL, Mr. JOHNSTON of Florida, Mr. KOLTER, Mr. PURSELL, and Mr. HENRY.

H.R. 4746: Mr. OWENS of Utah.

H.R. 4763: Mr. DIXON.

H.R. 4801: Mr. SHAYS.

H.R. 4994: Mr. ECKART.

H.R. 5103: Mr. DYSON.

H.R. 5104: Mr. DYSON.

H.R. 5105: Mr. DYSON.

H.R. 5125: Ms. PELOSI.

H.R. 5212: Mr. ACKERMAN, Mr. CAMPBELL of Colorado, Mrs. COLLINS, Mr. PARRIS, Mr. CLAY, Mr. BRUCE, Mr. FAZIO, Mr. FORD of Tennessee, Mr. JONTZ, and Mr. LEWIS of Georgia.

H.R. 5226: Mr. EMERSON, Mr. MARTINEZ, Mrs. COLLINS, and Mr. GORDON.

H.R. 5266: Mr. OWENS of New York and Mr. SUNDQUIST.

H.R. 5288: Mr. ECKART and Mr. JONTZ.

H.R. 5290: Mr. ECKART, Mr. FISH, and Mr. KOLTER.

H.R. 5341: Mrs. BOXER, Mr. GALLO, Mr. COURTER, Mrs. ROUKEMA, Mr. LIPINSKI, Mr. HOCHBRUECKNER, Mr. HERTEL, Mrs. MEYERS of Kansas, and Mr. RAVENEL.

H.R. 5351: Mr. PICKLE, Mr. RICHARDSON, Mr. RAHALL, Mr. WISE, Mr. COMBEST, Mr. HAYES of Louisiana, Mr. CHAPMAN, Mr. BRYANT, Mr. KOSTMAYER, Mr. CLINGER, Mr. SCHUETTE, Mr. BOUCHER, Mr. SCHAEFER, Mr. STENHOLM, Mr. GEREN, and Mr. DORNAN of California.

H.R. 5373: Mr. MCGRATH, Mr. TALLON, Mr. SMITH of Florida, Mr. VANDER JAGT, Mr. FRENZEL, Mr. SLATTERY, Mr. HOAGLAND, Mr. FORD of Tennessee, Mr. JACOBS, Mrs. SAIKI, Mr. PETRI, Mr. HUGHES, Mr. DERRICK, Mrs. COLLINS, and Ms. KAPTUR.

H.R. 5397: Mr. SMITH of Vermont, Mr. WHEAT, Mr. GILMAN, Mr. STOKES, Mr. MARKEY, Mr. FAUNTROY, Mr. DIXON, Mr. WYDEN, Mr. ATKINS, Mr. BOUCHER, Mr. BENNETT, Mr. FASCELL, Mr. EVANS, Mr. STARK, Mr. JOHNSON of South Dakota, Mr. FISH, Mr. FORD of Tennessee, and Mr. WOLPE.

H.R. 5416: Ms. SCHNEIDER, Mr. COBLE, Mr. CRAIG, Mr. SCHUETTE, Mr. PETRI, Mr. BATES, Mr. PENNY, Mr. TAUKE, Mr. SHUMWAY, and Mr. RAVENEL.

H.R. 5426: Mrs. VUCANOVICH and Mr. ECKART.

H.R. 5428: Mr. ANNUNZIO, Mr. BEILENSON, Mr. BONIOR, Mrs. COLLINS, Mr. COSTELLO, Mr. DURBIN, Mr. EVANS, Mr. FAWELL, Mr. JONTZ, Mr. LIPINSKI, Mr. MCGRATH, Mrs. MARTIN of Illinois, Mr. MICHEL, Mr. SANGMEISTER, and Mr. YATES.

H.R. 5492: Mr. ECKART, Mr. MCMILLEN of Maryland, and Mr. YATRON.

H.R. 5504: Mr. DORGAN of North Dakota, Mr. COYNE, Mr. SMITH of Vermont, Mr. BROWN of California, and Mr. MOLLOHAN.

H.R. 5536: Mr. CLAY, Mr. CONYERS, Mr. EVANS, Mr. FORD of Tennessee, Mr. KENNEDY, Mr. LEWIS of Georgia, Mr. THOMAS A. LUKEN, Mr. DONALD E. LUKENS, Mr. MCDERMOTT, Mr. MCNULTY, Mr. MARKEY, Mr. MFUME, Mr. MILLER of California, Mr. MRAZEK, Mr. OWENS of New York, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. RANGEL, Mr. ROE, Mrs. SCHROEDER, Mr. SHAW, and Mr. WALSH.

H.R. 5551: Mr. ANNUNZIO, Mr. CONYERS, Mr. BATES, Mr. JOHNSON of South Dakota, Ms. KAPTUR, Mr. ALEXANDER, and Mr. LEWIS of Georgia.

H.R. 5563: Mr. WOLPE, Mr. GALLO, Mr. MYERS of Indiana, Mr. TORRICELLI, Mr. MCNULTY, and Mr. LANCASTER.

H.R. 5568: Mrs. SCHROEDER, Mr. MARKEY, Mr. RAHALL, Mr. FRANK, Mr. JONTZ, Mr. FORD of Michigan, Mr. CAMPBELL of Colorado, Mr. KANJORSKI, Mr. LIPINSKI, and Mr. BATES.

H.R. 5580: Mrs. COLLINS, Mr. KOLBE, Mr. RICHARDSON, and Mr. HORTON.

H.J. Res. 369: Mr. LEWIS of Florida and Ms. MOLINARI.

H.J. Res. 418: Mr. PRICE, Mr. DYSON, Mr. MILLER of Washington, and Mr. SHAW.

H.J. Res. 431: Mr. HEFLEY, Mr. HUCKABY, Ms. SCHNEIDER, and Mr. BOSCO.

H.J. Res. 476: Mr. ANDERSON, Mr. BERMAN, Mr. BEVILL, Mr. DONNELLY, Mr. FUSTER, Mr. HUTTO, Mr. KENNEDY, Mr. LIPINSKI, Mr. MURPHY, Mr. QUILLEN, Mr. SAVAGE, Mr. SOLARZ, and Mr. SOLOMON.

H.J. Res. 492: Mr. KOLTER, Mr. LAGOMARSINO, Mr. STUMP, Mr. GORDON, Mr. CALLAHAN, Mr. STENHOLM, Mr. SAVAGE, Mr. TOWNS, Mr. MCCRERY, Mr. RAVENEL, Mr. HAYES of Louisiana, Mr. EDWARDS of Oklahoma, Mr. TAYLOR, Mr. JENKINS, and Mr. SUNDQUIST.

H.J. Res. 538: Mr. MCMILLEN of Maryland, Mr. WEISS, Mr. RAHALL, Mr. LEWIS of Georgia, and Mr. GAYDOS.

H.J. Res. 568: Mr. GALLO and Mr. GUARINI.

H.J. Res. 580: Mr. DEWINE, Mr. ACKERMAN, Mrs. JOHNSON of Connecticut, Mr. ROE, Mr. GUARINI, Mr. HARRIS, Mr. BUSTAMANTE, Mr. HORTON, Mr. DONALD E. LUKENS, Mr. LANCASTER, Mr. FUSTER, Mr. FAUNTROY, Ms. PELOSI, Mr. RANGEL, Mr. SMITH of Florida, Mr. MCNULTY, Mr. OWENS of New York, Mr. COYNE, Mrs. COLLINS, Mr. FALEOMAVAEGA, Mr. PANETTA, and Ms. SLAUGHTER of New York.

H.J. Res. 583: Mr. PANETTA, Mr. LIPINSKI, Mr. FOGLIETTA, Mr. DEWINE, Mr. LAGOMARSINO, Mr. OWENS of New York, Mr. DOWNEY, Mr. HOCHBRUECKNER, Mr. MCGRATH, Mr. KASICH, and Mr. SAXTON.

H.J. Res. 602: Mr. UDALL, Mr. DERRICK, Mr. EMERSON, Mr. BLAZ, Mr. BROOKS, and Mr. MRAZEK.

H.J. Res. 612: Mr. ANTHONY, Mr. JENKINS, Mr. PAYNE of Virginia, Mr. WHITTEN, Mr. BAKER, Mr. BARTLETT, Mr. BATEMAN, Mrs. BENTLEY, Mr. BLILEY, Mr. BOEHLERT, Mr. BROOMFIELD, Mr. BUNNING, Mr. CALLAHAN, Mr. CHANDLER, Mr. CLINGER, Mr. COBLE, Mr. CONTE, Mr. COOPER, Mr. COUGHLIN, Mr. CRAIG, Mr. DELAY, Mr. DICKINSON, Mr. DORNAN of California, Mr. DUNCAN, Mr. EDWARDS of Oklahoma, Mr. EMERSON, Mr. FAZIO, Mr. FRENZEL, Mr. GALLEGLY, Mr. GALLO, Mr. GEKAS, Mr. GINGRICH, Mr. GORDON, Mr. GRADISON, Mr. HAMMERSCHMIDT, Mr. HASTERT, Mr. HAYES of Louisiana, Mr. HEFLEY, Mr. HENRY, Mr. HERGER, Mr. HOPKINS, Mr. HOUGHTON, Mr. HUCKABY, Mr. HUNTER, Mr. INHOFE, Mr. IRELAND, Mrs. JOHNSON of Connecticut, Mr. KASICH, Mr. LIGHTFOOT, Mrs. LLOYD, Mr. LIVINGSTON, Mr. LOWERY of California, Mr. DONALD E. LUKENS, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCEWEN, Mr. MACHTLEY, Mr. MADIGAN, Mrs. MARTIN of Illinois, Mr. MAVROULES, Mr. MILLER of Ohio, Mr. MILLER of Washington, Mr. MOORHEAD, Mr. NIELSON of Utah, Mr. OBERSTAR, Mr. PACKARD, Mr. PASHAYAN, Mr. PORTER, Mr. PURSELL, Mr. RAVENEL, Mr. REGULA, Mr. RHODES, Mr. ROBERTS, Mr. ROGERS, Mr. RUSSO, Mr. SAXTON, Mr. SKEEN, Mr. SCHAEFER, Mr. SISISKY, Mr. DENNY SMITH, Mr. SMITH of Vermont, Mr. ROBERT F. SMITH, Ms. SNOWE, Mr. STANGELAND, Mr. TANNER, Mr. THOMAS of California, Mr. WALSH, Mr. WEBER, Mr. WILSON, Mr. WISE, and Mr. YOUNG of Alaska.

H.J. Res. 646: Mr. LIPINSKI and Mr. MCGRATH.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 603: Mr. MCCURDY.

PETITIONS, ETC.

Under clause 1 of rule XXII,

230. The SPEAKER presented a petition of the Association of ex-POW's of the Korean war, relative to the support of H.R. 3603; which was referred to the Committee on Government Operations.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 5422

By Mr. DYMALLY:

—Page 12, after line 22, insert the following new section:

SEC. 403. PROHIBITION ON USE OF FUNDS FOR MILITARY ASSISTANCE TO UNITA.

None of the funds appropriated pursuant to this Act may be used (by the Department of Defense or any other agency or element of the United States Government) to provide military assistance to the National Union for the Total Independence of Angola (UNITA).