HOUSE OF REPRESENTATIVES—*Wednesday, November 20, 1991*

The House met at 10 a.m.

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

We admit, O God, that we often say the words of understanding and patience, and we instead behave with insensitivity and impatience. We acknowledge that we speak of solidarity and unity, but we sometimes act with discord and confusion. Protect us, gracious God, from seeing only what we want to see and doing only what we want to do. We celebrate Your gifts of unity and of shared goals and values and we pray that our ideas and programs and actions will express more clearly the harmony and wholeness that is Your gift to us. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania [Mr. SANTORUM] please come forward and lead the House in the Pledge of Allegiance.

Mr. SANTORUM led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 3394. An act to amend the Indian Self-Determination and Education Assistance Act.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1563) "An act to authorize appropriations to carry out the National Sea Grant College Program Act, and for other purposes."

TIME TO PUT AMERICA FIRST

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

Mr. HOAGLAND. Mr. Speaker, one consequence of the continued deterioration of the economy is that people often lose their health insurance when they lose their jobs. For most Americans, health insurance is tied to employment. Many Americans live with the fear that they will get sick and their health insurance will not be there. Comprehensive, universal health insurance must be at the top of the Nation's priorities.

The statistics are frightening:

We have millions of Americans that do not have health insurance; 73 percent of the uninsured are working parents and their children.

We have 81 million Americans under age 65 that have medical conditions that health insurance companies might use to raise premiums or deny coverage.

There is virtually no coverage of long-term, chronic illnesses except Medicaid—welfare. By 2030, the number of Americans over age 65 will double and those needing long-term care—nursing homes, home health, adult day care—will double.

Health care inflation rose at double-digit rates in the 1980's. Many employers are cutting insurance coverage, as a way to reduce their costs.

Out-of-pocket health care expenses for families rose 157 percent from 1980 to 1990.

Cost-shifting due to uncompensated care and inadequate care accounts for about 27 percent of employer health costs.

The U.S. infant mortality rate is higher than 17 other industrialized nations.

We had a finely honed strategic plan for the war in Iraq. We need a strategic plan for the war against illness and disease. I challenge President Bush to take a stand on providing health care for all. A problem of this magnitude will not be easily solved, but it is never to early to start.

THE BLAME GAME

(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, throughout the history of this great republic, politicians have loved to play the blame game. In this respect, American politicians are no different than politicians in Great Britain, or France, or for that matter the Soviet Union.

The blame game is a rite of passage for the seasoned politician. It's exciting to have done something, or said something, or voted on something controversial, and then to turn around and cast the blame on your opponent. I daresay we've all done it.

But, Mr. Speaker, the blame game has reached a new low, and, I'm sorry to say the Democrats are to blame.

In 1989, 64 Democrats in this House voted to cut the capital gains tax rate. Now, Mr. Speaker, Democrats run around beating their chests saying that capital gains is a Republican giveaway to the rich.

Also back in 1989, the Democrat-controlled Senate blocked the bipartisan capital gains plan approved by the House. Leading economists said the tax cut would create jobs and boost GNP. Now, Mr. Speaker, the Democrats who still control Congress, blame the Republican President for our sluggish economy.

Mr. Speaker, let us end the blame game, and you know how to do it.

Democrats should come forward and—what else—accept the blame for the recession.

I'll be waiting.

THE ADMINISTRATION'S DOMESTIC CHALLENGE

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

Mr. NAGLE. Mr. Speaker, it is bad enough that this administration spent most of its energy during this recession denying that we had one, dismissing it as no big deal and—once forced by grim reality to concede that things aren't great—playing the blame game.

It is bad enough that the Administration does not have a plan to jump start this economy, and when pressed for one, can only cough up the feeble reply that—oh, yes, they have one; they just aren't going to say what it is until after Congress goes home.

Working families need help, Mr. Speaker, and if the President has a plan to help them, he owes it to them to lay it on the table—not next week or next month, but today.

But what is most tragic of all, Mr. Speaker, is that it is becoming increasingly clear that not only is the administration unprepared to meet the domestic challenge with a plan of their own—they don't even recognize an opportunity to do so when it falls in their lap.

For some time now, a request from Soviet President Mikhail Gorbachev for $3.5 billion in agricultural sales

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credits and $1 billion in humanitarian aid has been pending at the White House.

Economists tell me that if the request is granted, corn farmers could expect to see a nearly 10-to-20-cents per-bushel increase in the price of corn.

Yesterday the Washington Post reported the White House has tentatively decided to grant only a fraction of the Soviet request, just $1.25 billion in ag sales credits and only $250 million in humanitarian aid.

Mr. Speaker, I urge the White House to reconsider. Our farmers need to make this sale, the full sale. And the cause of world peace needs the stability our food can help provide in a country which possesses 30,000 nuclear weapons and which appears to be—due to a lack of food—reeling toward revolution.

IT'S TIME TO PUT PEOPLE OVER POLITICS

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

Mr. COMBEST. Mr. Speaker, there comes a time when one has to ask a couple of rather painful questions. And they are: Do our colleagues on the Democrat side of the aisle really want to address the pressing issues of the day or do they want to continue to engage in a daily onslaught of partisan sniping and maneuvering? Do our liberal friends really want to bring America out of this painful recession or do they want to sit back, watch the economy deteriorate further and blame the President? For years conservatives have been forecasting these economic problems if we continue the regulations, mandates, and taxes the liberals are imposing on the backbone of the American economy which is the American businessmen and women.

I understand that there are fundamental differences between the two parties. I understand that we will not always agree. But, Mr. Speaker, I also know that we were sent here by our constituents to do a job. And we are fiddling while Rome burns.

Proposed economic growth packages designed to bring us out of the recession are ready. Let us get them to the floor.

Mr. Speaker, give us the opportunity to present our programs. Let us stay here until we do. And let us get this country moving again.

CONGRESS HAS A JOB TO DO

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

Ms. DELAURO. Mr. Speaker, this is yesterday's New York Times. It is a study in contrasts. Side by side are two articles. One on the dire economic problems in my State of Connecticut, the other quoting a mystified President wondering why he can't convince the American people we have a healthy economy.

While the people of this country are crying out for leadership, the White House has no plan. President Bush doesn't even see the problem.

Denied leadership from their President, people look to Congress, but find it in a headlong rush to leave for the holidays.

Mr. Speaker, the people of Connecticut are suffering. They know there is a problem. Tens of thousands in my district are out of work.

We need an economic recovery program. A 2-year recession has been ignored too long. We need leadership from the White House and ugent action in Congress.

We need tax relief for middle-class families.

We need a transportation initiative immediately to repair our roads and bridges and provide jobs.

We need to strengthen our troubled banking system, to provide capital for growth.

We need health care reform to ease the burden on working families and seniors.

Mr. Speaker, let us remain here, working—working for those who can't. We have a job to do.

OCTOBER SURPRISE

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

Mr. LIVINGSTON. Mr. Speaker, for the last month I have repeatedly come before the House and questioned why the Democrat leadership insists on pursuing an investigation of the unsubstantiated and wholly discredited October surprise allegations. These allegations are not new. They first surfaced after President Carter's overwhelming defeat at the hands of Ronald Reagan.

But, Mr. Speaker, the allegations were proven to be spurious and without merit then, and every single time they have since resurfaced. Yet for apparently partisan reasons, they seem to have taken on a new life of their own, as evidenced by both Newsweek and the New Republic in their extensive cover-story articles on the subject.

□ 1010

If this were truly a bipartisan Congress, this abuse of power simply would not happen.

Mr. Speaker, why then, please tell us why Democrats have chosen to drag this investigation out yet again. Can it be that such a congressional investigation is merely a thinly veiled pre-election year attack on a popular Republican President by a frustrated Democrat majority? Have they so little faith in their own candidates' abilities that they feel more comfortable smearing the President with unfounded allegations than debating him on the issues?

Mr. Speaker, if you want a juicy investigation full of treasonous tidbits and deceit, you should look closer to home. Start with documented contracts between members of the Democrat leadership and the totalitarian, Communist Sandinista government in Nicaragua. But with foreign policy priorities currently being exhibited by congressional Democrats, it is no wonder the American people will not put a Democrat in the White House.

DEMOCRATS SHOULD REMAIN FAITHFUL TO TRADITIONAL BLACK CONSTITUENCY

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

Mr. FLAKE. Mr. Speaker, I come this morning reflecting on the election in Louisiana this past weekend in which Mr. David Duke lost by an astounding margin to Ed Edwards. I think it is important for those of us of the Democratic Party to understand that only 55 percent, 55 percent of the white vote went to Mr. Duke, 45 percent of the vote for Mr. Edwards. It was the 96 percent of the black vote that in fact allowed this election to take place so that Mr. Edwards would become the Governor.

I hope that we would understand that seven Members of the other House are there simply because the black vote has been faithful to the Democratic Party. While we seek to go after those persons who have been unfaithful lovers of the party, we must remember that there has been a group of faithful lovers and those are the black voters. While we look at the hearings of Clarence Thomas we realize that many of the younger blacks in America are not coming to the Democratic Party but are indeed going to the Republican Party.

I say to the Democrats, hold onto the first love as we go after those who have already left. We might discover that if we leave them we will not be able to continue to win elections as we have in the past.

WHATEVER HAPPENED TO 100 DAYS?

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

Mr. HASTERT. Mr. Speaker, can we recall an event which took place over 250 days ago? I am referring to March 6, 1991, when our President said:

Our first priority is to get this economy rolling again. We must also enact the legislation that is key to building a better America, a national energy strategy, expand

choice in education, our comprehensive crime package, our civil rights bill, our new highway bill. I call on the Congress to move forward aggressively on our domestic front. If our forces could win the ground war in 100 hours, then surely the Congress can pass this legislation in 100 days.

Mr. Speaker, that was 259 days ago, and none of the domestic initiatives cited by the President were enacted within the 100-day challenge. Why is this? Because the party that controls the agenda in Congress continues to ignore every domestic Republican initiative and prevent debate on every Republican position, choosing instead to engage in partisan politicking.

I urge the Democrat leadership to move on the many vital domestic initiatives which warrant debate from both sides of the aisle, and I urge the Democrat leadership to point the finger of blame for domestic lethargy and inactivity at those who are truly responsible—themselves. It is time to put good legislation ahead of bad politics.

SELLING OUT AMERICA'S AVIATION INDUSTRY

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

Mr. GLICKMAN. Mr. Speaker, today the Washington Post reports that McDonnell Douglas signed a deal to sell almost half its commercial airline business to Taiwan Aerospace Corp. When is this administration going to wake up and see that our house and our jobs are being robbed as we sleep?

The United States has led the world in aviation. The history of commercial aviation is a uniquely American story. Yet when the No. 3 airplane manufacturer needs capital it has to look to the Far East. Something is terribly wrong here. This is the manufacturer of the DC–3 through MD–11, and it is hard to believe it cannot survive without foreign capital. Why do they need foreign capital? Because the administration has failed to confront France for subsidies to Airbus Industries which knocked McDonnell Douglas out of second place.

When are we going to help American industry, either by fighting to reduce foreign-made products being subsidized by their government or by matching those subsidies dollar for dollar so American products can compete?

Boeing employs over 20,000 people in my district. I do not want to wake up 5 years from now and see that Boeing is selling half of its business to Toyota. Wake up, Mr. President.

CARTOONIST GARY TRUDEAU'S DISGRACEFUL TREATMENT OF VICE PRESIDENT QUAYLE

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

Mr. SCHULZE. Mr. Speaker, I rise today to express my outrage at the vile and disgraceful treatment of Vice President QUAYLE by liberal cartoonist Gary Trudeau. Trudeau has launched a vicious and disgraceful attack on the Vice President through his poison pen cartoons.

Across America, newspapers are refusing to run Trudeau's untruthful and scurrilous attacks. These newspapers should be commended. Those papers choosing to run Trudeau's scum should be scolded soundly by their readers.

It is unfortunate that the Vice President does not have the same rights as the American public, or clearly legal remedies against Trudeau would be in order.

I urge my constituents to utilize the Trudeau cartoons in the only fitting way one could recommend. They should be donated to kennels and pet stores everywhere to line bird cages and to train puppies.

FREE TRADE AT ANY COST?

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

Mr. JENKINS. Mr. Speaker, free trade at any cost? Free trade at any cost. That is the policy we have been following for the last 15 years, and it is not all down at the White House. Some of it is right here. We have not been willing nor do we have the courage to do anything except we accept free trade at any cost.

All right. Now, we have lost the automobile industry, we have lost the steel industry, we are losing the textile industry. We are now giving away in this country our defense system with the proposed sale of McDonnell Douglas, 40 percent of its stock to Taiwan. We say, "Well, we can sell them some natural resources. We are going to sell them logs, lumber. We are going to sell them some minerals." Maybe, just maybe, the legacy of this last 15 years will be so bad that our children will turn around and regain America. This is too bad, really, as I looked at the free-trade-at-any-cost policy not only of Reagan and Bush but of this institution.

All right, maybe we can explain to our children and grandchildren why their standard of living is not up to ours. I hope we can, because we have given it away and we ought to be sorry for doing that, standing here doing nothing, absolutely nothing. In the Uruguay round today we are once again saying to the rest of the world, "Whatever you want; we will trade you services." I hope we will find some services we can sell.

DEMOCRAT SELF-INTEREST PROHIBITS GROWTH

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

Mr. SHAW. Mr. Speaker, on the issue of economic growth; could it be that the Democrats are only interested in partisan politics? Could it be that the only employment the Democrats are interested in is their own and the only unemployment they care about is George Bush's? Do they want to ensure themselves a job giving out unemployment and welfare checks rather than ensuring the American worker the opportunity to earn a paycheck?

Judging from the Democrats' actions of opposing all economic growth legislation it would appear that the Democrats want a bad economy for political purposes. My colleagues, if Republicans ran Congress this institution would not frustrate the American people in achieving prosperity for this country in order to satisfy partisan ends.

The partisan politics of the Democrats is a pathetic paternalism which ensures pauperism, not prosperity. The American people know that and they are tired of having to overcome the obstacles the Democrats continue to put in their path.

The American people do not want a check or partisan politics from us here on Capitol Hill. They want us to ensure them the opportunity to earn a paycheck and they want us to take less of their money from them. It is that simple. The American people do not need or want a legion of legislators and bureaucrats to look after them. They simply need Congress to get out of their way. So I urge my Democrat friends: Step aside if you can do no more than stand in the way of the Nation's economic growth.

McDONNELL DOUGLAS SALE TO TAIWAN

(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, McDonnell Douglas, a major military contractor, wants a new partner: Taiwan. Taiwan Aerospace would acquire hundreds of millions and billions of dollars' worth of American-financed technology for peanuts.

□ 1020

Mr. Speaker, it is bad enough that we are paying $5,000 for a toilet seat. We are going to start buying them from Taiwan.

But do you know what bothers me? Where are our policies? We have not just given away the farm as far as steel, cars, lumber, textiles, jobs, now it is our national defense.

Let me remind the Members that today General Eisenhower, one of our

great military heroes and a great President, is rolling over in his grave. His worst fears are developing, not only in the military-industrial complex but the international industrial-military complex, the tail that will begin to wag the dog here in America.

Shame; it is time for Congress just to say no to this sale to Taiwan.

A REPUBLICAN CONGRESS WOULD SOLVE GOVERNMENT GRIDLOCK

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

Mr. HERGER. Mr. Speaker, many Americans wonder why our Government appears paralyzed today, unable to solve the Nation's problems. How can we end the paralysis? Let us end divided Government.

If we had a Republican Congress today, this Nation would not be in a recession. Congress would have already enacted President Bush's economic growth package, and Americans would be waiting for paychecks rather than unemployment benefits.

Instead, because the Democratic Congress insisted on raising taxes last year as the price for an empty promise of spending restraint, unemployment is up and productivity is down.

Mr. Speaker, when Republicans controlled the White House and the Senate in 1981, an economic program was put in place that created 20 million private sector jobs by 1988. Imagine what could be achieved if we had a Republican majority in both Houses of Congress in 1993.

LEGISLATION TO ESTABLISH SOCIAL SECURITY NOTCH FAIRNESS INVESTIGATORY COMMISSION

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

Mr. HUTTO. Mr. Speaker, I am introducing legislation to end the controversy surrounding the Social Security notch issue. My bill, a companion measure to S. 964, would establish a bipartisan commission to investigate the notch issue. The Social Security Notch Fairness Investigatory Commission would completely and objectively determine what, if any, statutory change, is warranted to address the notch dilemma.

I have heard from hundreds of my northwest Florida constituents on the notch issue. My constituents want a change in the Social Security benefit formula, and I agree that we must take action to address these concerns. Although the notch issue has been studied on a number of occasions, the reports have been criticized as being flawed.

Mr. Speaker, despite the honest attempts of Congress to preserve the Social Security trust fund, many older Americans feel that they have been cheated. Therefore, we can no longer be content to leave the notch issue unresolved. The Notch Fairness Investigatory Commission will provide the information to finally answer the controversial questions associated with this serious issue, and I invite all members to join me in this effort.

STICK WITH SPIRIT AND LETTER OF BUDGET AGREEMENT

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

Mr. SCHIFF. Mr. Speaker, 1 year ago I voted to support the budget agreement, which was, under the circumstances, the necessary vote. These were the circumstances: A budget approach which I favored, which set a reprioritization and limitation on spending and included no tax increases was blocked from reaching the House floor.

Further, our Nation faced an international crisis and was headed toward a war. Therefore, I thought it was important to resolve the budget situation as quickly as possible so that the Government would not be distracted, and that meant reaching a compromise.

In addition, although I opposed the tax increases in the budget agreement, the agreement did contain spending control provisions on the Congress which the Nation needs and which I strongly supported.

These spending controls included: A 5-year overall spending cap; protective firewalls between the three categories of spending—foreign aid, domestic, and defense—with specific and declining caps on each of the three; pay-as-you-go controls on entitlement programs, requiring that any expansion be paid for by a corresponding entitlement cut or revenue increase; and most important, Presidential consent and support of any new deficit spending.

But now the majority Democrats in Congress are pressing to reopen the agreement—not the whole agreement—but only those portions that control their spending. I support keeping both the letter and the spirit of the budget agreement at this time. However, if Congress intends to rewrite the budget agreement, it should address the entire agreement, not just the spending portion. If we do reopen the agreement, the first step should be to return all tax-increase moneys to the American people.

That is why I have cosponsored H.R. 2251, which would reverse all the tax increases contained in the budget agreement, and I urge all my colleagues to join me in support of this bill.

THE PRESIDENT'S DOMESTIC POLICY: VETO

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

Mr. DEFAZIO. Mr. Speaker, there are partisans on my side of the aisle who accuse the President of having no domestic policy. They are wrong. The President has a policy. It covers the unemployed. It covers parents forced to choose between job security and sick children. Those working 40 hours per week at minimum wage who cannot afford basic necessities, pregnant women seeking the best possible medical advice, the President has a comprehensive, succinct, easily explained domestic policy. In fact, it can be explained in one word: veto.

Worried about your job? Veto.

Unemployed? Veto.

Need financial aid? Veto.

Civil rights? Veto.

Sick children? Veto.

I have heard my colleagues on the other side of the aisle wax poetic, that if only the Republicans had a majority in Congress and ruled the Congress, if we had a Republican Congress we would not have a one-word domestic agenda. You are right. It would not be veto for the working families of America.

It would be two words: "Tough luck."

A MAJOR PIECE OF THE PUZZLE

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

Mr. GOSS. Mr. Speaker, one might think the wonderful climate and quality of life in southwest Florida would be enough to prevent illness, but even paradise has its problems. People get sick in southwest Florida, too, and they are having to turn to an even sicker health care system. In the puzzle of health care reform we are working on, cost containment is a major piece we must not overlook. It is time for some new ideas. For instance, in my home district, one hospital is experimenting with focused care, a move aimed at consolidating hospital services on one floor. X-ray machines, a minilab, and on-site pharmacology services will all be colocated with the patients.

Steps will be reduced, communication improved, and redundancy eliminated. End result: significant financial savings.

Mr. Speaker, individuals and institutions are not waiting for this Congress to get its act together on health care.

They are taking matters into their own hands and proving that incremental reform can work. We need to get on with our own health care reform in Congress—now.

AMERICAN WOMEN ARE FED UP WITH PRESIDENT BUSH

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

Mrs. SCHROEDER. Mr. Speaker, it is absolutely no surprise that the President does not have time to deal with the economy. My goodness, he is much too busy deciding the big issues of women's health, when they can and cannot have information, and yes, yesterday once again he won. Nurses and doctors will be gagged in any family planning clinic that receives Federal funding.

Today he is going to win again. They are going to be saying in the Defense appropriations bill that women have the right to go out and put their lives on the line for this country, but they cannot have the rights that they were fighting for and putting their lives on the line for. That to me is outrageous.

Mr. Speaker, American women are fed up with men making rules for them and not making jobs for them.

Mr. President, please, please let us get back on the domestic agenda. Women are tired of all this meddling in our personal lives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCCLOSKEY). The Chair would advise the gentlewoman from Colorado that Members should address the Chair and not anyone else.

INTRODUCTION OF GRANDPARENTS' RIGHTS RESOLUTION

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

Mr. SANTORUM. Mr. Speaker, there is a growing problem in this country. Grandparents across the country are being denied access to their grandchildren, and yet get no relief from a parochial legal assistance in obtaining visitation. In recent years every State has enacted a statute enabling grandparents to petition for visitation rights with their grandchildren.

Yet many grandparents are still frustrated by their costly and cumbersome legal efforts to obtain visitation when the grandchild is taken out of the home State. The legal entanglements occur because State laws regarding visitation rights vary widely, and States are reluctant to honor other States' visitation laws.

I am introducing a grandparents' rights resolution to encourage the State courts to adhere to the full faith and credit doctrine with regard to interstate visitation rights disputes. The full faith and credit doctrine requires that States honor the laws of the State where the dispute originates.

The resolution will also call on the States to pattern their visitation laws according to the recommendations of an American Bar Association report on grandparents' rights, to provide the basis for a uniform law.

I invite my colleagues to join me in sponsoring this legislation.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

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

Mr. WALKER. Mr. Speaker, did I understand the Chair a couple of minutes ago to admonish the gentlewoman from Colorado that she was not to address other people other than the Chair?

□ 1030

The SPEAKER pro tempore (Mr. MCCLOSKEY). The Chair reminded that Member not to do so.

Mr. WALKER. And is the Chair aware that the gentlewoman from Colorado has been a regular abuser of that and has been consistently admonished by the Chair that she should not proceed in that manner?

The SPEAKER pro tempore. The Chair would say that is a very subjective characterization, not a proper parliamentary inquiry, and the Chair does not care to respond.

Mr. WALKER. Mr. Speaker, I understand why the Chair would not care to respond. But, as a further parliamentary inquiry, is the Chair going to begin taking action against Members who violate the rule? The Chair on almost a daily basis now is admonishing Members that way, but the Chair does not admonish them until after they have concluded their remarks. Is the Chair going to interrupt Members who cannot follow procedures of the House?

The SPEAKER pro tempore. The Chair admonished that Member as soon as the words were uttered. The Chair will consult with the Speaker and assure that the rules of the House will continue to be enforced.

Mr. WALKER. As a further parliamentary inquiry, Mr. Speaker, is the Chair also aware that by smiling and kind of giving a thumbs up to somebody immediately after admonishing them, that they probably defeat the very purpose of the admonishment?

The SPEAKER pro tempore. The Chair has already stated that the Chair will continue to enforce the rules of the House and that the gentleman from Pennsylvania has made his point.

WORLD AIDS DAY

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

Mr. MCDERMOTT. Mr. Speaker, today, some 5,000 men, women, and children around the world will be infected with HIV, the virus that causes AIDS.

By the year 2000, there will be 40 million individuals infected with HIV worldwide.

Ten to fifteen million of those infected will be children.

The international AIDS epidemic is devastating families, communities, health care systems, and economies in countries around the world.

The key to controlling the spread of HIV infection today is education and public awareness.

In 1988, the World Summit of Ministers of Health on AIDS Prevention declared December 1 World AIDS Day.

Since 1988, December 1 has been a day of ceremonies and activities in cities around the world to increase public awareness and understanding about the devastating social and economic impact of AIDS.

I have introduced a joint resolution declaring December 1, 1991, as World AIDS Day.

The theme of World AIDS Day, 1991, is "Sharing the Challenge," which recognizes that combating the international AIDS epidemic can only be successful by pooling the efforts, resources, and imaginations of all individuals.

This is an important message that should be spread throughout the United States.

By supporting World AIDS Day, 1991, Members of Congress can lend their voice to the call for increased awareness about AIDS around the world.

I urge my colleagues to cosponsor this resolution.

PRIVATE-SECTOR PROGRAM HELPS VETERANS START THEIR OWN BUSINESSES

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

Mr. IRELAND. Mr. Speaker, I rise to call my colleagues attention to a remarkable new program that helps veterans start their own small businesses.

The veterans transitional franchise initiative began in the private sector and now enjoys the support of the Small Business Administration.

Under this initiative, more than 100 franchisors have voluntarily agreed to discount their franchise fee and finance up to 50 percent of it to help make startup franchises more affordable for veterans.

For its part, the SBA has agreed to provide managerial and monetary support through the agency's existing programs.

Mr. Speaker, this private-sector initiative can help millions of veterans realize the greatest of all American

dreams—owning their own small business. I can think of few worthier goals.

I congratulate the International Franchise Association and the SBA for finding a new path to promoting the entrepreneurial spirit and for helping our country's veterans.

Mr. Speaker, I remind my colleagues, we too can help promote small business. But you must remember when the opportunity presents itself—it is easy to say you are all for small business but it is how you vote that counts.

THE PRESIDENT AND CONGRESS SHOULD LEAD THE AMERICAN PEOPLE

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

Mr. APPLEGATE. Mr. Speaker, the stock market is going to hell in a handbasket and the economy is being dragged down with indecision by the President and the Congress. We continue to lose industries. We are losing jobs. People are without health insurance. Families are going hungry and homeless.

The quality of life has been lost by some of our Americans who helped make this country.

Mr. Speaker, the American people deserve more from their President and their Congress. So far, it is all posturizing.

Do they not understand that the adjusted gross income for 1991 is now only up to the income of 1972?

Well, my friends, the stock market may be declining, but if you want a good stock, buy tar and feathers; it is going to be a big seller next year. You might even want to get a little bit of rail.

To our leaders in the White House and in the Congress: If you want to be true leaders of the American people, then lead.

UPDATE ON VOLUNTARY DRUG TESTING

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

Mr. BARTON of Texas. Mr. Speaker, yesterday, November 19, was a historic day in the House of Representatives because over 3 percent of the House voluntarily participated in a drug-testing demonstration.

Those tested, whom I call the clean 15, are Mr. STENHOLM of Texas, Mr. TONY HALL of Ohio, Mr. ALLARD of Colorado, Mr. HENRY of Michigan, Mr. SHAYS of Connecticut, Mr. GOSS of Florida, myself, Mr. ROHRABACHER of California, Mr. ZELIFF of New Hampshire, Mr. SOLOMON of New York, Mr. MCCRERY of Louisiana, Mr. NUSSLE of Iowa, Mr. HANSEN of Utah, Mr. BURTON of Indiana, and Mr. MCNULTY of New York.

I want to commend these Members for practicing what the entire Congress preaches, zero tolerance for illegal drugs, and for setting a positive example for the country.

Coming on the heels of my 226 to 191 vote for mandatory drug testing for Members of Congress, I think this is another step in establishing some much-needed credibility for the House of Representatives.

LET THE HOUSE VOTE ON CREDIT CARD INTEREST RATE CAP

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

Mr. ANNUNZIO. Mr. Speaker, a recent magazine poll showed that Congress has the lowest rating of any organization in the United States. In the past few days, this body has done little to show that those ratings were undeserved.

Mr. Speaker, the American public wants a cap on credit card interest rates. The banking lobby does not. The banking lobby wants to charge usurious interest rates on credit cards. Instead of giving the American people at least a chance at a vote on a credit card interest rate cap, this body seems to have given in to pressure from the banking lobby, and that is a shame. Just read USA Today.

Yesterday I attempted to offer the credit card interest rate cap on a bill to bail out the banking industry to the tune of $30 billion. Amazing, my amendment was ruled out of order on a minor germaneness point.

The American people do not want to hear about germaneness, they want to hear about lower credit card interest rates.

Mr. Speaker, I urge that the House be given the opportunity to vote on a credit card interest rate cap.

We do not need germaneness; we need guts.

WANT TO ELIMINATE VETOES; GIVE US A REPUBLICAN CONGRESS

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

Mr. DELAY. Mr. Speaker, several Democrats have come down to the well today upset that President Bush will not sign on to their liberal welfare agenda. They complain he uses the pen to veto when he does not agree with their liberal agenda. The gentleman from Oregon came down and was upset that the President is vetoing all these liberal bills. He is upset that the President does not support their agenda, which has destroyed our economy, is destroying jobs, forcing aircraft manufacturers to seek capital from foreign countries. They are supporting a social policy that promotes the killing of unborn children, that creates a social welfare trap.

The gentlelady from Colorado comes down here and makes sexist remarks about men, that she is sick of men that will not provide jobs for women.

Mr. Speaker, the President will not support a liberal welfare policy. In fact, Mr. Speaker, if the people would give us a Republican Congress, the President would not have to veto things. He could get this country going again.

□ 1040

MR. PRESIDENT, LEAD US HOME

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

Mr. CLEMENT. Mr. Speaker, Vice President QUAYLE was in Nashville, TN, last night at a thousand-dollar-per-person fundraiser for the Republican Party. He said that the Bush administration had nothing to do with creating this recession. Finally, Mr. QUAYLE at least admits that we have a recession.

How can the administration contend that they are not at least part of the problem when neither President Reagan nor President Bush has ever proposed a balanced budget? And, when, in fact, Congress has appropriated less money than these administrations requested.

This administration is doing nothing to bring us out of this recession.

The President must propose an economic recovery program.

A simple cut in the capital gains tax rate, which I could support as part of a larger package, by itself is not enough. Mr. President don't wait until your State of the Union message next year to propose a recovery plan.

Let's stay in Washington through the holidays. Let's help working Americans.

The people have waited long enough. Mr. President, lead us home.

Lead America. Let's get this country moving again.

Congress is ready to act. Is the administration?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCCLOSKEY). The Chair will strongly remind the gentleman from Tennessee [Mr. CLEMENT] and all Members of the House that they are not to directly address the President.

WE MUST CONTROL SPENDING FOR THE SAKE OF OUR CHILDREN

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

Mr. BURTON of Indiana. Mr. Speaker, I would just say to the gentleman from Tennessee [Mr. CLEMENT], my colleague who just spoke, that the President of the United States, President Reagan and President Bush, both proposed that we pass a constitutional amendment to balance the budget, and that will balance the budget. I ask my colleagues on that side of the aisle, "Will you support an amendment to the Constitution to balance the budget?" Well, they proposed it, both of them.

Mr. Speaker, the demagoguery in this place this morning has been unbelievable. Many of my colleagues have come down here and said that the trade policies of this country are such that we are digging our children into a terrible hole that they will never get out of and that we should have a level playing field. Well, I agree with that. We should do something to make sure that there is fair trade. We should not let the Japanese rape the United States, as they have in the past. We should make sure that there is equality, and, if they treat us unfairly, we should treat them the same way. But the problem facing our children is not the trade issue. It is the spending policies of this House.

This year, and I have said this a million times, we are going to have a $400 billion deficit. The national debt has gone from $1 trillion 10 years ago to $4 trillion. The problems our children are going to face is digging themselves out of that hole with nothing but their hands. They are not going to be able to do it.

Mr. Speaker, we need to get control of spending in this place so that our children will have a sound economy and some kind of a future.

THE OLDER AMERICANS' FREEDOM TO WORK ACT OF 1991

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

Mr. ALLEN. Mr. Speaker, the time has come to stop punitive taxation of America's senior citizens. I am referring to the unfair earnings test which penalizes older men and women who want to work.

This inequitable tax keeps earned income out of the pockets of older Americans, and strains our national economy by minimizing our work force. Ultimately, this tax policy has the effect of discouraging older Americans from working at all.

Mr. Speaker, no American should be penalized for striving to be financially independent. We must recognize that the earnings test is no longer needed for the purposes which it was created.

Our Nation's seniors have a wealth of knowledge and experience to offer to our economic system. We should encourage them to participate in the work force, rather than tax them into retirement. Why waste experience?

I encourage my colleagues to join me in cosponsoring H.R. 967, The Older Americans' Freedom to Work Act of 1991—sound legislation that will send a message to older Americans that we value, appreciate, and need their experience in our labor force. Further, I hope the conferees on the Older Americans' Freedom to Work Act will accept the McCain amendment which will also repeal the earnings limit.

THE DEMOCRAT SOCIALIST COALITION DOES NOT BANK, COUNT, OR THINK STRAIGHT

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

Mr. WALKER. Mr. Speaker, it has been fascinating listening to the Democrat Socialist coalition that controls this House in the 1 minutes this morning because they have proven that they are the gang that could not bank straight. Yesterday they proved that they are the gang that could not count straight, and today what they are proving on the House floor is that they are the gang that cannot think straight.

I heard a number of them come to the floor today criticizing an aerospace company in our country that has sought investment capital from overseas. Now why would an aerospace company do that when it is largely because the Democratic Socialist coalition that controls this House has refused to allow any capital formation in this country? They have raised taxes in a way that kills off savings and investment, they have refused to take steps our foreign trading partners take in order to encourage investment, and then they wonder why there is no investment money available in America.

Second, it has been the Democratic Socialist coalition in the House that has killed off defense spending. Defense spending was one of the things that helped McDonnell Douglas keeps its commercial business alive, by killing off defense spending and thereby killing off contracts in McDonnell Douglas. Guess what? They killed off a sector of the economy, They did it. They have insisted on it for years, and now they come to the floor and suggest the President is at fault.

They cannot think straight, my colleagues.

CONFERENCE REPORT ON H.R. 2521, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1992

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 286 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 286

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report on the bill (H.R. 2521) making appropriations for the Department of Defense for the fiscal year ending September 30, 1992, and for other purposes. All points of order against the conference report and against its consideration are hereby waived. The conference report shall be considered as having been read when called up for consideration.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], and pending that I yield myself such time as I may consume. During consideration of this resolution all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 286 waives all points of order against the Defense appropriations conference report and against its consideration. The rule also provides that the conference report will be considered as read. Conference reports are considered in the House under the hour rule. In this instance, all provisions are contained within the conference report. There are no separate amendments in disagreement so there will be only one up-or-down vote on the entire conference report at the end of the hour's debate.

A year ago, Mr. Speaker, who would have predicted Israelis, Palestinians, and other Arabs sitting together to talk of peace?

A year ago, Mr. Speaker, who could have imagined the failed Soviet coup and the peaceful breakup of the Union of Soviet Socialist Republics?

How recently, Mr. Speaker, did the end of the cold war appear to be out of our reach?

Mr. Speaker, there is much to bring us hope in the dramatic events of the past 2 years. The world is indeed changing. But, unfortunately, there are still too many reminders—from El Salvador to Yugoslavia—that peace is fragile, that cease-fires are only temporary and hard to maintain, that old hatreds are not forgotten and may erupt suddenly with brutal, bloody, and tragic consequences.

The DOD appropriations conference report recognizes the changing nature of the threat to our national security. The conference report puts emphasis on the morale, mobility, and readiness of our forces; it finds the right mix of basic and high technology equipment; it maintains our defense research and industrial capabilities while reducing the amount we spend on defense.

Mr. Speaker, the Defense Subcommittee under the wise, strong, and able leadership of the chairman, Mr. MURTHA, has done the right thing. We owe Chairman MURTHA and the ranking minority member, Mr. MCDADE, our highest praise and our deepest gratitude.

Mr. Speaker, House Resolution 286 is the customary rule for consideration of

a conference report. It is a fair rule and I urge its adoption.

□ 1050

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

Mr. Speaker, I thank my friend, the gentleman from Massachusetts [Mr. MOAKLEY], chairman of the Committee on Rules, for his kind remarks, and I want to congratulate him on the fine job he does heading the committee. He has ably explained the provisions of this rule.

Mr. Speaker, I also want to applaud the chairman and ranking Republican member of the Subcommittee on Defense of the Committee on Appropriations, the gentleman from Pennsylvania [Mr. MURTHA], and the gentleman from Pennsylvania [Mr. MCDADE], for their hard work in putting this legislation together. They have done an outstanding job, and we all appreciate their efforts.

Mr. Speaker, the defense appropriation bill covers funding for pay and benefits for military personnel; operation and maintenance; procurement of equipment, supplies, and weapons; research and development of new weapons and equipment; and other activities such as drug interdiction.

H.R. 2521 follows the lead of the authorization bill, which passed the House Monday, with regard to the standard missile, the B–2 bomber, the strategic defense initiative, the F–14 fighter, and levels of active duty and Guard and Reserve personnel.

Mr. Speaker, it does not, however, fund resumed production of the F–117 Stealth fighter-bomber, and I think that is a terrible mistake. We know that our defense posture over the years has brought Russia to her knees and communism out of Eastern Europe. We must not give in and help to disintegrate our defense posture just to provide money for other programs.

I would like to note that language which would permit abortions to be performed at U.S. military health facilities overseas, in cases other than when the life of the mother is endangered, has been removed. The President has stated that he would veto any legislation presented to him which contained this provision.

Mr. Speaker, I support this rule, and I urge its adoption so that we may proceed to the consideration of the conference report.

Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, back in June, when the Defense appropriation bill came before this body, I raised a point of order on a $6.8 million grant for the Monterey Institute of International Studies in California, in the district represented by the gentleman from California [Mr. PANETTA], the chairman of the Budget Committee. The Chair ruled in favor of my point of order, and the $6.8 million was stricken, but it was in another part of the bill, in report language.

When this went to the conference committee, the conferees put in report language the $6.8 million for the Monterey Institute for International Studies.

The Monterey Institute for International Studies works in the area of language. We have the Defense Language Institute that the Pentagon takes care of. We do not need the Monterey Institute for International Studies. It is redundant. The fact of the matter is, it is a pork barrel project for that congressional district, pure and simple. It was ruled out of order by the Chair, and yet they put it back in in report language in the conference committee report, and the Committee on Rules is waiving all points of order. As a result, this is going to pass even though the House of Representatives has expressed its will very clearly that we do not want to spend the money for that purpose.

What do we have to do around here? It is ruled out of order, it goes to the Senate, it comes back, it has not passed in either House, and it is in this bill. It has not passed any of the committee, and this $6.8 million is in this bill, and it is pork.

When are we going to come to grips with the situation, with the realization that spending is out of control. I know that $6.8 million is not a lot of money when we are talking about billions and billions and the $400 billion debt that we are adding to it this year. The deficit is going to be $400 billion this year, we know that. But now we have this $5.8 million back in this bill. It has never passed any committee, and it never passed either House. It was ruled out of order, and the Rules Committee waives all points of order, so here it is back before us and it is going to pass.

Mr. Speaker, I hope that my colleagues will look at this. This is one of the reasons that the people in this country are concerned. This is a pig eating the capitol. That is the perception of the people in this country, and we cannot do a doggone thing about it. Even when we defeat a program like this, it comes back.

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

Mr. BURTON of Indiana. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, do I understand the gentleman correctly to say that the Rules Committee is the one in fact that is permitting this, because if, in fact, we did not waive points of order, the gentleman would be able to strike this program again?

Mr. BURTON of Indiana. Well, they have it in report language now, so I am not sure we can do it, because they have stuck it in here and hidden it in report language. But the Rules Committee and the conference committee certainly have circumvented the will of the House in doing this.

Mr. WALKER. So what we have is a rule that basically protects this singular pork barrel item, and it is going to permit it to go forward, despite the fact that it has never passed either the United States House of Representatives or the Senate; is that correct?

Mr. BURTON of Indiana. Nor a committee of either house. Not only has it not passed, but it was ruled out of order by the Chair.

Mr. WALKER. So in the House this was specifically turned down?

Mr. BURTON of Indiana. It was.

Mr. WALKER. And in the Senate it never passed, it was never before any committee, and still we are going to spend $6.8 million on pure pork because we are going to allow the Rules Committee to drive the process forward here?

Mr. BURTON of Indiana. That is absolutely correct, and I would just like to say in addition to this, that I suspect the chairman of the Budget Committee had some influence on this decision. After all, it is in his congressional district. I just say that if we cannot do anything about something that has been ruled out of order, how are we ever going to get control of spending in this House?

We have had two amendments passed this year. One was ruled out of order, and that is this $6.8 million, and we had another one with the gentleman from West Virginia in the other body who is bringing pork home to his district. I suspect that is going to come back and haunt us as well.

I have tried to cut over $1 billion in spending this year. We have been successful on $113 million of that. This is $6.8 million, and it is going back in, and I submit the rest of it is going to go back in when the gentleman from West Virginia in the other body starts using his ability to sneak it back into one of the appropriation bills that is going to come back here.

All I say to my colleagues is that the people of this country are very upset with us. They are very upset that spending is out of control, that the deficit is out of control, and the economy is out of control. It is going to rest with us to solve the problem, and they are going to hold us accountable.

Mr. WALKER. Mr. Speaker, will the gentleman yield further?

Mr. BURTON of Indiana. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. Did I understand the gentleman correctly to say that this is going to a foreign language institute?

Mr. BURTON of Indiana. A foreign language institute.

Mr. WALKER. And this is in the district of the chairman of the Budget Committee?

Mr. BURTON of Indiana. The gentleman from California [Mr. PANETTA].

Mr. WALKER. And the chairman of the Budget Committee is from the same party that has been telling us on the floor that they are for a "America first" campaign, and so what we are now going to do is create a duplicate foreign language study?

Mr. BURTON of Indiana. That is absolutely correct.

Mr. WALKER. Mr. Speaker, that is amazing.

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

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, 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. The question is on the resolution.

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

Mr. BURTON of Indiana. 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 taken by electronic device, and there were—yeas 359, nays 59, not voting 16, as follows:

[Roll No. 408]

YEAS—359

Abercrombie
Ackerman
Alexander
Allen
Anderson
Andrews (ME)
Andrews (TX)
Annunzio
Anthony
Applegate
Armey
Aspin
Atkins
AuCoin
Bacchus
Baker
Barnard
Barrett
Barton
Bateman
Bellenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Blackwell
Bliley
Boehlert
Boehner
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Downey
Dreier
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallo
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Green
Guarini
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hoagland
Hobson
Hochbrueckner
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Hyde
Inhofe
Jacobs
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morrison
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Pallone
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Roe
Roemer
Rogers
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Scheuer
Schroeder
Schulze
Schumer
Serrano
Sharp
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Traficant
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walsh
Washington
Waters
Waxman
Weber
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

NAYS—59

Allard
Ballenger
Billirakis
Bunning
Burton
Cox (CA)
Crane
Dannemeyer
DeLay
Doolittle
Dorgan (ND)
Dornan (CA)
Duncan
Edwards (OK)
Fields
Gallegly
Gekas
Goss
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Holloway
Hunter
Ireland
James
Kyl
Lagomarsino
Leach
Lewis (FL)
Lightfoot
Lowery (CA)
Marlenee
Moorhead
Nichols
Nussle
Packard
Petri
Rhodes
Ritter
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Schaefer
Schiff
Sensenbrenner
Shays
Stearns
Stump
Taylor (NC)
Thomas (CA)
Upton
Vucanovich
Walker
Zeliff
Zimmer

NOT VOTING—16

Andrews (NJ)
Archer
Bonior
Dickinson
Gunderson
Hall (OH)
Hatcher
McCrery
Morella
Mrazek
Pastor
Savage
Shaw
Towns
Traxler
Unsoeld

□ 1123

Mrs. VUCANOVICH and Mr. KYL changed their vote from "yea" to "nay."

Mrs. MEYERS of Kansas changed her vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. MURTHA. Mr. Speaker, pursuant to House Resolution 286 just agreed to, I call up the conference report on the bill (H.R. 2521) making appropriations for the Department of Defense for the fiscal year ending September 30, 1992, and for other purposes.

The Clerk read the title of the bill.

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

(For conference report and statement, see proceedings of the House of November 18, 1991, at page H–10416).

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

The Chair recognizes the gentleman from Pennsylvania [Mr. MURTHA].

GENERAL LEAVE

Mr. MURTHA. 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 the bill (H.R. 2521) making appropriations for the Department of Defense for the fiscal year ending September 30, 1992, and for other purposes.

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

There was no objection.

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

I just want to compliment the gentleman from Pennsylvania [Mr. MCDADE]. We worked 7 or 8 months on this Defense appropriation bill for fiscal year 1992. It is a bipartisan bill and the levels are below the 602(b) allocations.

There is no forward funding in this bill and it is a bill that we think sets specific priorities.

We have had 7 straight years of negative growth in the Defense Department and we have tried to pattern a bill to the changing threat, to the changing times.

One of the reasons that we have been so successful is because of the brilliant work of the gentleman from Pennsylvania [Mr. MCDADE] and the other members of the subcommittee. We have got one of the hardest working subcommittees in the entire Congress. The members take it very seriously and we divide up the work.

What we have here is a compilation of the work done by 14 members on the Defense Appropriations Committee. Each member concentrates on a section of the bill. Sometimes a section is substantially large, such as $10 or $11 billion, and they work all year long trying to get that section fashioned so that we have appropriate oversight and so we have the least amount of problems with that particular section. The members of the subcommittee have done a fabulous job on this bill, and I want to compliment each one of them in that regard.

We see in the future of this country that there are two main threats. We see a threat in the Middle East and the nuclear threat in North Korea. Those are the two areas we have to be concerned about.

We are going to have a smaller Armed Forces with more reliance on the Guard and Reserve and we are going to have to have adequate transportation in order to get those people overseas. That is the way we patterned this bill and that is the way we expect to set the policy of the Government through the appropriations process during the next few years.

So I appreciate the support of the Members and will submit a longer statement.

Mr. Speaker, I bring before the House the Defense appropriations conference report for fiscal year 1992.

I want to thank the gentleman from Pennsylvania [Mr. MCDADE] for his key role in developing this important legislation.

I also want to thank Senator INOUYE and Senator STEVENS, the chairman and ranking minority member of the Senate Defense Appropriations Subcommittee, for their hard work and cooperation during the conference.

I will be brief in my remarks. Details of the conference action are in the report.

FUNDING

The conference report recommends a total of $270 billion in budget authority for the Department of Defense.

This total does not include funds for military construction or for the nuclear weapons program of the Department of Energy. Those activities are included in separate legislation.

This total complies with the funding level set for defense in the economic summit.

It is below the budget request.

It is below the 602 allocation allocated for this bill.

HISTORIC CHANGES AROUND THE GLOBE

Mr. Speaker, events of the past few years: The collapse of the Berlin Wall; The collapse of the Warsaw Pact; the collapse of the Soviets' expansionist policies; the emergence of democracy in Eastern Europe, and the Soviet Union; have dramatically shown the wisdom of America maintaining a strong defense posture since the end of World War II.

Maintaining a strong defense over the decades has been a heavy financial burden on the American people. However, I would like to put the Defense budget in perspective.

Within a few years, the budget for defense will be the smallest percentage of the Federal budget and of the GNP that it has been since before World War II.

The fiscal year 1992 Defense appropriations bill will mark the seventh consecutive year of decline in budget authority provided for defense when measured in constant dollars. This statistic does not include the expenditures for Operation Desert Shield/Desert Storm.

The current 6-year defense plan calls for a further reduction of approximately 25 percent in the force level of U.S. troops.

This bill includes $64.2 billion for the procurement accounts, a decline of 50 percent since fiscal year 1985 when measured in constant dollars.

I fully agree that because of the many favorable geopolitical trends that have occurred in the world in recent years, a significant decline in America's defense spending is appropriate.

However, I want to emphasize that this decline has been underway for a number of years and a continued orderly reduction is embodied in this bill and in the current outyear projections for defense spending.

DEFENSE PRIORITIES FOR THE 1990'S

Despite the dramatic and favorable historical trends of the last few years we must keep in mind that the men and women of our Armed Forces have been tasked to carry out many important and dangerous missions to achieve the foreign policy objectives of America in recent years.

The attack on the terrorist regime in Libya; the rescue mission in Grenada; the removal of General Noriega from Panama; and the defeat of Saddam Hussein—a dictator who would have controlled half of the world's oil reserves had he invaded northern Saudi Arabia.

Mr. Speaker, to ensure the continued high level of capability of our troops, we have reshuffled somewhat the funding priorities requested in the budget submitted to the committee although we have not changed the bottom line.

The committee believes that the funds added for certain programs in this legislation will significantly enhance the military effectiveness of our downsized force structure for the 1990's.

We have emphasized the following areas: Morale, readiness, mobility, deployability, and sustainability.

I would like to say just a word or two about some of these initiatives.

Readiness: In the operation and readiness account we added substantial funds above the budget request for depot maintenance and real property maintenance. There are substantial backlogs in both these areas. These initiatives will enhance the quality and readiness of the downsized force structure.

Deployability: We withdraw large numbers of troops from overseas, having the capability to deploy those forces should it become necessary becomes vitally important. The committee has added $600 million for sealift and supported the authorized level for strategic airlift.

Mobility: You need highly mobile troops once they are deployed. We have added funds for the V–22 Osprey tilt rotor aircraft and for additional landing craft which are deployed from ships.

Sustainability: You need a force which can be sustained with consumables once it is deployed; we have funded the budget request for replenishment spares and repair parts; we have added $100 million for ammunition; and of course, the additional sealift will also help sustainability.

NATIONAL GUARD AND RESERVE FORCES

The administration proposed drastic reductions in the end strength level of the National Guard and Reserves components.

The conferees disagreed with this proposal and restored over half of the projected reduction.

The conference agreement funded the authorized end strength, set floors on end strength and force structure levels, and provided the Secretary of Defense with a 2-percent adjustment flexibility by component on both end strength and force structure.

STRATEGIC PROGRAMS

The conferees basically adjusted the budget to comply with the budgetary implications of the President's recent initiative to reduce the strategic nuclear stockpile.

These actions included reductions in the following programs:

	Millions
Peacekeeper rail garrison	−$251
Mobile small ICBM	−115
Short range attack missile (SRAM II)	−166
Short range attack missile (SRAM T)	−34

We provided the authorized amount, $4,150,000,000 for SDI.

We also provided the authorized amount for the B–2.

OTHER PROGRAMS

This bill: Provides $200 million for the national aerospace plane [Nasp]. This important program will guarantee continued American leadership in aero-

space technology. Provides $1.9 billion for a wide variety of equipment for the National Guard and Reserves. Provides almost $230 million above the budget for modifications to the F–14A Program. Provides an increase of almost $25 million for AIDS research at Walter Reed medical research facility. Provides the budget request for numerous ongoing programs.

As mentioned earlier, $600 million was added for additional sealift.

We added $266 million above the budget for upgrading the M–1 tank.

HEALTH CARE

The conferees agreed to consolidate the services' individual medical budgets, except for research, into a centralized health care budget in order to provide a quality, consistent benefit to all eligible individuals, and to prevent duplication and waste of scarce resources. Over $8 billion was approved for this consolidated health care budget, an increase of $46 billion.

This funding level is an increase of $45,933,000 above the President's budget request for health care.

CONCLUSION

In summary, Mr. Speaker, the conference report on the Defense appropriations bill for 1992 which we are reporting to the House of Representatives: Complies with budget figure set for defense in the economic summit; complies with the 602 allocation set by the full Appropriations Committee; complies with the funding level for major programs set by the recently passed authorization legislation; enhances the morale of our Armed Forces; enhances the readiness of our troops; enhances the deployability and mobility of our troops; and enhances their sustainability once they are deployed.

I urge passage of the conferees' recommendations.

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

Mr. WHITTEN. Mr. Speaker, I became a member of the Appropriations Subcommittee for Navy in 1943 and have served on the Subcommittee on Defense since then. Today I rise in support of the conference report. I am very proud indeed of the work of my colleagues on the Defense Appropriations Subcommittee. Our chairman, the gentleman from Pennsylvania [Mr. MURTHA] and the ranking minority member, the gentleman from Pennsylvania [Mr. MCDADE] and my subcommittee colleagues have done a very good job on a difficult bill.

As we continue to meet our responsibilities in providing for the defense of our Nation, we always need to distinguish between real defense and military spending.

I am particularly pleased that we did not agree to Guard and Reserve reductions that were proposed by the Department of Defense. We must continue to have a strong Guard and Reserve where members contribute to the economy during the week and train on the weekends. The conference agreement sets a floor on end strength and force structure of the National Guard and Reserve Forces that is only slightly below existing levels.

The National Guard and the Reserves have a tremendous peace-time mission and because they are local, they play a big part in support of the regular services. In fiscal year 1990, the Guard was called out for State emergency missions 292 times in 38 States; in fiscal year 1991, 337 times in 42 States. Every time the Guard was activated, local people saw their military dollars being spent on something important to their area—and that generates a very positive feeling toward the whole Army. The Nation will continue to need this support.

At no time in history has this Nation proposed to reduce its voluntary military force to the extent that is being proposed. The transition for our military personnel into the civilian sector and for employees of our defense contractors due to reductions in workload should not produce undue hardship on either the personnel being displaced or on those areas of our country where facilities are located. This will be a difficult task. The positive benefit to the Nation as a whole and to all local communities that the Guard and Reserve provide will be helpful in avoiding undue impacts. Inappropriately reducing the Guard and Reserves is risky and I believe reduces the support the people have for military spending.

In this connection, we should give attention to restoring the condition of our roads, our bridges, highways, harbors, waterway locks and dams, schools, hospitals, and other public facilities. The need for these facilities has been well documented. Programs developed to provide for this asset investment not only provide employment opportunities which help the economy, but the facilities themselves provide benefits and growth for the Nation as they are put to their intended use. Such a program needs to be developed which will tie in with the reduction in military spending, and which would create productive employment for those crowded out of military production and those who are forced to retire from the military or contractors after devoting their time to the defense of our country.

With the present decline in the economy and present plans for further reduction in Government-supported projects, I truly believe in a few months it will be evident that we must have a jobs bill, as we did in 1983. I, along with the gentleman from Pennsylvania, [Mr. MURTHA], have introduced such a bill, H.R. 3544. it is pending before the Committee on Appropriations. I invite Members to review this bill and join us as cosponsors of this bill as it appears likely this will be needed soon.

Mr. Speaker, this is a good bill. I congratulate the managers of this conference report and urge its adoption.

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

Mr. Speaker, I am privileged to rise in very strong support of this conference report which is a work product that reflects the views of the members of the subcommittee on both sides of the aisle, all of whom did yeoman work in bringing this bill here today. All the conferees, from both sides of the Capitol worked together to fashion what is a very difficult bill into one that will be signed by the President.

I have never seen a staff work more diligently, indeed spending many nights, watching the Sun rise a few times, to get this bill fashioned so we get it here.

Most importantly, Mr. Chairman, I want to pay tribute to my friend, the gentleman from Pennsylvania [Mr. MURTHA].

I want to point out to the House, Mr. Speaker, that our distinguished colleague, the gentleman from Pennsylvania, chaired this conference committee and he did so with consummate skill, consummate attention to the very desires and expressions of opinion of the Members on both sides of the aisle, both sides of the Capitol, always keeping in mind his foremost objective, which was to make sure that the men and women who make up this magnificent organization that we call our defense establishment have the tools they needed to do the job, have the quality of life before them so they could look forward to a strong, happy, and prosperous career, men and women who would be well rewarded for the motivation they show in defending this great Nation around the world.

The gentleman did a superb job, and because of that, we believe this bill will pass with overwhelming support.

Mr. Speaker, I have every indication that the President is going to sign this bill.

□ 1130

It is below the 602 allocations; it meets all the various recommendations and requirements that the administration laid upon us, and I hope it will be passed overwhelmingly.

Mr. Speaker, I rise in strong support of this conference report and urge its adoption.

Mr. Speaker, I would be remiss if I failed at this point to express my appreciation to the members of the conference committee, on both sides of the Capitol and on both sides of the aisle, for their effort, diligence, and cooperation in helping to bring back the Defense appropriations bill in a form that I think all Members can support and indeed be proud of.

Going to conference we were faced with 200 amendments from the Senate, and literally thousands of funding and language disagreements which needed to be worked out.

Despite some serious differences, the conferees undertook this task with both determination and good will, and I'm pleased to report that all items were resolved, with no items remaining in disagreement and a work product which we feel certain will be signed into law by the President.

We couldn't have done this without a yeoman effort on the part of the conferees and the staffs of the committees and I want to commend all of them for a job well done.

In particular, I want to single out our friends "from the Pacific," the senior Senators from Hawaii and Alaska who always have worked to provide the Nation with a sound defense.

And I especially want to thank our chairman, my colleague from Pennsylvania, who chaired the conference committee with great skill, ensuring that all Members' views were heard, and putting his strong imprint on a bill which above all else is committed to the individual soldier, sailor, airman, marine, and their families, and provides what they need in order to do their job when called.

Mr. Speaker, I will be brief in outlining the conference report. It falls within the spending levels for defense established by last year's budget agreement, a level which I would remind my colleagues is some 12 percent lower in real terms than the fiscal year 1990 levels for defense.

In terms of major program decisions, this bill basically tracks the Defense authorization conference agreement which this House passed overwhelmingly just 2 days ago.

This includes the funding levels for the strategic defense initiative and the B–2 bomber, as well as the future of conventional systems such as the M–1 Abrams tank, the F–16 fighter, and the V–22.

The conferees also moved to endorse President Bush's historic decisions of just 2 months ago regarding a variety of nuclear programs. The conference agreement terminates both strategic and theater nuclear programs such as the rail-garrison MX, the new generation short-range attack missiles [SRAM–2 and SRAM–T], and the nuclear variant of the sea-launched Tomahawk cruise missile.

In terms of military personnel, the conferees endorsed the President's proposal to reduce active duty strengths by roughly 100,000. Likewise, the bill supports Secretary Cheney's initiative to establish a new voluntary separation program, in line with the Defense authorization.

We also looked to bolster the so-called readiness accounts in a number of ways, including an add of nearly $1 billion over the request to attack backlogs in the services' repair and maintenance programs.

Mr. Speaker, to sum up, this is a good bill; not perfect, but one that in the aggregate responds well to the difficult choices posed as we move full bore into the process of building down the military forces which have served the Nation so well.

It's a sound, bipartisan bill, and I'd ask the House to give it a strong show of support.

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

Mr. MURTHA. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. PANETTA], the chairman of the Committee on the Budget.

Mr. PANETTA. Mr. Speaker, I thank the gentleman for yielding to me.

I take this time to engage in a colloquy with the chairman of the Subcommittee on Defense Appropriations on the sense of the conferees on the fiscal year 1992 Defense appropriations bill with respect to community military base reuse committees. How, for example, do the conferees view the status of the Community Task Force on Fort Ord?

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

Mr. PANETTA. I yield to the chairman.

Mr. MURTHA. I thank the gentleman for yielding.

Mr. Speaker, it is the conferees' sense that the Office of Economic Adjustment of the Department of Defense should recognize the Community Task Force on Fort Ord as the legitimate and sole community reuse committee representing the communities affected by the closure of Fort Ord. The conferees have noted that the task force represents every level of government over Monterey County, encompassing the entire region affected by the base's closure, including 12 mayors of Monterey County, two Monterey County Supervisors representing the county board, the county's three State assemblymen, the county's State senator, two retired military officers from the county and the area's U.S. Representative, the gentleman from California.

Mr. PANETTA. Mr. Chairman, I greatly appreciate the gentleman's clarification, and I commend the gentleman and his fellow conferees on their dedication to a fair and reasonable treatment of our communities affected by military base closures.

Mr. Speaker, I also want to commend the chairman for his cooperation with respect to the other amendments with respect to base closures.

Mr. MURTHA. Mr. Speaker, I am going to yield to the gentleman from Oregon, but while he is walking to the podium, I want to say what an outstanding member of this committee the gentleman is. He has taken on a number of projects which have been so important to the Nation.

Mr. Speaker, the gentleman from Oregon is an infantryman himself; he understands it from the ground up and nobody has taken more of an interest in the personal problems and systems which enhance the basic infantryman at the ground level. All of us, this Nation, give great accolades to the gentleman from Oregon for his hard work on the subcommittee.

Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. I thank the gentleman for yielding to me, and I thank him for his kind and generous remarks, which make it even more difficult for me to stand in the well today and indicate that I regretfully have to vote against the conference report, and explain to my colleagues why I did not sign the conference report.

Mr. Speaker, it is never easy to stand up and be in disagreement with a gentleman for whom I have great respect and admiration, that is my chairman, the gentleman from Pennsylvania, [Mr. MURTHA]. But in this conference report I am compelled to buck the trend and also the culture of our committee, and indicate that I for one will vote against this conference report.

Mr. Speaker, I have five reasons for doing so. The first one that is deeply troubling to me is the outrage of a veto threat by the President of the United States brought against our committee when we were considering this bill, which included, in the Senate version of it, an override of a regulation that denies servicewomen the use of their own salaries to purchase abortion services if they choose, exercising their conscience to do so.

You know, that is a right that women in this country whom those servicewomen defend have, and yet the Department of Defense denies those servicewomen proudly serving abroad that same right.

There is something fundamentally wrong and unfair and pinched and narrow and cruel about that kind of a regulation.

There is something outrageous of a President who would threaten to veto this bill and bring the entire defense bill for this country down over that issue.

Mr. Speaker, this is a subjugation of the defense budget of this Government to the agenda of the Right-to-Life Committee. That is the only way I can explain it. I think that is outrageous.

I am angrier still that the conferees agreed to help him on that.

Now just let me mention four other issues that deal with weapons systems that I think do not reflect the world as it exists but reflects the world as it was during the cold war: The MX missile, the F–22, the Seawolf attack submarine and the Trident missiles.

Mr. Speaker, in this bill we have $195 million, $71 million above the termination costs, for the MX missile. These are new MIRV ICBM missiles. Although the Bush administration says he wants to terminate them, we are spending $195 million on it.

I fought against it; yet it is in the conference report.

The F–22: $1.6 billion for a new superfighter plane to counter the Soviet successor to the Mig-29, except there is not going to be any Soviet successor to the Mig-29. And even the Mig-29 production line is being shut down.

The SPEAKER pro tempore (Mr. GEJDENSON). The time of the gentleman from Oregon [Mr. AUCOIN] has expired.

Mr. AUCOIN. Mr. Speaker, I would ask the chairman for 1 additional minute, although I am sure he is not pleased with my remarks.

Mr. MURTHA. I yield an additional minute to the gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. I appreciate the chairman yielding me this time.

Mr. Speaker, the third issue is the Seawolf attack submarine. This conference report calls for the expenditure of $1.9 billion for a new superattack sub to counter the future—get that, future—Soviet post-Akula superattack submarine. Except there is no evidence that this Soviet submarine is ever going to be designed, much less built, and here we are spending $1.9 billion for an answer to that probably nonexistent threat.

On the Trident II missiles, we are spending $977 million for highly MIRV'ed and accurate first-strike counterforce weapons, with both Bush and Gorbachev saying they want to move away from these systems.

Ladies and gentlemen, every one of those dollars in those weapons systems which I have just named is a form of theft from American workers who are dislocated because of economic changes in this country and require retraining in order to lead productive, wholesome, meaningful and prosperous lives.

I think this is a conference report that is out of step for all of those five reasons.

Mr. MURTHA. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina [Mr. HEFNER].

Mr. Speaker, let me say before I yield to him that the gentleman from North Carolina [Mr. HEFNER] is another one of our valuable members of the subcommittee. He works hard and he makes sure North Carolina is taken care of in the process. He is, of course, chairman of the Subcommittee on Military Construction of the Committee on Appropriations in his own right and does an outstanding job on that subcommittee. He makes sure there is no waste in any of the systems in which he is involved.

Mr. Speaker, I am a great admirer of the gentleman from North Carolina.

Mr. HEFNER. I thank the chairman for his comments, and I rise in strong support of this legislation and congratulate the gentleman from Pennsylvania [Mr. MCDADE], the gentleman from Pennsylvania, Chairman MURTHA, and all the staff for putting together what I consider a real, real bill for the future of America.

Mr. MCDADE. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio, a very able member of our subcommittee, the gentleman from Ohio [Mr. MILLER].

Mr. MURTHA. Mr. Speaker, while the gentleman is taking the well, let me also say how valuable the gentleman from Ohio [Mr. MILLER] is and has been to the subcommittee and to the full committee. He has taken on one thing in which he has been particularly interested. He feels that in cutting down the troops, we certainly ought to be able to cut down the recruiting money. We have taken his lead in that respect, and we have cut down the money available to the Services for recruiting. Mr. Speaker, the gentleman from Ohio has saved millions of dollars for the taxpayers because of his insight and his recommendations.

Mr. MILLER of Ohio. Mr. Speaker, I thank the gentleman for those kind remarks.

Mr. Speaker, I rise in support of the conference report H.R. 2521, the fiscal year 1992 Department of Defense appropriations bill. First of all I want to commend the gentleman from Pennsylvania Chairman MURTHA and the gentleman from Pennsylvania JOE MCDADE, our ranking member, for the excellent leadership they have provided all through this year and during the conference with the Senate.

This bill is another step along the downward path of defense spending which, between 1985 and 1996, will have been cut by one-third there is no question that this is the direction we must take as we adjust to the changes taking place around the world. Yet we must exercise caution that we do not create a path that is too steep and leaves us with defense forces that are not properly equipped or trained to meet future crises.

It is incorrect to say the administration and Congress have not recognized the changing world order. As this bill demonstrates, the Defense budget is changing. The Defense appropriations conference report reflects lower personnel levels in Active and Reserve Forces but recognizes the important role and cost effectiveness of the reserve component by rejecting drastic cuts to these forces. In line with lower force levels, modest cuts are made to the advertising budgets for enlisting new recruits.

Following the President's initiatives to reduce nuclear weapons, substantial reductions are made to offensive strategic systems. Strategic defenses, however, will receive additional funding over last year, and the appropriations bill supports the effort to focus SDI on providing a defense against limited or accidental nuclear attacks and on defending against theater ballistic missiles.

In another area, funding for the production of new tanks will end in fiscal year 1992, but in order to maintain this essential component of the industrial base, the bill supports a program to upgrade older M1 tanks to the M1–A2 version. The cold war may, in fact, be over. But it is still an uncertain world we live in. The United States remains a nation with global interests and must remain willing and able to respond to the potential threats that still exist. Overall, I believe this bill takes a reasoned approach to managing the reduction in defense spending and will adequately fund our national security needs through the current fiscal year. I urge my colleagues to support the conference report.

□ 1140

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN] for purposes of a colloquy.

Mr. MORAN. Mr. Speaker, the House Armed Services Committee recently authorized $3 million for a competitive grant to a historical black college or university [HBCU] to test a new fire suppression liquid called pyrocap B–136 which is manufactured in Springfield, VA. This product is a new firefighting technology which also has rapid heat absorbing properties relevant to battlefield skin burns from all sources. I would like to include in the RECORD at this time a recent article from USA Today regarding this unique material.

The $3 million for skin burn research was not included in title IV of the conference report for several reasons; one of which was that the DOD authorization had not passed the House at that time. But it is so important for this $3 million to be obligated given the many accounts dedicated in the legislation for medical research and technology innovation. Can the chairman and the ranking minority member of the subcommittee help us given that it is an authorized provision?

[FROM USA TODAY OCT. 25, 1991]

NERO-LIKE OFFICIALS SHOULD STOP FIDDLING

(By Barbara Reynolds)

If a firefighter had told Nero, "Not to worry, I have a magic fire extinguisher to save Rome," the emperor probably would have ignored him and continued fiddling.

Today, it's Theodore Adams Jr., president of Unified Industries, an engineering service firm in Springfield, Va., who wonders if bureaucrats are too busy fiddling around to take him seriously. Adams says his firm produces a fire suppressant that could have stopped the California fires.

I was in Oakland when the fires started. My eyes and lungs are still raw from the

burning embers and thick black smoke. Couldn't something have prevented it?

Adams says that California, although 61% wildlands, doesn't have to become a periodic ranging inferno. Letters show his fire stopper has been tested successfully for use on wildlands by the U.S. Department of Agriculture and the Forest Service. The U.S. Army's research center says it "appears to be a versatile and useful product."

Adams, a retired Army colonel, says his product is approved for use in Washington, D.C., Compton, Calif., and Fairfax, Va. It is under review in Detroit.

Washington's battalion fire chief, Theodore Holmes, a veteran firefighter says, "It is a very unusual product that puts out fires quickly and absorbs heat more rapidly than water. It takes the toxicity out of smoke. You can spray it ahead of the fire and the fire won't cross it. I personally think it would have worked on the California fires."

If lives could have been saved, why wasn't it used?

Adams stresses there have been other times bureaucratic inaction worked against saving human life. "In the 1984 Wilberg mine fire in Orangeville, Utah, where 26 miners were killed, we were allowed to use the fire retardant only as a last resort. It stopped the fire immediately. But it took from 1984 to 1990 for federal agencies to approve its use."

Adams, an African-American, says there is still a bottleneck that blocks both mining operations and firefighting agencies from realizing his product is available. No urgent bulletins have alerted firefighters of the technology.

"There is nothing blocking Adams' product," says Robert Jones, a Forest Service official. "Yes, his product has been tested, is available and could have been used in the California fires. But I think he's stretching the truth to say any one chemical could have contained such a large fire."

Maybe Adams' fire stopper would not have worked; maybe it would. We need to know who's fiddling with the truth.

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

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

Mr. MURTHA. Mr. Speaker, this specific item was inadvertently left out of the bill, and we try to work it in, if it is a good program, and, when we get so many items, and we have over 400 pages of items, my colleagues can imagine how complicated it is. We think it is a good program. We will certainly do what we can to take care of it in the supplemental.

Mr. MORAN. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. MURTHA] very much, and I will submit remarks in support of many provisions in the conference report.

Mr. Speaker, I rise to today to join my colleagues in support of the conference report of the Department of Defense appropriations bill and to commend my colleagues on the conference committee for the fine work they did in drafting this bill. I am disappointed in the fact that women in the military service who serve overseas will still be denied their right to medical treatment in American medical facilities in the event they need reproductive care.

Notwithstanding that omission, there are several provisions for which I would like to express my strong support.

Specifically, I rise to thank the conference committee members for opposing Senate amendment No. 141. This amendment would have stricken $40 million for drug interdiction and substitute $32 million in appropriations to carry out the consolidation and relocation of the Central Intelligence Agency. The report accompanying the Senate bill stated that this consolidation was to be carried out, as soon as possible and that this relocation was to be in two sites, one in Gainesville, VA and one in Jefferson County, WV.

The problem that I, and an overwhelming number of my colleagues, had with this provision was not with the fact that the CIA was being relocated and consolidated—this proposal had been in the works for years—the problem was with the process by which this consolidation was being decided. The CIA, pursuant to standard Government relocation procedures, commissioned an independent consultant to review potential sites. When the deal was struck, the CIA subverted this process and decided on a site that was not among those recommended. In making its final decision, the CIA did not consult the Office of Management and Budget to determine if the proposal was cost efficient. It did not consult the White House to coordinate the announcement, and it did not work with the General Services Administration to open competitive bidding on the sites. The CIA did not consult with the House or Senate Intelligence Committees, even though they were requesting an authorization of over $32 million to begin this relocation and a total authorization of over $1.2 billion. In effect the CIA tried to hide its relocation and consolidation proposal behind a cloak of darkness. The conference committee lifted this cloak of darkness and acted to ensure that our constituents receive the openness and honesty they demand from their Government.

Mr. Speaker, as this time I would like to include a letter I received from the Greater Washington Board of Trade pertaining to this issue.

Again, I thank the conference committee for the leadership and integrity it has show in drafting this legislation today.

THE GREATER WASHINGTON
BOARD OF TRADE,
Washington, DC, November 14, 1991.

Hon. DAVE MCCURDY,
Chairman, Permanent Select Committee on Intelligence, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Mr. Chairman, The Greater Washington Board of Trade is a regional chamber of commerce representing Northern Virginia, Suburban Maryland and the District of Columbia with over 1,000 major, regional businesses as our members. I am writing to express our concern over the relocation of federal jobs outside of the Washington region but specifically, proposed plans to relocate 2,000 CIA employees to West Virginia.

There seems to be no real justification for this proposed relocation of some of the CIA's operations to West Virginia. Numerous reports citing reasons against the relocation have been presented before the House Select Committee on intelligence. Inadequate highways and long commutes for those employees who may choose not to relocate are just a few. In fact, some key employees may have to resign because they cannot afford to uproot their families and move to West Virginia. I applaud the conferees' recent decision to require the CIA to follow standard government rules and report in detail to your committee prior to a final decision on a new CIA compound. Certainly, this process would allow complete analysis of the costs and efficiency of any relocation options.

As you may know there are other proposed federal relocations that are being undertaken without any advance notice or Congressional hearings. The FBI will move its 2,600 employee fingerprint processing laboratory from the District of Columbia to Clarksburg, West Virginia. The Treasury Department will transfer the Bureau of Public Debt and 700 jobs from the Washington areas to Parkerburg, West Virginia. If this continues, the effect of federal job losses on the Washington region's economy will be staggering. Your committee insuring that the CIA relocation is fully justified should be a model way of handling these relocations.

Please support any efforts to prevent CIA consolidation until further review is taken by both the House and Senate Intelligence Committees to open the procurement process. Again we appreciate all you have done for the CIA and the Washington region.

Sincerely,

WILLIAM C. HARRIS.

Mr. MCDADE. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. MCDADE] for yielding this time to me.

Mr. Speaker, the overall bill looks very good, and I think it has been done very well by the committee members. I still have a problem though, and that problem is that $6.8 million that I talked about when we discussed the rule a few moments ago. That did not pass either House, did not pass any committee, was ruled out of order on a point of order, was put back in in the conference language, and that is a manifestation of a much bigger problem than just $6.8 million.

Mr. Speaker, we have no way to control spending in this place. All year long I have been fighting pork, and I have talked about a deficit of $400 billion this year and the national debt of $4 trillion. The interest on the national debt is over $300 billion a year. We are doing things like sneaking pork barrel projects in, we are doing forward-funding to circumvent the budget agreement, rolling funds into the next fiscal year so that they do not reflect in this year, thus exceeding the budget agreement by circumventing it.

Spending is out of control, and so I want to talk just a minute about my fear. My fear is, if we do not come to grips with this spending problem, not in this bill, because it is not a bad bill, but if we do not come to grips with spending and get control of it, I think we are going to have a major economic disaster in this country, a depression. I think it is going to rival what we faced back in the 1920's and 1930's if we do not get control of this spending.

I mean, what are we going to do in the future, if this deficit continues to

accelerate, and the interest on the debt continues to grow, $300 billion that is coming out just to pay interest? What are we going to do when that gets to $400 billion and $500 billion? I do not know how we are going to deal with it. The bottom is going to drop out, and we are going to leave the children, the future generations of this country, a terrible legacy. I think everybody here understands that. We all agree with that. It is almost a Gordian knot. We do not know how to address it, but we got to address it as a body.

I have been piecemeal trying to do something about it this year with almost no impact. I will admit that. But we, as a body, have to come to grips with it, not for our individual States. I have heard people give accolades to the Members saying, "He's doing a good job for his State," or, "He's doing a good job for his State." What about the country? What about the Nation?

So, I just implore my colleagues to think about this when they go home tonight because this is a very real problem. It is a very real issue. If we do not get control of spending very quickly, we are going to have an economic tragedy this country has never faced before.

Mr. MURTHA. Mr. Speaker, let me just make a comment. I appreciate what the gentleman from Indiana [Mr. BURTON] is saying because it is a serious problem, and we take it seriously, and, as he knows, in our bill we are actually the only ones that made any cuts over the last 6 or 7 years. All the other programs have gone up, and we do take it seriously, and I appreciate his suggestions and comments.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida [Mr. YOUNG], a valued member of our committee.

Mr. YOUNG of Florida. Mr. Speaker, in the final analysis the legislation that we consider today makes the final decision as to what type of national defense program the United States will have. It determines the type of technology that will be in our weapons systems, it determines the type of training that our military personnel will have, and, in order to bring that kind of a bill to this floor, I have to tell my colleagues that it takes those of us who serve on the committee many hours, and days, and weeks, and months of work because we deal with thousands and thousands of specific items. I think it is safe to say that probably no one on the committee agrees with everything that we do with all of those thousand items, but we have put together a good bill.

Mr. Speaker, it has not been too many months since every American stood with pride, with their chests popping out, feeling so proud of what we did in Desert Storm and how we and our allies moved against an aggressor decisively and successfully in a very short period of time with an unbelievably low loss of life, and we did that because we had the best available technology. We did that because we had the best training for our forces. We did that because morale was the best.

Operation Desert Storm was an unprecedented response by our Nation and our allies to Saddam Hussein, who robbed the people of Kuwait of their freedom and independence, and the world of its greatest hope for a generation of peace. At a time when peace was breaking out in Eastern Europe, the Berlin Wall came down, the Iron Curtain was melting, and free elections were being held throughout the previously Communist world, Saddam Hussein dashed our hopes for peace. Since then, the freedom movement has taken hold in the Soviet Union and the Baltic States have regained their independence after more than 50 years of oppression.

We were able to respond to Saddam Hussein's aggression because this committee and this Congress made the investment in research to develop the latest and best technology. We made the investment to ensure that our air, ground, and sea forces were prepared to go into battle with the best possible equipment. And we provided the funds to train our troops so that they could perform with the flawless precision and professionalism that made us so proud of our All-Volunteer Force of Active Duty, Reserve, and National Guard troops.

As we have seen in the past 2 years with the dramatic and almost unbelievable changes in international leadership and the world map, we must continue to provide for the readiness of our Nation's Armed Forces. We must ensure that they remain the best equipped, best trained, and best prepared force to come to the defense of freedom anywhere in the world.

This bill, however, makes it clear that we have to prepare for our national security needs in a cost-effective manner that provides the best possible defense at the lowest possible cost to the American taxpayers. We have done that in this bill. We have continued our work of the past few years to trim every once of fat from programs. We have eliminated funding for those programs that have proven obsolete or duplicative. We have provided for a national defense that does more with less.

This bill is in the final analysis of what makes the determination as to what kind of a national defense that we will have, and this is a good bill, and this bill is not just about weapons, and hardware, and things of that nature.

In providing for our national defense, we must also provide for the needs of those who dedicated their lives to protecting our freedom. A provision in this bill, which reflects legislation I introduced earlier this year, closes a loophole in current law under which disabled military retirees lose critical health care benefits provided under the Civilian Health and Medical Program of the Uniformed Services [CHAMPUS]. This bill provides $20 million for CHAMPUS coverage promised to these disabled military retirees.

Almost 2 years ago, I learned of the sad plight of Andy Cox, a constituent of mine from St. Petersburg, FL, who became permanently disabled soon after retiring from a 22-year career in the Army and Navy. In working with the family of Andy Cox, I found an inequity in current law under which military retirees with a nonservice-connected disability lose their eligibility for health care coverage provided by CHAMPUS after 29 months when, by law, they automatically receive Medicare coverage. My legislation, which is reflected by a provision included in the original House-passed version of this bill and modified in the conference report, will enable disabled military retirees to retain CHAMPUS as a secondary payor for those health care costs not covered by Medicare parts A or B. It provides retroactive eligibility for all retirees who became disabled and lost their eligibility for CHAMPUS prior to enactment of this legislation.

This provision is urgently needed to provide for the critical health care needs of our Nation's military retirees who have become disabled. They came to the defense of our country in its time of need and now we come to their assistance in their greatest time of need.

This is one of many items in this bill that provide for the health and well-being not only of our troops and military retirees, but also for research programs that benefit all Americans.

One of the items in this bill that every one of my colleagues can be very proud of is the national bone marrow transplantation program that we have funded through this bill. Some 5 years ago, we initiated in this bill a program that is giving an opportunity for life to people who have terminal diseases, such as leukemia, other types of cancers, and some 60 fatal blood diseases that can be cured by a bone marrow transplant. A major portion of that program is funded in this bill as well.

We made the first appropriation to initiate the national marrow donor registry designations through the U.S. Navy. The Navy as the administrative agency is in charge of the program. I tell my colleagues, Mr. Speaker, that because of their support they can go back home proud that they have had a major role in a life-saving program that is a miracle. Today I can report to my colleagues that we have nearly 500,000 Americans who have had their blood typed and are recorded in our national registry. We have saved the lives of nearly a thousand people in just a few short years that this program has been in place.

Mr. Speaker, all of my colleagues are heroes and should be very proud of their role in supporting the National Marrow Donor Program.

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

Mr. YOUNG of Florida. I yield to the gentleman from Pennsylvania.

Mr. MCDADE. Mr. Speaker, I want to commend the gentleman from Florida [Mr. YOUNG] for his statement and pay him personal tribute. The bone marrow program bears the stamp of BILL YOUNG. He is the Member of the House who pushed for it, fought for it, who did all the necessary and tough work to guide it through to a legislative life, and we are proud of him and the work which he has done, and I want to commend him for it.

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Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for those comments, and I would like to just close with this thought:

This is a good bill. It is a life-saving bill. It protects the United States, the security of our Nation, and the security of our people, and we are getting more for less dollars each year as we bring this bill to the floor.

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

Mr. Speaker, let me add to the compliments made to the gentleman from Florida [Mr. YOUNG] about the work he has done on not only the bone marrow program but also so many other programs he has been personally involved in. The Nation is better because of the gentleman's work.

Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. DICKS], the ranking Democrat on the subcommittee. The gentleman from Washington has been involved for years in defense. There is no Member who has had more of an impact on the strategic programs. He and the gentleman from Pennsylvania [Mr. MCDADE] have worked diligently on making sure we had a good balance on strategic programs. They have done an outstanding job, and all of us appreciate their dedication and hard work.

There is no question that with less money available and with less of a threat, it is going to be more difficult to keep defense at a proper mix, but because of the work of the gentleman from Washington [Mr. DICKS], this is a better bill, a well-balanced bill, and the strategic programs in particular are well taken care of.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. DICKS. I yield to my friend, the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I appreciate my colleague's yielding.

I want to associate myself with the remarks of both my chairman and the ranking member. I very much appreciate, as a new member on the subcommittee, working with all the gentlemen who have spoken on this issue up until now.

Mr. Speaker, I rise today in the support of the conference report on H.R. 2521—the fiscal 1992 Defense appropriations bill. I want to thank the chairman, Mr. MURTHA and the ranking member, Mr. MCDADE for their patience and willingness to work with me in my first year on the Defense Appropriations Subcommittee.

So much of our attention when these bills reach the floor is on the relative cost of the big-ticket weapons systems. Our debates often fail to properly emphasize that the defense appropriations bill is really about people. These are the people that worked overtime on the production lines to give our troops whatever they needed in Operations Just Cause and Desert Storm. These are the reservists and active-duty service men and women who served us with great skill and now face the threat of involuntary separation and force structure reduction. It is clearly not the case that reducing our defense budget through a quality builddown limits itself to killing big-ticket weapons systems and closing foreign military installations.

This conference report reflects our best hopes with regard to improving military health care through a mix and variety of choices including the CHAMPUS reform initiative. It reflects our preference to limit involuntary separations even as we begin the reductions in our active duty and Reserve force structure that must be a component in any planned builddown.

I am disappointed that the administration's request for the procurement of four additional B–2 bombers was not possible this year. I regret that the committee could not find the money to renew production of a third squadron of F–117 stealth fighters. I am nonetheless greatly encouraged that the B–2 production line will be kept warm and that the conferees have agreed to spend $1.56 billion to continue research and testing on stealth technologies associated with the B–2 program.

I hope that it is possible that we may reach some different conclusions on programs such as the B–2 when we meet on next year's bill. In the meantime, I am personally grateful for the support of the members of this subcommittee and for the constantly helpful advice of the subcommittee's truly bipartisan and professional staff. I urge the Members to adopt the conference report and endorse the Defense Appropriations Subcommittee's efforts to meet the phenomenal challenges of our changing world.

Mr. DICKS. Mr. Speaker, I rise in strong support of this conference report and commend the chairman, Mr. MURTHA, the ranking member, Mr. MCDADE, as well as all my colleagues on the Defense Appropriations Subcommittee for bringing to this House a bill that meets our critical national security requirements in an environment of fiscal constraint and revolutionary world developments. I also want to thank the staff of the subcommittee for their professional support and the long hours they labored to make this bill possible.

The Defense Appropriations Subcommittee faced a very difficult task this year. We are in the process of executing a major restructuring of our entire Armed Forces. Under current budget plans, DOD outlays will fall to 3.6 percent of GNP by fiscal year 1996, the lowest level since World War II. Its portion of Federal outlays will decline to 18 percent, compared to 27 percent in the mid-1980's and 43 percent in the 1960's. The number of active duty people will decrease by 521,000, roughly the number involved in Operation Desert Storm. DOD has eliminated 70,000 civilian jobs in the last 18 months. The bottom line for those who are calling for defense cuts, we hear you and the process is well underway.

The transition to a smaller Armed Forces will not be a painless task. Some Members are already facing the transition resulting from base closures, and more will face this issue in the coming years. Hardware production lines are coming to an end and research and development projects that do not meet the highest priority are being dropped. We all have to face up to the fact that we can't have our cake and eat it too. This bill makes many of those tough decisions.

A clear case of tough decisions involves reductions in the Reserve components. While we can debate the precise magnitude and rate of reductions, we can't cut over half a million troops from the Active Force and leave the Reserve components untouched if we expect to maintain a balanced force. I am pleased that this bill strikes a good balance by moderating the rate of reduction in the Reserve components proposed by the Department, while giving them some additional flexibility to keep the proper mix of forces.

One major initiative included in the authorization bill and funded in this legislation is a new Voluntary Separation Program to encourage those who might otherwise be involuntarily separated to leave the service, with an appropriate package for transition to the private sector. The bill also includes direction which I offered, for the Department to formulate a similar package for defense civilian employees who might otherwise face involuntary separation.

We have also strived to make sure that we don't meet reduced funding levels by returning to the hollow force we faced in the 1970's. To this end, the bill provides an additional $400 million above the budget request for depot maintenance activities, and an additional $500 million to cover repair and maintenance costs deferred in the request. The bill also includes $78 million for critical plant modernization at our Navy shipyards. Recognizing the cost-effective role that advanced simulation technologies can play in providing realistic training, the bill includes $40 million for the Joint Simulation Of-

fice, including $5 million for the exciting area of virtual realities.

In the health care arena, the conference report encourages the expansion of the CHAMPUS reform initiative, which has shown great promise for delivering quality care at lower cost to several areas including Washington State.

One area that is of considerable interest to this Member is environmental cleanup of defense bases. Reluctantly we had to recede from additions made in the House bill to conform with the authorization bill. But of at least equal importance, we included funds to develop advanced cleanup techniques through $50 million for the Strategic Environmental Research Program. Direction has also been included to aggressively pursue a number of steps to expedite the environmental restoration process, including the use of innovative contracting techniques, such as turnkey.

In light of the lessons learned in Operation Desert Storm, the committee has continued its efforts to address our serious sealift shortfall, including $600 million for this initiative.

Finally, the bill includes $1.5 million for initial operations of the Commission on Defense and National Security established in last year's appropriations bill. This Commission will be tasked with providing independent guidance on our comprehensive national security requirements, and the tools to meet them in an uncertain and dynamic world.

Mr. Speaker, I would say to my colleagues that I hear voices of some in this body calling for even more draconian cuts starting in fiscal year 1993. We must remember that at some point, if we cut back on our defense force structure beyond a certain point, we are going to wind up with a military that cannot respond to the important national issues that come before us—things like Iraq and things like the instability in the Soviet Union.

So I hope that before we all rush out and commit ourselves to vastly lower defense budgets, that we think through the implications of what that residual force will be like. I can remember, when my colleague, the gentleman from Pennsylvania [Mr. MURTHA] and I came on this committee in the late 1970's, we had a hollow Army and we had a hollow Navy. We had terrible problems with retention, and during the 1980's we turned that around. I can say to the Members today that we saw that out in Desert Storm and Desert Shield.

We have a quality military force. We have defenses that are ready. We have high school graduates. We have people in our military today who are competent. In fact, I think that today we have the finest military we have ever had.

So I hope we will be careful, cautious, and prudent before we commit to making reductions. I have heard statements from some people about next year cutting $56 billion in budget authority out of the defense budget. I will say right now that such a defense cut would be recklessly irresponsible. It would be dangerous, and I would hope that this House would resist those kinds of draconian measures.

We need to be careful about this. We need to remember that we are going to have to have some residual military capability.

So I want to thank my chairman, who has been very able in his management of this bill. He has given all the Members significant responsibilities, and I think he has utilized the members and the staff of the subcommittee, in a way that I think is very significant to this country.

Mr. Speaker, this is a good bill, and it deserves the support of the House.

Mr. MURTHA. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. ORTIZ] for a colloquy.

Mr. ORTIZ. Mr. Speaker, my concern is with the language in the conference report on H.R. 2521, directing the Navy to evaluate the feasibility of returning the USS *Lexington* to Quincy, MA, for conversion to a museum. Does this in any way preclude the Navy from evaluating other potential sites on an equal basis?

Mr. MURTHA. No. Mr. Speaker, if the gentleman will yield, that is absolutely right. Our language, even though it sounds specific, is not meant to direct the Navy Department in any way at all. We expect them to be objective in their conclusions. We do not like to see them make hasty decisions in the direction they are going.

Mr. CALLAHAN. Mr. Speaker, would the gentleman from Texas yield to permit me to extend the colloquy with our subcommittee chairman?

Mr. ORTIZ. I yield to my friend, the gentleman from Alabama.

Mr. CALLAHAN. Mr. Speaker, is it the gentleman's understanding that the currently ongoing Navy evaluation of potential sites for the USS *Lexington*, which includes Quincy, MA, Corpus Christi, TX, and Mobile, AL, meets the requirement for the feasibility study outlined in the conference report?

Mr. MURTHA. Yes, it is my understanding that the Navy has already begun a feasibility study, and that certainly would meet that criterion.

Mr. CALLAHAN. Mr. Speaker, I thank the gentleman for his response.

Mr. ORTIZ. Mr. Speaker, I thank the distinguished chairman of the Subcommittee on Defense.

Mr. MCDADE. Mr. Speaker, I do not have any requests for additional time, and I am going to yield my time back, but before I do, let me yield myself such time as I may consume. I just want to take a moment to bring to the attention of the House the fact that our distinguished colleague and friend, JOHN MYERS, will on this Friday, back in the great State of Indiana, be celebrating his 25th anniversary as a Member of the House of Representatives, and I want to pay him a special tribute for all the great work he has done.

Mr. MYERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. MCDADE. I am delighted to yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Speaker, 25 years goes fast when you are having fun.

Mr. MCDADE. Mr. Speaker, let me say to the gentleman that if it is any fun around here any more, it is largely due to the fact that we have people of your quality to deal with. We are grateful for all of your work over all the years on all these bills. You have been a great credit to your State and to your country, and we are proud of you.

Mr. MYERS of Indiana. Mr. Speaker, I thank the gentleman for his kind words. I guess I should ask to revise and extend my remarks, because I have never lied on the floor before.

The SPEAKER pro tempore (Mr. MURPHY). Without objection, the gentleman may revise and extend his remarks.

There was no objection.

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

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

Mr. Speaker, let me add my compliments concerning the gentleman from Indiana [Mr. MYERS]. Anybody who can stand 25 years here has done a heck of a job. We always appreciate the gentleman and his wife, and we acknowledge the wonderful job they have done.

Mr. VENTO. Mr. Speaker, I rise in opposition to the conference report to the bill H.R. 2521, the Defense appropriations bill for fiscal year 1992. While doing so, however, I want to commend the members of the appropriations conference who have labored long and hard to present this measure for consideration by the House. I voted against the authorization conference report earlier this week and now must oppose this measure for most of the same reason.

While these conference reports decisively move away from the record spending on defense of the past decade, nevertheless, in my view, it does not go far enough. The political demise of the former Soviet Union and the significantly diminished military threat posed by the Soviet Union are not accounted for in the conference report. The appropriation of $290.8 billion for defense spending, including continued spending on very expensive and extravagant technologies which are not ideally suited to the challenges we may face in the years to come, simply cannot be justified. There are just too many urgent domestic needs in housing, education, health care, the environment, and many other areas which continue to go begging for money while Congress continues to authorize lavish amounts of

spending for defense. In addition, $3.8 billion of costs associated with Operation Desert Storm which are off budget yield an actual total appropriation of $294.6 billion.

While the House previously voted against any procurement funds for the B–2 Stealth bomber and to terminate production, the conference report appropriates $3.4 billion—$1.8 billion to keep the production line open and $1.6 billion for continued research and development activities. Even though the conference report makes the spending of additional funds or actual production of additional B–2 aircraft contingent upon additonal votes in the House and Senate, $3.4 billion is too much for a program which should be terminated. The presence of these dollars in the appropriations bill means that the issue simply awaits the next international crisis, whether real or imagined, for Congress to be stampeded into approving additional procurements of B–2 aircraft and a renewed B–2 program.

The conference report also appropriates $4.15 billion for a revamped strategic defense initiative [SDI]/tactical missiles defense program. This is $1 billion above the level approved in last year's appropriations bill and $635 million above the House bill.

Inexplicably, while President Bush has proposed terminating the MX rail garrison basing mode program, the conference report ironically appropriates $195 million for the MX test missile program. The funds are appropriated without prejudice for either production line termination or continued missile production at the discretion of the President. If the Bush administration is serious about its September arms control package, Congress should not send contradictory signals which call for terminating these de-stabilizing programs while continuing to fund them.

Unlike the Defense authorization conference report approved earlier this week by the House, the appropriations conference report contains no funding to resume production of the F–117A Stealth fighter aircraft. This sends mixed signals at best and the measure, if the past experience is a guide will remain on the administration agenda to be brought to life in the near future.

The conference report appropriates $225 million to upgrade existing tanks and $240 million for the procurement of new M–1 tanks. This total is more than twice the level of funding requested by the Bush administration for the M–1 program.

The appropriation of $1 billion for the procurement of 28 Trident II missiles in fiscal year 1992 cannot be justified. The provision on the Trident missiles which the House previously approved in the authorization bill also establishes a bridge for future funding in fiscal year 1993 by authorizing procurement of 31 missiles next year.

I am also discouraged to see that the F/A–18 Hornet aircraft has now doubled in price from its original claim to be a low cost alternative to the F–14 and the A–6. The F/A–18 which was to cost $20 million per copy or less just 6 years ago costs $40 million today. The appropriations conference report provides $1.8 billion to buy 39 new aircraft; only 9 less than the administration's request. The $472 million for R&D in the authorization conference agreement is also $20 million more than the administration's request. The R&D account for this weapon system has become a cash cow for the contractor to produce a system that should not have required such major modifications in the first place when it was sold to the Navy.

While there is much that I dislike in the conference report, there are a few bright spots which should be noted.

I am pleased that the measure includes a 4.2-percent pay raise for military personnel; the highest pay raise in a decade. I'm also pleased that the Department of Defense is actively seeking to accomplish its reduction in forces through voluntary separations from service rather than through involuntary separations where possible. The conference agreement also rejects the Bush administration's request to cut 105,000 personnel from the National Guard and Reserves and opting instead to fund 67,496 more positions than the President recommended. The administration cannot seriously insist that it supports a so-called total force concept that views the Guard and Reserves as an integral component with the active duty military if it is going to call on the Guard and Reserves to bear a disproportionate share of personnel reductions.

Mr. Speaker, I also want to commend the conferees on the defense authorization bill for their clarification of congressional intent with respect to the jurisdiction of the Commission on Base Closure and Realignment over the civil works functions of the Corps of Engineers. The authorization conference report specifies that the jurisdiction of the Commission does not extend to "any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense." Furthermore, the provision is made effective retroactive to November 5, 1990, thereby nullifying the Commission's July 1 action in endorsing the Army's reorganization proposal for the Corps of Engineers.

I have been joined by many of my colleagues in the House in opposing this reorganization proposal, which would have closed 4 division offices and 14 district offices, including the St. Paul district office. While there may be some reasons why the Corps of Engineers should be restructured and reorganized, my objections stem from the heavy-handed manner in which the Army attempted to implement this particular plan.

Last spring, without consulting the authorizing Public Works and Transportation Committee, the Army developed its reorganization proposal. This plan, which was specifically excluded by Defense Secretary Cheney in his recommendations to the Base Closure Commission, was adopted by the Base Closure Commission on its own initiative despite the warnings from prominent Members of the House and Senate from both sides of the aisle that the Commission did not have jurisdiction to address this matter. Despite extensive congressional testimony, the Commission voted unanimously on June 30 to implement the Army's plan but to delay implementing the plan for 1 year to give Congress time to review the matter and pass its own reorganization legislation.

Clearly, the Commission overstepped its bounds by making a decision about an issue which is not a matter of defense, but which is properly a matter of jurisdiction for the Public Works and Transportation Committee which had never held even one hearing on the proposed reorganization plan. I hope that if the Army intends to pursue the reorganization of the corps that they will now work with Congress rather than trying to go through the back door under the cover of the Base Closure Commission.

I regret that neither the authorization nor the appropriations conference reports provide for more stringent reductions in defense spending which are realistic and necessary in light of the deficit and in light of many other serious national priorities. For that reason, I must oppose the adoption of the conference report.

Mr. GALLO. Mr. Speaker, I rise in support of the conference report and to congratulate the distinguished chairman of the subcommittee, JOHN MURTHA, and the distinguished ranking minority member, JOSEPH MCDADE, for their fine work on the Department of Defense's appropriations bill for 1992.

I want to thank them and their staff for their efforts to continue to place the highest priorities in areas of morale, readiness, mobility, deployability, and sustainability of our Armed Forces. I am particularly pleased that the area of deployability, the issue of sealift has been discussed in detail and both near-term and long-term alternatives have been preserved.

It is my understanding that in the area of sealift, currently available foreign built ships will be eligible for conversion in U.S. shipyards to meet some of the Navy's near-term sealift requirement. At the same time, the majority of funding for the sealift program will be preserved for new construction in U.S. shipyards. I believe that this is a workable compromise.

Under the original plan, the Navy would have been prohibited from purchasing any foreign built ships for conversion, thus delaying any form of sealift capability for a minimum of 5 years.

Maersk Inc., and one of its affiliates Maersk Line, Ltd., are both headquartered in my district in Madison, NJ. These firms are best known for their quality transportation capabilities. Maersk Line, Ltd., in fact, has been a successful partner with the U.S. Marine Corps in the Maritime Prepositioning Ship Program since the inception of that program. The Congress has been supportive over the years of the Maritime Prepositioning Program and that support paid handsome dividends during the recent Persian Gulf conflict.

In fact, it was a Maersk ship that was one of the first to arrive in Saudi Arabia to provide sustaining logistical support to early deploying U.S. Marine and Army forces. It is also important to point out that Maersk Inc., and our staunch NATO ally, Denmark, provided support to the coalition efforts in the gulf by making available to the Defense Department three roll-on/rolloff capable ships at not cost or costs below market rates.

Understandably, Maersk Line, Ltd., would like to become involved in the sealift program. Under the conference committee agreement, Maersk quality ships now can be utilized in this program if those ships satisfy the Department of Defense's requirements in a timely, cost effective manner. I encourage Maersk Line, Ltd., as I hope my colleagues will, to

compete in the sealift program and if successful, the major conversion efforts that will be required will provide significant work for our domestic shipyards in the near term and will also provide jobs for U.S. Merchant Marine personnel.

Again, I thank my colleagues for their interest and help on the sealift issue.

Mr. SAXTON. Mr. Speaker, we have finally accomplished a most formidable task, and we are now ready to vote on the Defense appropriations bill. It has never been easy to fully and equitably consider all the systems, manpower, real estate, readiness, and force structure issues embodied in the DOD appropriations bill, but this year posed unique challenges. None of us could have predicted the tumultuous changes in the Warsaw Pact 2 years ago, let alone the war in the gulf, or the dissolution of the Soviet empire. These changes make the world a more uncertain, if somewhat more hopeful place.

Given these great uncertainties, decisions on the size and shape of our Armed Forces become both more difficult and more important. We no longer can afford the military machine we have labored so hard to build for the last 10 years. Equally, we can ill afford to emaciate our ability to defend ourselves or to come to the aid of our allies in the defense of freedom.

I believe we have gone a long way to addressing these concerns in this bill. It offers a workable balance between manpower and weapon systems that will allow us to prepare for the 21st century. It allows us to capitalize on the technological edge, so decisive in Desert Storm, while maintaining a quality total force of highly trained men and women in our Armed Forces, both Active and Reserve.

This technological edge is exemplified by the five *Arleigh Burke* class AEGIS guided missile destroyers provided for in this bill. The new C–17 transport will enable us to meet the challenge of the next contingency operation, wherever it may be.

This bill also acknowledges the need to maintain strong and ready National Guard and Reserve Forces as we build down the active components. We must be absolutely certain that these citizen-soldiers are trained and equipped to the highest standards. They will become, as they have been in the past, our true strength in reserve.

When we again go through this process next year we must not forget these priorities. We must continue to support our industrial base and our technological edge against the uncertainties we all know await us in the future, and we must remain prepared to respond militarily in the defense of freedom.

Mr. PANETTA. Mr. Speaker, I rise in support of the conference report to accompany H.R. 2521, the Department of Defense appropriations bill for fiscal year 1992.

This conference report provides $269.747 billion in total discretionary budget authority and $275.197 billion in total discretionary outlays, which is $497 million below the 602(b) subdivision for budget authority and $29 million below the 602(b) subdivision for outlays, respectively, for this subcommittee.

COMPARISON TO DEFENSE SPENDING ALLOCATION

[In millions of dollars]

	Department of Defense appropriations bill		Appropriations Committee 602(b) subdivision		Bill over (+)/under (−) committee 602(b) subdivision	
	BA	O	BA	O	BA	O
Discretionary	269,747	275,193	270,244	275,222	−497	−29
Mandatory	164	164	164	164		
Total	269,911	275,357	270,408	275,386	−497	−29

Note.—BA—New budget authority; O—Estimated outlays.

The House Appropriations Committee reported the Committee's subdivision of budget authority and outlays in House Rept. 102–180. These subdivisions are consistent with the allocation of spending responsibility to House committees contained in House Report 102–69, the conference report to accompany H. Con. Res. 121, Concurrent Resolution on the Budget for Fiscal Year 1992, as adopted by the Congress on May 22, 1991.

The following are the major program highlights for the conference report for the Department of Defense Appropriations Bill for Fiscal Year 1992, as reported:

PROGRAM HIGHLIGHTS

[In millions of dollars]

	Budget authority	New outlays
Military personnel	78,266	74,528
Procurement	64,265	11,582
Operations and maintenance	83,359	66,220
Research and development	39,402	21,810

Mr. PANETTA. Mr. Speaker, I would like to take this opportunity to commend Chairman MURTHA of the Defense Appropriations Subcommittee and the House conferees on the fiscal year 1992 Defense appropriations bill for their dedication to a responsible defense budget in an era of declining defense programs and for crafting an appropriations bill that reflects a judicious balance of reductions with funding for essential programs.

I would like to highlight several items in the bill in which I have a particular interest. First, the conferees agreed to an important provision clarifying the intent of the Congress with respect to Defense Department aid to communities affected by base closures. The provision specifies that DOD's Office of Economic Adjustment [OEA] may not deny reuse planning grants to community reuse task forces or committees on the basis of a lack of unanimity if 90 percent of the members of the task forces support their applications for assistance. Previously, OEA has abided by a policy that requires unanimity among the members of such task forces in support of such applications, a standard that was far too stringent. The conferees' adoption of the amendment will aid several base closure communities around the Nation grappling with severe economic losses and the need to plan for their bases' civilian reuses.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, November 19, 1991.

DEAR COLLEAGUE: Attached is a fact sheet on the conference report to accompany H.R. 2521, the Department of Defense Appropriations Bill for Fiscal Year 1992. This conference report is scheduled for floor consideration Wednesday, November 20, 1991.

This conference report is below its budget authority and outlays 602(b) subdivisions.

I hope this information will be helpful to you.

Sincerely,

LEON E. PANETTA,
Chairman.

FACT SHEET

CONFERENCE REPORT TO ACCOMPANY H.R. 2521, DEPARTMENT OF DEFENSE APPROPRIATIONS BILL FISCAL YEAR 1992 (H. REPT. 102–328)

The House Appropriations Committee filed the conference report to accompany H.R. 2521, the Department of Defense Appropriations Bill for Fiscal Year 1992 on Monday, November 18, 1991. Floor consideration of this conference report is scheduled for Wednesday, November 20, 1991, subject to a rule being granted.

COMPARISON TO THE 602(B) SUBDIVISION

The conference report provides $269,747 million of discretionary budget authority, $497 million less than the Appropriations subdivision for this subcommittee. The bill is $29 million under the subdivision total for estimated discretionary outlays. A comparison of the conference report with the funding subdivisions follows:

The Monterey Institute of International Studies [MIIS], located in Monterey, CA, has been designing and conducting programs for over 30 years that combine the study of foreign languages with other areas, including international education and multinational business. The conference report includes funds provided for the new Center for International Trade Enhancement at MIIS. These funds were originally included in the fiscal year 1992 Defense appropriations bill as it was reported to the full House. They will help to supplement private funds to ensure the completion of efforts currently underway.

The center will support the following activities: Providing public officials with cross-cultural training; speeding the training of professional translators for the State Department; establishing programs that target specific, difficult business environments such as China and Japan; and increasing MIIS's cooperation with other Federal agencies such as the Foreign Service Institute and the Defense Language Institute. This funding will allow MIIS to continue to work closely with the Defense Language Institute [DLI] under their grant agree-

ment with the Department of the Army to provide these services.

MIIS has worked closely with the Defense Department [DOD] to increase the Department's language capabilities. The institute has provided an M.A. program in foreign language instruction for DLI's faculty. This program is the faculty development program for DLI. The DLI uses native speakers of some 40 languages to teach intensive programs to some 6,000 members of DOD each year. MIIS's Training for Service Abroad Program has also undertaken specialized language programs for the Department of Defense in languages such as Arabic and Japanese. MIIS offers the only graduate programs in conference interpretation and in translating and interpreting between English/Chinese and English/Japanese in the continental United States. The institute also continues to train professional translators and interpreters for security and DOD personnel.

The Monterey Institute has expanded its contribution to the Institute for World Cultures and Religions at the Defense Language Institute to provide instruction on world politics and world affairs to supplement the intensive language programs. The institute's successful and productive working relationship with DLI has helped MIIS earn its reputation for excellence in international affairs coursework including translations and interpretation, language studies, international policy studies, international communication and national security. The conference agreement's funds will allow MIIS to enhance and expand its current programs and continue its work in linguistics and cross cultural understanding necessary to improving our national security and addressing the international needs of this country.

Reflecting the Defense authorization conference agreement's provisions, the Defense appropriations conferees also included $4.5 million for the procurement of peripheral hardware and operations and maintenance funds for the large-scale computer being installed at the Fleet Numerical Oceanography Center [FNOC] in Monterey, CA, which is colocated with the Naval Postgraduate School and a naval research laboratory. The supercomputer will speed the availability of crucial weather data to U.S. Armed Forces around the world. It is critical to the ability of the Navy and the other services to carry out their operations. The Persian Gulf war provided direct evidence of the need for excellent up-to-the-minute weather information. These funds will ensure that FNOC's supercomputer has the complete package of hardware necessary to perform its mission through this decade.

Once more, Mr. Chairman, I comment the conferees for their assistance to base closure communities, the Defense Language Institute, the Monterey Institute of International Studies and the Fleet Numerical Oceanography Center, and I look forward to continuing to work with my colleagues as we reorder our defense priorities in the 1990's.

Mr. MILLER of California. Mr. Speaker, I rise to express my reservations about section 8126 of this legislation. This provision directs the Secretary of the Interior to enter into a land exchange involving some 210,000 acres owned by Calista, an Alaska Native corporation.

Matters affecting Alaska Native corporations and the management of public lands in Alaska are properly within the jurisdiction of the Committee on Interior and Insular Affairs, which I chair. Without doubt, section 8126 contains authorizing language within the Interior Committee's jurisdiction.

I have great respect for Chairman MURTHA, who led the House conferees on this legislation. I also appreciate how difficult it is to negotiate with the Senate, whose members all too often demonstrate little regard for public process and the rules of this body.

But I must say that section 8126 sets a new standard for inappropriate legislation on an appropriations bill. Section 8126 was added by the Senate without benefit of a single congressional hearing. At the time the bill passed the other body, neither members of the Senate nor Interior Department officials were even aware of which Native corporation lands were to be acquired by the legislation. Once the law firm representing Calista did distribute a description of the lands, we learned that the vast majority of these lands were actually only subsurface rights with little if any development threat. Moreover, the subsurface lands do not reflect Interior's top acquisition priorities either within the Calista region or in Alaska.

The law firm's document which is incorporated by reference in section 8126 indicates that about 210,000 acres of Calista subsurface and other land interests would be exchanged to the Interior Department. In return, Calista will receive surplus Federal property an other assets, including RTC property. Taking into account the $300 per acre cap set in section 8126, up to $63 million in Federal assets may be transferred to Calista Corporation.

On a positive note, I am pleased that the conference committee language specifies that Federal property conveyed to Calista will be subject to certain provisions of the Alaska Native Claims Settlement Act, including the revenue sharing requirements of section 7(i). Since the vast bulk of the assets to be exchanged by Calista are subsurface interests, the effect of section 8126 is to make section 7(i) applicable to the Federal assets to be acquired by Calista. Thus, Calista will be required to share 70 percent of the profits from its acquisitions with the other Alaska regional corporations, as set forth in section 7(i) of ANSCA.

Nonetheless, Mr. Speaker, this is a very bad way to do the public's business. Complex issues affecting Alaska Natives and Alaska lands should not be dealt with in this bill. I am sure that the appropriations committee would not appreciate it if I tucked away provisions dealing with defense systems in legislation passed by the Interior Committee.

It is my sincere hope that this is the last time we will see Alaska Native land issues resolved in this fashion on this vehicle.

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

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

□ 1200

IMPORTANT ISSUES FACING AMERICA

(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, as the House prepares for adjournment for this year I think it is worth looking at some of the issues that not only need to be dealt with, but have to be dealt with. Of course, there are several on the agenda.

One is health care and the need for universal access to affordable health care. My hope would be that over the next 2 months the House and Senate, the Congress, would be working with the administration to make sure that there is a plan to put forward before the American people.

Clearly, from both a physical standpoint of the individual and a fiscal standpoint of this Nation, there is no greater need than that.

The second matter is an economic growth package that truly has in it growth elements that help this economy to grow. Not only to grow because we have too many people out of work, but also because growth is necessary to reduce the deficit. It is an extremely important part. Part of that is in the middle-income tax relief and tax cut.

Third is an infrastructure policy. The House is moving with the Senate in their conference toward a major highway bill. That is an important component. But it will not be sufficient in and of itself. We need that legislation that will promote the development of airports. We need that legislation that will promote the development of water and sewer systems and other public infrastructure that is so important.

We talk about concrete. It is also necessary to talk about communications. That means telecommunications and the necessity for telecommunications infrastructure that is so crucial.

These are all elements that I think are essential to any growth policy, essential to any agenda that the House would have. I would hope Members as they prepare for adjournment would look forward to these important items to be resolved, not only when the House returns sometime in January or February, but while the House is in recess.

Mr. Speaker, I appreciate the opportunity to take this time to speak to Members on this subject.

COMPREHENSIVE ECONOMIC REVITALIZATION PROGRAM NEEDED

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

Mr. GUNDERSON. Mr. Speaker, as we are meeting here in the House

Chamber at this hour, I think it is important that all Members understand that the Committee on Banking, Finance and Urban Affairs is meeting over in one of the House office buildings considering recapitalization of the Resolution Trust Corporation.

Mr. Speaker, I hope all Members understand that putting more money into the Resolution Trust Corporation, taxpayer dollars, without getting at the root of the problem, which is the devaluation of real estate and the impact of that devaluation on the loans that are secured by savings and loans, is simply throwing money down a rathole.

When that Resolution Trust recapitalization goes before the Committee on Rules, I and a number of Members will be asking the Committee on Rules to make in order what we call the Real Estate Recovery Act of 1991. The purpose of that legislation is to provide a comprehensive economic revitalization program which in the process will provide incentives for home buying, will provide a restoration of value to homes in this country, and, through that process, will be able to revalue the loans that are being held by our financial institutions.

The reality is if the RTC or the FDIC are going to simply take acquired property and dump them on the market at 70 cents on the value of the dollar, they are going to destroy the value of every other loan that is out there, and all of a sudden the $150 billion already spent will be insufficient.

CONFERENCE REPORT ON H.R. 2038, INTELLIGENCE AUTHORIZATION ACT, FISCAL YEAR 1992

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 285 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 285

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report on the bill (H.R. 2038) to authorize appropriations for fiscal year 1992 for the intelligence activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. All points of order against the conference report and against its consideration are hereby waived. The conference report shall be considered as having been read when called up for consideration.

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

Mr. BEILENSON. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. MCEWEN], pending which I yield myself such time as I may consume. During consideration of House Resolution 285, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 285 is the rule providing for consideration of the conference report on H.R. 2038, the intelligence authorization bill for fiscal year 1992. The rule waives all points of order against the conference report and against its consideration.

The rule also provides that the conference report will be considered as having been read when called up for consideration.

Mr. Speaker, in order to move this conference report expeditiously, and because we are approaching the target date set for adjournment, the chairman of the Intelligence Committee requested that the 3-day layover requirement for conference reports be waived for this bill. This waiver is necessary for the House to take up the conference report today.

The chairman also requested that the rule waive points of order against provisions in the bill which are not germane because of the narrow scope of the original House bill. These provisions were requested by the administration and added to the bill in the Senate.

Points of order are waived against another provision in the conference report, which was added by the Senate also, that creates a national security education trust fund.

In addition, the rule waives points of order dealing with scope against title VI, concerning plans to consolidate certain CIA activities. According to the Intelligence Committee, the only reference to the subject is in the classified annex accompanying the Senate report, and it is not a part of either the House or Senate versions of the bill.

Mr. Speaker, I urge my colleagues to approve this rule so that we may act today on this important conference report.

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

Mr. Speaker, I thank the gentleman from California for explaining this rule which I rise to support.

As a former member of the Intelligence Committee, I know well the important work that has been done on this conference report, and wish to thank Chairman MCCURDY and the ranking member, Mr. SHUSTER, for their tireless efforts.

The rule by which we would consider this conference report is the customary one, and needs little further by way of explanation.

The underlying conference report does merit some discussion because this will authorize funding for one of the most crucial segments of our national security apparatus.

Mr. Speaker, as Members know, the actual level of funding for these purposes is classified. But suffice it to say that Chairman MCCURDY has pointed out that this portion of our national security budget has taken its share of cuts. And it is probable that those cuts will affect both personnel levels and operational capabilities. Indeed, as the House Intelligence Committee's report stated some 6 months ago:

> The monitoring of new arms control agreements will present a considerable challenge to U.S. intelligence * * * The intelligence community cannot afford major new systems or expenditures because of U.S. oversights or misjudgments during treaty negotiations.

So, at a time when our Nation is negotiating arms control agreements that could affect the safety and security of every American, it is worth noting that the conference report recommends cutting a number of important intelligence programs from the President's request for necessary programs that are integral to our national security.

It is ironic and disappointing then, to find that, at the insistence of the other body, the conference report will provide $150 million for general education. Mr. Speaker, to most Americans, that would seem nongermane to this bill. Indeed, most Americans, I submit, would say that our national security is at least as important as education.

Further, I must point out that the $150 million in education provided for in the conference report does not require the recipients of that aid to return any service to the U.S. itelligence community. That is to say, there is no requirement for national security service in return for a Government-provided education as there is under programs various other education programs provided for under the auspices of national security. Rather, this provision is simply for general education, and the only strings attached are that the recipients must work for the Federal Government or in the field of education. In fact, this amount of $150 million is equal to more than one-third of the entire funding provided for the President's high-priority America 2000 educational excellence program.

And at this time of such rapid and unprecedented change in world events, at a time when we are negotiating farreaching and crucial arms control agreements, at a time when we are facing cuts in our national intelligence apparatus, I submit that it is disappointing to see this particular provision which has only a tenuous relationship to intelligence gathering.

And Mr. Speaker, let me reiterate that this is not a shortcoming of either the chairman or the ranking member of the House Intelligence Committee. It is a shortcoming in the conference report. For other Members, like me, who are concerned with such provisions, I would only add that the chairman and the ranking member did assure the Rules Committee that they were successful in accomplishing other priorities of the House in exchange for this onerous provision.

Nonetheless, Mr. Speaker, this conference report should come forward.

And the rule before us allows the House to consider it under the normal procedures, and so I endorse the rule.

□ 1210

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

Mr. BEILENSON. 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 resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. McCURDY. Mr. Speaker, pursuant to House Resolution 285, I call up the conference report on the bill (H.R. 2038) to authorize appropriations for fiscal year 1992 for intelligence and intelligence-related activities of the U.S. Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

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

(For conference report and statement, see proceedings of the House of November 18, 1991 at page 32568.)

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. MCCURDY] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SHUSTER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Oklahoma [Mr. MCCURDY].

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

I rise in support of the conference report to accompany H.R. 2038, the fiscal year 1992 Intelligence Authorization Act. The conference report incorporates by reference a classified schedule of authorizations which contains the authorized funding levels. A detailed description of the schedule of authorizations is set forth in a classified annex to the statement of managers which accompanies the conference report. These classified documents may be reviewed by Members in the offices of the Intelligence Committee, and I urge Members to take the time to examine both the classified schedule of authorizations and the classified annex.

As is partially reflected in the unclassified portion of the conference report, this legislation differs significantly from the bill approved by the House on June 11. The House bill contained authorization levels which were substantially the same as those requested by the President. The Senate version made significant reductions. As is usually the case, the conference report reflects a compromise. In this instance, the process of compromise resulted in a cut of several hundred million dollars from the activities known collectively as the National Foreign Intelligence Program. Growth in these activities, which provide intelligence for the use of national policymakers, is limited by the conference report to less than 1 percent above the amounts appropriated in fiscal year 1991. That rate of growth is less than half the rate of growth in the defense budget, with which the intelligence budget is frequently compared.

These reductions reflect the conferees' recognition that recent events in the world, particularly the implosion of the Soviet Union which occurred since the House bill was passed in June, in combination with the fiscal constraints we will face for the foreseeable future, dictate that our intelligence programs and the spending which supports them need to be scrutinized. Both Intelligence Committees believe that we must have national intelligence agencies with the flexibility to respond effectively to the different sorts of challenges that will confront us in the 1990's and beyond. That flexibility will have to be achieved and maintained with fewer resources. The trick will be to maximize the return on the investments we are able to make in intelligence personnel, equipment, and facilities. One of the surest ways to do that is by making certain that the intelligence community is structured in such a way as to eliminate duplication of effort and promote efficient and responsible management. While we take the first steps toward this goal in this conference report, this subject is one to which both committees will devote a lot of time next year.

The conference report contains several important legislative provisions which were not a part of the House bill. One concerns a proposed consolidation of Central Intelligence Agency [CIA] activities now undertaken at several sites in the Washington, DC, metropolitan area. When the House Intelligence Committee examined this plan in July, we were appalled to discover that a decision with potential financial ramifications running in the billions of dollars had been made without the use of any criteria by which it could be understood and convincingly justified. Armed with a clear expression of disapproval by the House over the means by which the CIA had formulated the consolidation plan, we were able to insist in conference that no plan would go forward until we were assured that it had been carefully measured, both within the Agency and without, against criteria which made sense. I am pleased to report that we were successful.

The conference report does authorize funds to be used for CIA consolidation. Not a nickel of those funds, however, may be obligated until a number of conditions involving certifications and reports from the Director of Central Intelligence, the head of the General Services Administration [GSA], the CIA's inspector general, and the Director of the Office of Management and Budget are provided to the committee. These conditions will ensure, among other things, that: the consolidation plan is consistent with written land acquisition procedures, like those used by GSA, which are to be put in place at the CIA; the consolidation will save the Federal Government money; that spending on the CIA consolidation in fiscal year 1992 is consistent with the Administration's fiscal priorities; and that the likelihood that the CIA of the future may be a good deal smaller in terms of personnel than it is today has been considered by the Agency.

The Intelligence Committee does not object to consolidation of functions and activities of the intelligence agencies when to do so makes sense in terms of cost and program efficiency. We do, however, object to consolidation plans which cannot be clearly seen to satisfy either of those standards. The committee intends to monitor this particular consolidation with great care in the years to come to assure ourselves those standards are being met. In that regard the committee intends to closely scrutinize any request for additional funds which may be made in this fiscal year or in future fiscal years.

The conference report also contains the National Security Education Act, an educational initiative which may appear somewhat out of place in an intelligence authorization bill. The act establishes a trust fund out of which are to come yearly disbursements to finance a program of scholarships, fellowships, and grants to educational institutions to encourage greater academic interest in foreign languages and international and area studies. An appropriation of $150 million in funds which would otherwise be used for intelligence programs is authorized to the trust fund in fiscal year 1992. An appropriation of $35 million from the trust fund is authorized in the current fiscal year with equal shares funding the scholarship, fellowship, and grant assistance established by the program. Future years' obligations from the trust fund are, if authorized by law, limited to the amounts specified in appropriations acts. The program is to be administered by the Secretary of Defense.

I recognize that there are misgivings about this program, especially about the fact that there is no discernible link between the benefits provided and the intelligence agencies whose budgets are being asked to bear the program's cost. There can be no doubt that those agencies, as prospective employers with specialized needs, benefit if the pool of potential employees has a better grasp of foreign languages, governments, and cultures. Some might argue, however, that this program's lack of focus makes the accrual of any

benefit by the intelligence community more the result of happenstance than design. Nevertheless, the program has its strong supporters. The new Director of Central Intelligence has endorsed the concept. A majority of the conferees believed that on balance, the benefit to our society as a whole by expanding the educational opportunities available in foreign languages and area studies outweighed any reservations. We made changes in conference to the structure of the program, by tightening the service requirement and instituting a financial payback provision if certain conditions are not met, and we reduced the funding levels recommended by the Senate. With these improvements we decided the program's effectiveness could best be measured by its results, with the knowledge that the requirement for annual authorization and appropriations action will ensure that Congress is well positioned to make judgments about those results.

In addition, the conference report contains an expression of the sense of Congress that, beginning in 1993, the aggregate intelligence budget figure should be made public. This sense of Congress language replaces a provision in the Senate amendment which would have mandated public disclosure of the aggregate figure effective with the fiscal year 1994 budget submission.

The conferees were informed that the President's opposition to public disclosure of the intelligence budget total was unyielding. Faced with a likely veto of the bill if the Senate language were included, we settled on the sense-of-Congress language both to express our belief that a change in the current policy on keeping the figure classified is inevitable, and to signal our desire to work with the President on an appropriate way to effect this change.

As I mentioned at the outset of my remarks, both intelligence committees intend to pursue the subject of intelligence reorganization in earnest in 1992. However, as a result of some of the lessons learned from the war against Iraq and because it made good sense from a budgetary and programmatic standpoint to do so, the conferees agreed to endorse several reorganization initiatives recommended by either the House or Senate Intelligence Committees this year. These initiatives, while important in their own right, serve to clearly reflect the intent of the committees to be involved on all levels of the reorganization issue next year. I want to encourage the Director of Central Intelligence and other senior officials in the intelligence community to join us in that undertaking.

Before closing, I want to comment briefly on two provisions in the House bill that are not fully reflected in the conference report. During the consideration of H.R. 2038 on the House floor, the gentleman from Washington [Mr. MILLER] and the gentleman from Delaware [Mr. CARPER] successfully offered an amendment to require the public disclosure of information concerning United States personnel listed as prisoners of war or missing in action during World War II, the Korean conflict or the conflict in Vietnam. Similar language was successfully offered as an amendment to the Senate version of the Department of Defense authorization bill for fiscal years 1992 and 1993. The conferees on the defense bill, however, agreed to make public only the records of Vietnam era POW/MIA's. As I understand it, uncertainty over the actual number of World War II and Korean conflict personnel properly classified as prisoners of war or missing in action, and the amount of information already publicly available about those individuals, produced an unwillingness on the part of the Defense authorization conferees to expand the coverage of the provision to include World War II and Korea.

Since the Vietnam-era POW/MIA's were covered by a provision in other legislation, it was not necessary to repeat that provision in the conference report on H.R. 2038. The intelligence authorization conferees did feel, however, a responsibility to try to resolve some of the uncertainties surrounding the availability of information on those unaccounted for during World War II or the Korean conflict. Accordingly, this conference report directs that, within 90 days of enactment, the Secretary of Defense shall submit a report detailing: The numbers of United States personnel still unaccounted for from World War II and the Korean conflict; the extent to which records about those personnel are already publicly available; the reasons why other records which may exist are not publicly available; and the feasibility and cost of making those records available to the public.

As Members will recall, when H.R. 2038 was initially on the House floor, the committee's ranking Republican, Mr. SHUSTER, offered an amendment to require members of the Intelligence Committee to take an oath of secrecy. That amendment was adopted. Before conferees were named, the committee voted to amend its rules to do what Mr. SHUSTER's amendment would have done—require committee members and staff to take a secrecy oath. I want to make it clear that the purpose of the Shuster amendment has already been accomplished. All Intelligence Committee members have executed an oath of secrecy, as now required by committee rules. Inasmuch as these steps had already been taken, the House conferees voted not to include the Shuster amendment in the conference report.

Mr. Speaker, the conference report represents the best judgments of the conferees on a number of difficult issues. It begins the process of defining the role of the intelligence community in the post-cold war world. It deserves the support of the House and I urge that it be adopted.

□ 1220

Mr. Speaker, I also want to commend the members of the committee, both Democrat and Republican, the ranking member, the gentleman from Pennsylvania [Mr. SHUSTER], and publicly thank the staff of the Intelligence Committee for their hard work and diligent efforts over the past year. I believe that we have made substantial progress, and Mr. Speaker, I am pleased and proud to chair this committee and to present this conference report for consideration.

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

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, the House managers worked long and hard to arrive at this agreement. The result is a conference report with a number of positive features, which, on balance, I support, although it also has some disappointing aspects.

On the issue of the consolidation and relocation of CIA facilities, the conference report is consistent with the instructions the House gave its managers. As the author of the motion to instruct adopted by the House, I took great interest in obtaining a satisfactory resolution of this issue.

In conference, we wished to reaffirm and protect the prerogatives of the house. As Members will recall, the CIA, in consultation with the other body, had developed a particular plan involving sites in Virginia and West Virginia. The House had already passed the fiscal year 1992 Intelligence authorization bill by the time the House Intelligence Committee suddenly learned that the CIA had settled upon a plan and intended to go forward with it in fiscal year 1992. An Intelligence Committee hearing surfaced serious questions about his consolidation plan, the implementation of which was supported by the other body. The conference agreement on this issue reaffirms the bicameral nature of the legislative branch under our Constitution and brings the House back into the process of authorizing funds for and conducting oversight of any proposed consolidation plan.

Our 11th hour hearing left many of us unpersuaded that the CIA had made a case for its proposed plan to relocate a number of Agency offices to sites in West Virginia and Virginia. The conference report includes certification and other requirements which will assure that any consolidation plan includes a well-documented justification. As a part of those provisions, the General Services Administration [GSA], the Office of Management and Budget

[OMB], and the CIA inspector general will have important reviewing roles in the development of any consolidation plan.

To my dismay, we receded to the Senate on a very expensive, $150 million, language and area studies program. It calls for a trust fund for scholarships, fellowships, and grants to universities. The program is not based on any concrete study on the scope of the intelligence community's unmet needs for more persons with language and area studies knowledge. Furthermore, no information was furnished that would indicate a significant number of beneficiaries would ultimately put this knowledge to work in any U.S. intelligence agency. The other body held no hearings on this sweeping proposal, and the House had no opportunity to conduct hearings. In conference, I unsuccessfully proposed that we postpone implementation of this major new initiative for 1 year, while a study was undertaken to evaluate how best to address the language skills problem at various alternative funding levels.

We did manage to trim the proposal from $180 to $150 million. The savings were applied to related, but more focused, government language initiatives with some concrete benefit to the intelligence community. We were only able to tighten up marginally the Senate proposal in conference, raising the likelihood that some U.S. Government agencies, not necessarily those with intelligence responsibilities, would receive some advantage from the program. But, U.S. intelligence will reap little tangible dividend, if any.

The intelligence community could have received far more benefit by spending a small fraction of this amount to address directly the community's real needs in the realm of foreign language skills and area expertise. Plainly and simply, this National Security Education Act is a diversion of defense dollars from the intelligence budget to a domestic education program, and it has no place in the intelligence bill. I trust that in future years the House Intelligence Committee will closely scrutinize the implementation of this program and any further authorizations which may be proposed for it.

Further, the conference report expresses the sense of Congress that certain overall intelligence budget totals should be made public each year beginning in 1993. The conference provision is clearly preferable to the Senate position, which would have mandated disclosure of this information in 1993. Had we adopted the Senate proposal, the President would surely have vetoed the conference report. However, I fear that even the conference report's sense of Congress language is a precursor to future efforts to pass a mandatory public disclosure requirement. As superficially appealing as that may seem to some, it is a bad idea which will serve no useful purpose, and has some serious potential drawbacks.

While providing no significant benefit, publishing these total figures on each fiscal year's intelligence budget could be helpful to intelligence agencies of nations unfriendly to American interests. It will let their intelligence analysts know the total amount of resources the United States is putting into intelligence activities. From their own experience with intelligence activities and information they have gleaned by other methods, they may be able to extrapolate from our intelligence budget total to get a clearer picture of the scope of our total intelligence efforts.

As several members of the Senate Intelligence Committee noted in their additional views, no other governments publish their intelligence budget figures. Those thoughtful views go on to note:

> Other governments will not understand why funding for U.S. intelligence activities is being revealed, and some will probably be concerned that disclosure of the budget will lead to further revelations of budget figures, including amounts spent to conduct liaison acitivities with particular services. It may be difficult to reassure these governments that the confidentiality of their relationship with the United States will be preserved.

Indeed, there would be pressure to make more and more budget details public. Because, it would soon become evident that merely knowing these total figures does not realistically contribute to any meaningful involvement of the general public in determining the appropriate level of resources for U.S. intelligence activities.

Merely knowing the total costs of U.S. intelligence activities is not the same as understanding those costs. Merely knowing the total cost will not increase public involvement in any constructive way in resource allocation questions.

To have any meaningful understanding of the costs, one must have some understanding of the value of intelligence, the other side of the cost/benefit equation. Such mandatory disclosure provisions are completely one-sided. They address only the "cost" side of the balance. But this is the dilemma with these seductive disclosure proposals. Specific knowledge about the valuable contributions of intelligence to our national well-being cannot be made public without jeopardizing those activities. Yet, that is precisely the information the public, or anyone else, must have to weigh the appropriateness of specific dollar totals. Publication of the budget total will only serve to encourage the American public to become cynics about the intelligence budget, as Oscar Wilde observed the term: "A man who knows the price of everything, and the value of nothing."

We already have an elaborate arrangement which provides adequate protection of the public interest. Members of the Intelligence, Armed Services, and Appropriations Committees in each House provide effective oversight of the details of the various programs in the intelligence budget. Much information on the main categories of each annual intelligence budget, and many other budgetary details on funding and personnel levels, are available for the inspection of all Members of Congress in the classified schedule of authorizations and classified annex accompanying each annual intelligence authorization bill.

With this information Members may perform their constitutional duty of legislating in the public interest in these matters, in their capacities as elected representatives of the American people who are their constituents. Publishing aggregate intelligence budget figures will add nothing to this process.

Already many important aspects of the structure, functions, and authority of our intelligence institutions involving substantive public policy issues are addressed to a large degree in publicly debated legislation. Recent examples include: First, the recommendations of the prestigious Eli Jacobs Panel on counterintelligence reforms; second, legislation on the authority of DOD intelligence agencies to utilize commercial cover in the collection of foreign intelligence; and third, legislation enacted earlier this year making comprehensive changes in existing laws governing congressional oversight of intelligence activities.

When publishing these figures will add nothing to the knowledge of legislators, and will not promote any more meaningful public involvement in these matters, why aid hostile foreign intelligence analysts by giving them this baseline information? Why offer a concrete target for those who are totally opposed to all U.S. intelligence activities to attack with mindless percentage reductions sensitive programs whose importance cannot be publicly disclosed to refute such attacks?

I am also disappointed that the conference dropped the provision of the House bill which required that oaths of secrecy be signed by members and staff of the House Intelligence Committee and published in the CONGESSIONAL RECORD. However, I am gratified that House passage of the provision was the catalyst which finally moved the Intelligence Committee and amend its rules to require such a signed oath of secrecy by committee members and staff. Nevertheless, the very limited statutory provision on this issue in the House bill would have been a more prominent and effective demonstration to the American people of the seriousness of our commitment to the protection of sensitive intelligence information. Such a positive, public affirmation would have been particularly appropriate at this

juncture in view of the alarming degree of public skepticism toward Congress, heightened by the scandals surrounding the Judge Thomas confirmation leaks, the House bank, and unpaid House restaurant bills.

Congress, for reasons not yet clearly explained, seems determined to reorganize the Intelligence Community. This year we made a not-too-auspicious start, based on the hurried and often contradictory ideas of three separate committees. This is no way to do business, and I hope the process will be better next year, since our report promises that this year was just the beginning.

We micromanaged DOD to an extent that became not only counterproductive, but even silly, as some of us pointed out on the floor during consideration of the DOD authorization conference report. Yet, our ultimate goals remain as fuzzy as ever. We still have no big picture. Not knowing our final target, our efforts so far have been relegated to firing a barrage of potshots. Those scattered volleys were aimed primarily at Duane Andrews, Assistant Secretary of Defense for Command, Control, Communications and Intelligence, and by extension, at his boss and mentor, Dick Cheney.

Some of us were very displeased with the outcome, and refused to sign the House DOD authorization conference report as a means of protest.

□ 1230

In conclusion, Mr. Speaker, the conference report now before us does contain some troublesome provisions; however, on the whole, I believe that its positive aspects outweigh these drawbacks. I urge my Members to read the classified index. There are many good programs in this legislation, and I intend to support adoption of the conference report and I urge my colleagues to do so.

Mr. EDWARDS of California. Mr. Speaker, will my colleague, the gentleman from Pennsylvania, yield to me for just a moment?

Mr. SHUSTER. Yes, I yield just briefly to the gentleman from California.

Mr. EDWARDS of California. Mr. Speaker, I had not known about the provision in the bill that provides CIA money for universities. I appreciate the reservations that my House committee had on this, but anybody who knows anything about the history of the CIA and the problems we had in the sixties and seventies where the CIA had gotten influence in universities, in the National Students Union, and indeed in other areas where they had a certain amount of infiltration, realizes the great damage that was done to the CIA and to the university by those activities.

Mr. SHUSTER. Mr. Speaker, if I may reclaim my time, I have several Members who have asked for time.

Mr. EDWARDS of California. Mr. Speaker, if the gentleman will yield for just one further brief moment, my question to the gentleman is, did the gentleman make a diligent effort not to recede and eliminate that very dangerous provision?

Mr. SHUSTER. I can assure my friend that I did and the vote was a party-line vote, with the Republicans opposing and Democrats voting in favor of it.

Mr. EDWARDS of California. Mr. Speaker, I thank the gentleman. I am disappointed.

□ 1240

Mr. McCURDY. Mr. Speaker, I yield myself such time as I may consume to engage the gentleman from California in a very quick exchange here on that point.

Mr. Speaker, the gentleman raises an interesting point, but I think it is important to understand that within the conference report before us—although both sides had expressed a reservation about the use of funds—is a clear provision within the National Security Education Act that there is no direction, that there is no linkage, between the assistance and the intelligence community as the provider. In other words, even though the Defense Intelligence College and the Secretary of Defense administer the trust fund, there is not a direct intrusion or invasion of university communities by the intelligence community, if that would be the concern. These are not CIA funds; they are, in effect, DOD funds, because that is where the funding is provided.

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

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

Mr. EDWARDS of California. I thank the gentleman for yielding.

Mr. Speaker, I appreciate the chairman's remarks on that issue. However, just this debate on the House floor today, I am sure, will not alleviate suspicion throughout the country, especially with young people who have not gotten over their fear of intelligence agencies. I am very well acquainted with it because the subcommittee I chair has jurisdiction over the FBI, and I have cosponsored legislation authorizing the FBI to support undergraduate training, but it is all in the open and it does not involve these huge amounts of money. Furthermore, we would not allow the FBI to have any operational role at universities through training programs, or students, or grants to universities.

Mr. McCURDY. That is an interesting comment and one that should be addressed to the chairman of the Committee on Intelligence in the Senate as well.

Mr. Speaker, I yield 7 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY], chairperson of the Subcommittee on Legislation of the Permanent Select Committee on Intelligence.

Mrs. KENNELLY. I thank the chairman for yielding this time to me.

Mr. Speaker, I rise in support of the conference report on H.R. 2038, the Intelligence Authorization Act for fiscal year 1992.

Let me address some of the significant legislative differences between this conference report and the bill as it passed the House last June:

First, the conference report contains a provision expressing the sense of the Congress that, beginning in 1993, the aggregate amount requested and authorized for, and spent on, intelligence and intelligence-related activities, should be disclosed to the public in an appropriate manner.

Frankly, I would have preferred the Senate language requiring the public disclosure of these figures following the enactment of the fiscal year 1993 intelligence authorization bill. However, despite the support of the new Director of Central Intelligence for the Senate, language during his confirmation hearings, the administration adamantly opposed the Senate provision—as well as a reasonable compromise we suggested, making disclosure contingent upon enactment of a separate joint resolution. We thus decided not to risk a veto at this late date.

I believe the American people can be safely told the aggregate amount spent on intelligence activities without jeopardizing our national security. In fact, the American people should be aware of where intelligence spending fits in among domestic and foreign priorities. As chair of the Subcommittee on Legislation, I intend to examine this issue further next year.

Second, the conference report does not include section 404 of the House bill which prohibited intelligence agencies from providing classified information to a member or staff of the House Intelligence Committee unless the member or staff had executed an oath of secrecy published in the CONGRESSIONAL RECORD. This provision would have added nothing to the protections on classified information or the penalties on disclosure already in place. What the provision would have done was put in place a procedure whereby the executive branch would determine which members of the House Intelligence Committee had access to classified information. But giving the executive branch that power would be wrong. Our committee was setup to oversee sensitive activities of the intelligence community. We should not be monitored for compliance by the very agencies we are charged by the House to oversee. Finally, though, the provision is unnecessary because the committee changed its rules in October to require, by our own rules, an oath of secrecy for members and staff.

Third, the conference report authorizes a new education initiative designed to address critical deficiencies in our knowledge of foreign languages and cultures as well as provide a better qualified pool of employees for the Federal Government. This legislation, the National Security Education Act [NSEA], is funded by the transfer of $150 million from the intelligence budget this year to a trust fund, from which $35 million is authorized for fiscal year 1992. One-third of the funds are to be awarded to undergraduates for study abroad, one-third to graduate students for fellowships in the disciplines of foreign language, area studies, and international studies, and one-third to institutions to establish or improve programs in these disciplines.

The NSEA has been criticized for not providing a direct benefit to the U.S. intelligence community. While some of us would have preferred that the legislation was more directly tailored to assisting the intelligence community in recruiting well-qualified linguists and area specialists, the program does impose detailed reporting requirements on the Secretary of Defense so that we in the Congress can fully monitor the NSEA and fine tune it in the future.

Nevertheless, even though we may want to tighten the requirements for Government service by recipients, we all agree that no individual recipient of assistance may be used to carry out any activity on the part of any intelligence agency of the U.S. Government during the period in which assistance is received. The individuals receiving NSEA funds are to be engaged in purely academic pursuits. The legislation makes this clear.

Despite the NSEA's weaknesses, it does recognize that America's economic well-being and national security will depend in great measure upon our ability to communicate and compete by knowing the languages and cultures of other countries. The program deserves to be enacted.

With respect to consolidation of CIA facilities to two sites outside the Washington metropolitan area, suffice it to say the House of Representatives, under the able leadership of our chairman, has forced the decisionmaking process on this issue into the open. The conference report imposes significant new requirements on the Agency before any funds can be obligated to implement its consolidation plan.

On the POW/MIA issue, the conferees agreed not to duplicate the provision of the National Defense Authorization Act for fiscal years 1992 and 1993, in which the Secretary of Defense is directed to place records from the Vietnam era, pertaining to prisoners of war and missing in action, in a library-like facility for public review and photocopying. Although efforts were made to treat the records pertaining to the unaccounted from World War II and the Korean conflict in the same way, conferees were concerned that there is insufficient information on the numbers of personnel who remain unaccounted for, the location of their records, and the feasibility of expanding public access to these records. We thus require the Secretary of Defense to provide us a detailed report on these questions within 90 days of enactment.

Finally, the conference report includes several changes in the law affording retirement, survivor, and disability benefits to CIA employees and their families. One very important change is the elimination of the requirement that the former husband or wife of a CIA employee must have spent 5 years outside the United States to qualify for former spouse benefits. All too often the decision on whether the spouse will serve abroad is outside his or her control. Our change will ensure that former spouse benefits will be available on a less arbitrary basis in the future.

We rejected in conference, however, the repeal of the former spouse's entitlement to Thrift Savings Plan [TSP] benefits under the Federal Employee's Retirement System. I, for one, do not believe the imposition of a pro rata division of TSP benefits is either unworkable or unreasonable. My subcommittee will be conducting a comprehensive review of the CIA Retirement Act of 1964 for certain employees next year and I look forward to working with the Agency on developing improvements in the law.

Finally, Mr. Speaker, in June, when this bill passed the House, I discussed the committee's efforts to ensure U.S. intelligence agencies were working together to provide reliable and timely intelligence products with an absolute minimum of duplication and wasted effort. I can assure my colleagues that this conference report represents even greater progress toward our goal of streamlining the intelligence community than did our bill, and that we will continue our efforts next year.

I urge a "yes" vote on the conference report.

□ 1250

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas [Mr. COMBEST].

Mr. COMBEST. Mr. Speaker, I appreciate the gentleman from Pennsylvania [Mr. SHUSTER], the ranking member, yielding this time to me.

Mr. Speaker, I rise in support of this conference report. There are many good things in the conference report. There are some I have reservations about. Those things which I have reservations about, the ranking member most eloquently went into in some detail, and I will not go into that detail again.

I also want to thank the chairman and all the members of the committee for the effort put into the conference report. This is a committee which requires a great deal of personal time on behalf of the Member, and the members of the committee are very diligent in carrying out that responsibility.

Two quick reservations that I would like to just mention before I go on to some of the more positive aspects of the bill are the $150 million education fund. It was in an open type discussion that that debate took place, and I would commend that to the attention of any of the Members, if they are so inclined to look at that debate and see some of the concerns that were raised, and, as earlier has been said of the ranking member, the gentleman from Pennsylvania [Mr. SHUSTER], he was diligent in his efforts to oppose that and did a great job on our side in trying to make certain that our views were expressed.

Mr. Speaker, I am also extremely concerned about the public disclosure suggestions. I am concerned that, if we move to public disclosure, that we are going to have to go back for many, many years to show basically a trend of what has happened in the intelligence community, of what has happened in the overall spending, and, if we ever deviate from that trend, I think it is going to send a signal that could very much be unwarranted. But I think in determination of what is important in this country in terms of intelligence, those are things that are best kept secret, and those are things which I think that only opening even the disclosure up to the total amount up to the public sometimes, many times not to the public of the United States, but to other countries, raises questions which make it very difficult to answer, and I believe again those are things that are part of the family secrets and should be kept as that.

Mr. Speaker, there are many good things in this bill, and the difficulty of discussing the intelligence conference report is because 99 percent of it is classified, but to the Members on particularly my side I think that I can assure them that there are in this conference report many, many good programs, that after a great deal of fight and effort by the chairman, and the ranking member, and others, that we have been able to continue. I think I can assure them that they will be programs that they will be very supportive of and ones that they can be comfortable that our Nation's secrets are in good hands.

I again strongly endorse this conference report. I commend it to my colleagues to support, as I have and always will. Members who have an interest, I would highly suggest that they go to the Permanent Select Committee on Intelligence making every opportunity to set up the method by which they can read the classified annex.

Mr. SHUSTER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Speaker, I thank the distinguished gentleman from Pennsylvania [Mr. SHUSTER], the ranking member, for yielding this time to me.

Mr. Speaker, other Members have covered many aspects of this conference report. I want to dwell on one particular aspect that I think may escape my colleagues' attention, and that is what this conference report does in terms of access to information for those concerned about prisoners of war in Vietnam, Korea, or World War II, and I would like to follow up on the remarks of the distinguished chairman, the gentleman from Oklahoma [Mr. MCCURDY] in that regard.

My colleagues will recall that last June 11 in this House the gentleman from Delaware [Mr. CARPER] and I offered an amendment to this bill, the truth bill, that scores of Members in this body cosponsored providing for better access to information out of our own U.S. Government files for those, particularly families, seeking information about POW's from the Vietnam war, the Korean war, and World War II. That amendment, by the way, passed unanimously on a voice vote, and, as the distinguished chairman noted, a similar amendment was offered in the Senate by Senator MCCAIN which also passed under similar circumstances. As the distinguished chairman from Oklahoma noted in the defense conference report, those provisions in the truth bill, as applied to Vietnam POW's, was adopted. So, we got one-third of what we wanted. But in that defense conference report there was nothing pertaining to POW's from the Korean war or World War II.

Mr. Speaker, in this bill before us, quite appropriately in light of the defense report, there was no need to deal with Vietnam. But the provisions that were contained in the truth bill that this House passed for Korea and World War II were dropped in favor of a study provision, a 90-day study for the Pentagon to do on sources of information related to those POW's. We have made some progress. This study is a good thing. The fact that we have the truth bill for Vietnam veterans is a good thing.

But we are not there yet, and let me explain why it is so important that, despite what the Pentagon says about needing to study and gather more information on the Korean war and World War II veterans, that we need the truth bill for all the POW's.

If somebody today goes to the Pentagon who has a relative who was a POW in Korea or World War II and asks for information, I can tell my colleagues from first-hand experience with one of my constituents that they get the runaround. They are told, "We're sorry. We have no mechanism for dealing with that. We just deal with Vietnam POW questions." Yet we know that we have 7,000 POW's unaccounted for after the Korean war and over 70,000 after World War II that probably ended up in the Soviet Union, and were their sacrifices any smaller, any less great, than those that went and sacrificed in Vietnam?

So, Mr. Speaker, that is why the gentleman from Delaware [Mr. CARPER] and I, while commending the progress that has been made, hope that we will not give up this struggle and that members of the Permanent Select Committee on Intelligence will seek, when the study comes back, to see that the truth bill, which now applies and will apply to Vietnam POW's, will apply to Korean war and World War II POW's so that we can get the information out to those concerned.

Mr. MCCURDY. Mr. Speaker, I yield 2 minutes to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Speaker, let me just follow up on the comments I can from the gentleman from Washington [Mr. MILLER]. First I want to thank him for the leadership that he has shown to try to do what we can in this body to make certain that families of our men who never came home from the Vietnam war, families of our men who never came from the Korean war or World War II, will have the right to know as much as we know about the fate of their husbands, their sons, their uncles, their loved ones.

I think we have here before us maybe half a loaf. We have with the adoption of the armed services bill and the disclosure of information regarding Vietnam war POW's, we have a portion of that loaf, and today, with the adoption of this conference report and the study that mandates within the next 90 days pertaining to the Korean war and World War II era POW's and MIA's, we may have another portion of a loaf.

After 90 days, when this time clock has run, we want something to happen. We want something to happen. I think perhaps it is appropriate that we do have this 90-day study, but we do not want this to be the end. My hopes are it will be the next step to full and open disclosure to all the Korean war and World War II POW families who still want to know what happened to their loved ones.

Let me just conclude by saying on behalf of 2,300 American families whose sons, and fathers and relatives never came home from the Vietnam war, to express on behalf of all of us and them our thanks to this committee for the step that has been taken in the armed services bill and in the context of this bill to make sure that they finally know the truth.

□ 1300

Mr. SHUSTER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, I want to begin by thanking the chairman of the committee, the gentleman from Oklahoma [Mr. MCCURDY], and also the ranking member, the gentleman from Pennsylvania [Mr. SHUSTER], for their outstanding efforts to thwart the effort that was made by some to move, without any public discussion or disclosure, CIA offices to West Virginia. I also want to thank all the members of the committee, because this was a very tough battle, and at times, with the Senate side being involved the way it was, we were not sure how it would come out.

I also want to thank all the staff members on both sides of the aisle for the work they did. And last, to the Members of this House, I want to thank all the Members who supported the motion to instruct the conferees offered by the gentleman from Pennsylvania [Mr. SHUSTER], which I think really helped make the difference.

As Chairman MCCURDY said, this was the most expensive federal building relocation in the history of the country, and all of it was being done without any public disclosure. To the credit of the gentleman from Oklahoma [Mr. MCCURDY] and the gentleman from Pennsylvania [Mr. SHUSTER], they held a public hearing whereby everyone could come and ask any questions, and, of course, at that hearing the CIA leadership was not able to answer many of the questions. I think, with what the chairman of the committee, the gentleman from Oklahoma [Mr. MCCURDY] and the gentleman from Pennsylvania [Mr. SHUSTER] and the committee did, it is a victory, quite frankly, for America and for the process, to make sure the process is open and public and one that people can see. I also would say it is a victory for the people of Oklahoma and the people of Pennsylvania and the people of Virginia.

I also want to publicly thank the gentleman from Oklahoma [Mr. MCCURDY] and the gentleman from Pennsylvania [Mr. SHUSTER] on behalf of the many CIA employees who have called my office, and also on behalf of their families. If anyone won a victory, it is the families who did not want to be used as a political pawn and be manipulated the way they were.

HALTING THE CIA RELOCATION

By approving the conference report on the fiscal year 1992 Intelligence Authorization Act, Congress has halted plans to relocate 3,000 CIA employees from northern Virginia to West Virginia. The measure includes provisions that will require the CIA to proceed with plans for a consolidation of Washington area offices in a public manner. Specifically, the conference report authorizes $10 million for land acquisition for the CIA consolidation project, but stipulates that no funds be spent until the CIA provides a detailed written report to the House and Senate intelligence and appropriations committees certifying that the following conditions have been met.

The Director of Central Intelligence has established and followed written procedures for land acquisition that track the procedures of the General Services Administration, which normally handles real property acquisition for Federal agencies, and are consistent with established procurement integrity guidelines.

The Administrator of General Services has certified in writing that the consolidation plan will result in cost savings to the U.S. Government.

The Administrator of General Services has certified in writing that the consolidation plan will result in cost savings to the U.S. Government.

The Director of the Office of Management and Budget has certified that the Bush administration has approved the consolidation plan.

The CIA Inspector general, who is now reviewing the current relocation plan at the request of House Intelligence Committee, Chairman DAVE MCCURDY and me, has certified that any corrective actions that are recommended after the investigation have been implemented.

The Director of Central Intelligence has provided a written report which includes assurances that the employees have been consulted and their interests considered in developing a final consolidation plan. The report must also indicate that global changes and budget constraints have been fully considered in developing the plan.

WHAT WAS THE CIA RELOCATION PLAN

On June 20, a plan was announced which would have established two new CIA compounds, one of which would have housed 3,000 employees in Jefferson County, WV. The consolidation plan, formulated in secret discussions between CIA officials and a senior Senator, would have been the most expensive Federal office building construction and relocation project in U.S. history, at a cost of $1.2 billion. I strongly opposed the relocation to West Virginia because it would have hurt thousands of families, and would have disrupted the operations of the CIA.

The June 20 announcement surprised many in the intelligence community and in Congress, who had been told that the consolidation of Washington area CIA offices was still in the discussion stages. Because I had worked closely with CIA leaders and employees over the years, and had even led the effort in 1983 to bring local residents into the headquarters compound to discuss the construction of a new building, it was regrettable to learn of the relocation plan in this manners.

On July 30 at a rare public hearing of the House Permanent Select Committee on Intelligence, which has oversight responsibility for the CIA, concerns were raised about the plan and the lack of consultation with the House. Every Member in attendance criticized the plan, with remarks that included: "If this were not so pathetic, it would probably be funny"; "I think what has happened makes a mockery of our traditional process"; and, "outrageous, disgraceful, scandalous conduct of the CIA." Committee members also raised the possiblity that the CIA had violated the requirement of the National Security Act that the agency keep the committee "fully and currently informed."

Despite the concerns raised by the House Intelligence Committee, the Senate moved forward with authorizing and providing funds for the CIA relocation. A provision authorizing the CIA to implement the relocation plan was placed in the classified section to the Senate version of the fiscal year 1991 intelligence authorization measure. It was inappropriate to include this public building project in that section of the bill, which generally comprises secret weapons or covert actions. Moreover, a Senate amendment to the fiscal year 1992 defense appropriations measure deleted over $30 million that the House had earmarked for a national drug intelligence center, and directed these funds for the purchase of land to begin to implement the CIA relocation plan. The Senate amendment would have required the CIA to begin spending this money within 60 days.

INTERESTS OF CIA EMPLOYEES NOT CONSIDERED

As the ranking member of the Select Committee on Children, Youth, and Families, I was particularly concerned that the interests of CIA employees and their families were not given greater consideration in the development of the relocation plan. Because the Federal Government's greatest asset is its people, I have worked over the years to promote employee programs such as flexitime, leave sharing, job sharing, and child day care. CIA employees currently benefit from many of these programs. The relocation plan would have reversed all the gains made through these types of programs. Despite the expert consultant's specific warning that the West Virginia site would cause a hardship on existing employees, the CIA chose a site that would force thousands of employees to choose between a commute of up to 4 hours a day and a move to West Virginia.

The relocation plan would have uprooted employees at the CIA facilities involved who have become part of their communities in northern Virginia, Maryland, and the District of Columbia. They have joined places of worship, are involved in community service, have spouses employed in the area, and children active at local schools. Many of the families who would be affected by the CIA reolcation have contacted my office. They feel that they were being manipulated for political reasons, and that their interests were disregarded. One caller, the wife of a CIA linguist, was especially concerned about her older child, who is in a special education program. "We couldn't move. We couldn't find the kind of schools there that my son needs," she explained. Others raised concerns about spouses who would have a difficult time finding comparable employment if forced to move out of the Washington area.

A husband and wife who both work at the CIA wrote:

> Thousands, repeat thousands of employees (and family members) will be faced with a serious career and quality of life dilemma: face a horrendous, unconscionable commute; or leave a fulfilling career track * * *.

SITE SELECTION PROCESS QUESTIONED

Serious questions have been raised about the process used to develop the CIA relocation plan. The plan was made without input from the White House, the Office of Management and Budget, the National Security Council, or the General Services Administration. The CIA hired an outside real estate consultant to determine preferred sites for consolidation, yet ignored those experts' recommendations.

The CIA selected a West Virginia site for a new facility that had not made the experts' list of the top possible 200 sites, nor the top 65, nor the top 10. In fact, the experts' report specifically rejected the West Virginia site because "requiring a commute of over an hour for almost all existing CIA employees would generate a hardship on those existing employees and may result in the loss of key personnel necessary for the operation of a new facility."

The CIA directed that a new report be prepared including the West Virginia site, and eventually selected that site, citing cost savings as the rationale. But in doing so the CIA rejected the explicit recommendation in the experts' second report that "cost differentials between the sites are relatively minor; therefore, the operational issues and other managerial concerns should take precedence in the final selection." In short, the CIA relocation plan will not win an award for procurement integrity.

For Congress to ratify these activities would have sent the wrong message about the way Federal agencies should operate. It would also have set a bad precedent for the CIA. In the midst of the cold war, the CIA sought and obtained specific authorization for a new CIA headquarters in the Military Construction Act of 1955, and President Eisenhower then made a formal request for funds in his 1956 budget. Today, dramatic changes around the world reduce the need for a veil of secrecy over CIA activities. Yet a few top CIA officials handled the consolidation project as though it were a secret mission.

CONCERNS ABOUT HOW CONGRESS WORKS

On October 24, during House floor debate on a motion to instruct the House conferees on the fiscal year 1992 intelligence authorization bill to put the brakes on the CIA relocation plan, I raised concerns about the message that would be sent to the public if the CIA relocation plan were approved. The relocation plan was an example of the type of activity that has led the American public to lose faith in Congress. When one Senator can direct the CIA to move 3,000 employees to his home State, against the recommendations of experts who found no significant cost savings and specifically pointed out the hardship it would cause employees, the system is not working. At a time when the public views Conress with scrutiny and questions whether our Government works, approval of the handling of the CIA relocation plan would have discredited Congress.

The CIA coordinates and oversees the entire intelligence community, interacting on a daily basis with many other Federal agencies in Washington. Yet the CIA relocation plan would have turned the Central Intelligence Agency into the decentralized intelligence agency. If it is in the national interest to consolidate CIA offices, the consolidation should be handled in a manner that minimizes disruption to CIA employees, preserves the operational integrity of the agency, and ensures that the Federal Government gets the best deal for the American taxpayer.

My hope throughout the consideration of the consolidation was that the CIA would withdraw

the relocation plan and handle the site selection and consolidation process like any other major Federal building project. The CIA should develop a proposal in an open manner, should make a public request for offers of available land, and should conduct a competitive procurement to obtain the best price for the Government.

I am pleased that Congress has directed the CIA to go back and review plans for consolidation with attention to the interests of employees and the mission of the agency. Making the consolidation planning and site selection more open should strengthen the CIA and restore public confidence in the process.

Again, I say to the committee, "My hat is off to you." There are some who said that going over there probably was not going to happen. I say to the gentleman, "Mr. Chairman, you did it," and I say to the gentleman from Pennsylvania, "Mr. SHUSTER, you did it." I say, "God bless you on behalf of the CIA employees and their families."

The SPEAKER pro tempore (Mr. MURPHY). The time of the gentleman from Virginia [Mr. WOLF] has expired.

Mr. SHUSTER. Mr. Speaker, I yield myself 1 minute to inform the gentleman that in addition to the provisions the gentleman has accurately outlined, the chairman of the committee, the gentleman from Oklahoma [Mr. MCCURDY] and I have sent a letter to the CIA, to GSA, and to the Office of Management and Budget, telling them that we want to be certain that any such evaluation includes an evaluation of existing Government sites in the area.

We are talking about downscaling our defense establishment, so the obvious question is this: Do we have any land at Fort Belvoir, or do we have any land at Quantico, or do we have any land at Fort Meade? We believe strongly that should be a part of the evaluation. Before we start talking about spending taxpayers' dollars to go out and buy other land, we should first look at the land that the Government already owns.

Mr. WOLF. Mr. Speaker, if the gentleman will yield, let me thank the gentleman for that. I am reassured, too, knowing that before the Central Intelligence Agency can move ahead, they have to come back and report to the gentleman's committee, which is contrary to the way they handled it the last time.

Mr. MCCURDY. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, I appreciate the gentleman yielding me the time.

Since West Virginia was mentioned by the previous speaker, I thought I would rise and say that we, too, welcome this process, and we congratulate the committee, because West Virginia and Jefferson County in particular understand the certification, and in an open process indeed it can prove the merits of what has been proposed all along.

I might add that all the members of the West Virginia delegation in the House and the Senate are supportive of this language, because we believe it gives a chance for West Virginia to put forward its best foot. Indeed, the gentleman who preceded me has spoken today and in the past about some of his concerns. We believe the fact that land in West Virginia, at the Jefferson County site, is $10,000 an acre, for instance, versus $100,000 to $170,000 an acre in this area is key.

We believe in fact that all the land is available for anything the CIA intends versus the restrictions on land here.

I might add, of course, that two-thirds of this project will be in Virginia, not West Virginia. That fact is sometimes overlooked.

Third, we think that with the driving time and the rush hour time and commuting time, this certification process will indeed show that many of the CIA employees, perhaps the bulk of them, who would be working at the Jefferson County site would be closer to Jefferson County and would be reverse commuting versus what is presently the situation where they must now commute to 21 facilities across the span of northern Virginia and three in Washington. Indeed, many of them will have a longer commuting time that way.

Finally, there is the cost savings, and we are glad there are provisions for looking at the cost savings, because we believe the costs that will be saved over not having to lease 21 separate facilities are adequate for the CIA, and with being able to lease one or two facilities such as the CIA had proposed, the GSA will be able to document those cost savings, and indeed by the year 2010 this project will more than pay for itself.

Once again I stress that two-thirds of the cost actually occurs in Prince William County, VA, not Jefferson County, WV, and more employees would be in Prince William County than in Jefferson County.

So for all these reasons, I congratulate the chairman and the ranking minority member for putting together a certification process that will answer once and for all and resolve these questions.

Mr. SHUSTER. Mr. Speaker, I reserve the balance of my time.

Mr. MCCURDY. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Speaker, I rise in strong support of this conference agreement and urge its adoption. While the entire bill is important for enhancing our Nation's intelligence activities, I want to focus on a specific proposal in the legislation that I believe is critical for our future intelligence operations.

Included in this bill is the creation of a National Security Education Program. This legislation will create graduate fellowships in critical foreign language, regional, and international studies.

□ 1310

It would provide grants to universities to organize, maintain, and improve critical international and area studies and foreign language programs. And, by providing scholarships for undergraduate students to study abroad in critical countries that are currently neglected, it will expose our talented young people to the economic, cultural, and military challenges that face America in the 21st century.

Mr. Speaker, I had an opportunity back last January to visit the DLI [Defense Language Institute], out in Monterey, CA. I was told I was one of the few Members who ever toured through that operation to see what they did there.

I was shocked and amazed to find out that at the time the war broke out, less than 20 people in our entire Defense Establishment, of millions of people, could speak a language of the Iraqi people. So we were totally unprepared and inadequately trained to meet that great challenge.

Quite frankly, we were very fortunate that we got by with such a big gap in our defense intelligence process.

Mr. Speaker, I want to congratulate the committee for this initiative. I support it in its entirety and look forward to an overwhelming vote by this House in approval of this conference report.

Mr. MCCURDY. Mr. Speaker, I urge adoption of this conference report. I believe it is a very good effort. Again I want to commend publicly the gentleman from Pennsylvania [Mr. SHUSTER] for his efforts.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCCURDY. 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 the bill, H.R. 2038.

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

There was no objection.

MAKING IN ORDER ON TODAY CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mrs. KENNELLY. Mr. Speaker, I ask unanimous consent that it be in order

today for the Speaker to entertain two motions to suspend the rules as follows:

Suspend the rules and adopt a House resolution to concur in the Senate amendment to H.R. 1724 with an amendment; and

Suspend the rules and pass House Joint Resolution 346.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

HOUR OF MEETING ON TOMORROW

Mrs. KENNELLY. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

HOUR OF MEETING ON FRIDAY, NOVEMBER 22, 1991

Mrs. KENNELLY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday, November 21, 1991, it adjourn to meet at 11 a.m. on Friday, November 22, 1991.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

COMMENDING PARTICIPANTS IN MIDDLE EAST PEACE PROCESS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 226, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah [Mr. OWENS] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 226, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 8, as follows:

[Roll No. 409]

YEAS—426

Abercrombie	Bacchus	Bliley
Ackerman	Baker	Boehlert
Allard	Ballenger	Boehner
Allen	Barnard	Bonior
Anderson	Barrett	Borski
Andrews (ME)	Barton	Boucher
Andrews (NJ)	Bateman	Boxer
Andrews (TX)	Bellenson	Brewster
Annunzio	Bennett	Brooks
Anthony	Bentley	Broomfield
Applegate	Bereuter	Browder
Archer	Berman	Brown
Armey	Bevill	Bruce
Aspin	Bilbray	Bryant
Atkins	Bilirakis	Bunning
AuCoin	Blackwell	Burton
Bustamante	Gradison	McDermott
Byron	Grandy	McEwen
Callahan	Green	McGrath
Camp	Guarini	McHugh
Campbell (CA)	Gunderson	McMillan (NC)
Campbell (CO)	Hall (OH)	McMillen (MD)
Cardin	Hall (TX)	McNulty
Carper	Hamilton	Meyers
Carr	Hammerschmidt	Mfume
Chandler	Hancock	Michel
Chapman	Hansen	Miller (CA)
Clay	Harris	Miller (OH)
Clement	Hastert	Miller (WA)
Clinger	Hayes (IL)	Mineta
Coble	Hayes (LA)	Mink
Coleman (MO)	Hefley	Moakley
Coleman (TX)	Hefner	Molinari
Collins (IL)	Herger	Mollohan
Collins (MI)	Hertel	Montgomery
Combest	Hoagland	Moody
Condit	Hobson	Moorhead
Conyers	Hochbrueckner	Moran
Cooper	Holloway	Morella
Costello	Hopkins	Morrison
Coughlin	Horn	Murphy
Cox (CA)	Horton	Murtha
Cox (IL)	Houghton	Myers
Coyne	Hoyer	Nagle
Cramer	Hubbard	Natcher
Crane	Huckaby	Neal (MA)
Cunningham	Hughes	Neal (NC)
Dannemeyer	Hunter	Nichols
Darden	Hutto	Nowak
Davis	Hyde	Nussle
de la Garza	Inhofe	Oakar
DeFazio	Ireland	Oberstar
DeLauro	Jacobs	Obey
DeLay	James	Olin
Dellums	Jefferson	Olver
Derrick	Jenkins	Ortiz
Dickinson	Johnson (CT)	Orton
Dicks	Johnson (SD)	Owens (NY)
Dingell	Johnson (TX)	Owens (UT)
Dixon	Johnston	Oxley
Donnelly	Jones (GA)	Packard
Dooley	Jones (NC)	Pallone
Doolittle	Jontz	Panetta
Dorgan (ND)	Kanjorski	Parker
Dornan (CA)	Kaptur	Pastor
Downey	Kasich	Patterson
Dreier	Kennedy	Paxon
Duncan	Kennelly	Payne (NJ)
Durbin	Kildee	Payne (VA)
Dwyer	Kleczka	Pease
Dymally	Klug	Pelosi
Early	Kolbe	Penny
Eckart	Kolter	Perkins
Edwards (CA)	Kopetski	Peterson (FL)
Edwards (OK)	Kostmayer	Peterson (MN)
Edwards (TX)	Kyl	Petri
Emerson	LaFalce	Pickett
Engel	Lagomarsino	Pickle
English	Lancaster	Porter
Erdreich	Lantos	Poshard
Espy	LaRocco	Price
Evans	Laughlin	Pursell
Ewing	Leach	Quillen
Fascell	Lehman (CA)	Rahall
Fawell	Levin (MI)	Ramstad
Fazio	Levine (CA)	Rangel
Feighan	Lewis (CA)	Ravenel
Fields	Lewis (FL)	Ray
Fish	Lewis (GA)	Reed
Flake	Lightfoot	Regula
Foglietta	Lipinski	Rhodes
Ford (MI)	Livingston	Richardson
Ford (TN)	Lloyd	Ridge
Frank (MA)	Long	Riggs
Frost	Lowery (CA)	Rinaldo
Gallegly	Lowey (NY)	Ritter
Gallo	Luken	Roberts
Gaydos	Machtley	Roe
Gejdenson	Manton	Roemer
Gekas	Markey	Rogers
Gephardt	Marlenee	Rohrabacher
Geren	Martin	Ros-Lehtinen
Gibbons	Martinez	Rose
Gilchrest	Matsui	Rostenkowski
Gillmor	Mavroules	Roth
Gilman	Mazzoli	Roukema
Gingrich	McCandless	Rowland
Glickman	McCloskey	Roybal
Gonzalez	McCollum	Russo
Goodling	McCrery	Sabo
Gordon	McCurdy	Sanders
Goss	McDade	Sangmeister
Santorum	Solarz	Upton
Sarpalius	Solomon	Valentine
Savage	Spence	Vander Jagt
Sawyer	Spratt	Vento
Saxton	Staggers	Visclosky
Schaefer	Stallings	Volkmer
Scheuer	Stark	Vucanovich
Schiff	Stearns	Walker
Schroeder	Stenholm	Walsh
Schulze	Stokes	Washington
Schumer	Studds	Waters
Sensenbrenner	Stump	Waxman
Serrano	Sundquist	Weber
Sharp	Swett	Weiss
Shaw	Swift	Weldon
Shays	Synar	Wheat
Shuster	Tallon	Whitten
Sikorski	Tanner	Williams
Sisisky	Tauzin	Wilson
Skaggs	Taylor (MS)	Wise
Skeen	Taylor (NC)	Wolf
Skelton	Thomas (CA)	Wolpe
Slattery	Thomas (GA)	Wyden
Slaughter	Thomas (WY)	Wylie
Smith (FL)	Thornton	Yates
Smith (IA)	Torres	Yatron
Smith (NJ)	Torricelli	Young (AK)
Smith (OR)	Traficant	Young (FL)
Smith (TX)	Traxler	Zeliff
Snowe	Unsoeld	Zimmer

NAYS—0

NOT VOTING—8

Alexander	Henry	Mrazek
Franks (CT)	Lehman (FL)	Towns
Hatcher	Lent	

□ 1333

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: "Concurrent resolution commending the participants in the Middle East peace conference convened in Madrid, and urging them to continue their pursuit of a just and lasting peace in the Middle East."

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OBEY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on both motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate is concluded on both motions to suspend the rules.

APPROVING EXTENSION OF NONDISCRIMINATORY TREATMENT WITH RESPECT TO PRODUCTS OF UNION OF SOVIET SOCIALIST REPUBLICS

Mr. ROSTENKOWSKI. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 346) approving the extension of nondiscriminatory treatment with respect to the products of the Union of Soviet Socialist Republics.

The Clerk read as follows:

H.J. RES. 346

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves the extension of nondiscriminatory treatment to the products of the Union of Soviet Socialist Republics transmitted by the President to the Congress on October 9, 1991.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 20 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 346, the joint resolution presently under consideration.

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

There was no objection.

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

Mr. Speaker, House Joint Resolution 346 would approve the extension of nondiscriminatory, most-favored-nation [MFN] treatment to the products of the Soviet Union. On October 9, 1991, the President submitted a bilateral trade agreement, which would establish new ground rules for United States trade with the Soviet Union. That agreement contains detailed provisions on market access for goods and services, intellectual property rights, business facilitation, and other important trade matters.

Mr. Speaker, I recognize that the political situation in the Soviet Union is far from clear. However, I believe that it is important at this time for the United States to move forward expeditiously in normalizing trade relations with the Soviet Union. Doing so is a relatively cost-free way to help the Soviet people in the very difficult and uncertain transition to a market economy. I pledge to my colleagues, however, that the Committee on Ways and Means will be diligent in ensuring that the administration keeps the Congress informed on political and economic developments in the Soviet Union. Enactment of House Joint Resolution 346 would give a much-needed boost to traders and investors in both countries who are anxious to join me in strong support of this resolution.

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

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

Mr. Speaker, I rise to express my support for House Joint Resolution 346 granting nondiscriminatory, most-favored-nation trading status to the Soviet Union. The Soviet people are at a critical juncture in their evolution toward a modern, market-driven economy and we must act responsibly to ensure that their economic strength is sufficient to support democratic institutions. But I must say my support is cloaked with a degree of caution.

Pricing mechanisms in the Soviet Union remain highly centralized and controlled. This means that Soviet goods entering the United States and other Western countries could be tainted with subsidies and other government incentives. We must ensure that our trade laws are effectively enforced to guard against any unfair trade practices.

Second, the Soviet Union continues to provide both military and economic support to Cuba and other repressive regimes throughout the world. Although Presidents Gorbachev and Yeltsin both have promised immediate troop withdrawals from Cuba, none have yet taken place. This remains a threatening and intolerable situation for which, I believe, Congress has very little patience.

Extending MFN indicates that a country has joined the community of nations as a responsible partner. The Soviet Union cannot have it both ways. They must end their support for Fidel Castro and other tyrants.

With respect to freedom of emigration, the Soviet Union has demonstrated that sufficient political will can be mustered for essential reforms. A phenomenal reversal in the Government's emigration policies has led to an increase in the number of emigres from the Soviet Union between 1985 and 1990 of over 22,000 percent. Soviet borders have now been almost completely unbarred to travel and emigration. Nevertheless, MFN status must still be reviewed each year to check continued performance in this area.

Also, we have negotiated an excellent commercial treaty with the Soviet Government providing for enhanced investment opportunities, protection of intellectual property rights, and repatriation of profits. United States businesses are already in a tough race with Japanese firms, as well as other Asian and European competitors, for potential new markets. Normalized trade helps put American industry on an equal footing.

Although I have some reservations, I support President Bush in extending MFN to the Soviet Union at this time. While remaining vigilant, we can help establish an economic environment there that will foster individual enterprise and productive competition. The people of the Soviet Union deserve every chance to throw off the yoke of communism and emerge from years of hardship and oppression.

Mr. Speaker, I urge my colleagues to support House Joint Resolution 346.

□ 1340

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GIBBONS], the chairman of the Subcommittee on Trade of the Committee on Ways and Means, who supported this bill in the full committee.

Mr. GIBBONS. Mr. Speaker, let me explain exactly what is happening here. The granting of nondiscriminatory tariff treatment is strictly controlled by law and we are following the law. As a precondition for extending most-favored-nation or nondiscriminatory tariff trade to the U.S.S.R., it is necessary to execute a trade agreement. That trade agreement has been executed, but it is not in force. To put it in force, we must approve it here in the Congress and the Supreme Soviet must approve it, because there are bilateral commitments by the Soviet Union and by the United States to do the necessary things you must be able to do in business, to be able to open an office, to be able to employ people, to be able to advertise, to be able to display your products and to price your products and to sell your products and repatriate the products that are made from those kinds of transactions. All that has been very painstakingly worked out. We have an excellent agreement with the U.S.S.R. in that regard.

There are countless business people in the United States who are waiting for this to go into effect before they can begin commercial operations in the U.S.S.R., so a lot of revenue depends upon this, a lot of expansion of American business depends upon this. This is in our own best self-interest.

It has taken almost 60 years to get to this stage of our development, 60 painful years. There is no sense going through all of it here, but what we do here is just one step in trying to normalize that relationship.

Now, there will be those who will raise the specter of Cuba and there are those who will raise the specter of instability in the U.S.S.R. I have talked to the leaders in the U.S.S.R. They tell me that they are going to withdraw their troops from Cuba and that they are going to quit the subsidizing they have been doing in Cuba. They tell me they cannot afford it, and one leader went so far as to say, "It is immoral for us to do that," but they are going to stop it. There are negotiators in Cuba now to take the troops home, but the troops do not want to go home. There is nothing but tents in the ice cold snow around Moscow for them to go to and they would much rather sit in Cuba, but they are not a military threat to the United States. There are only about 1,100 or 1,200 of them and they could not fight their way out of a wet paper bag, so they are no real threat to us.

The subsidies to Cuba will stop because the Yeltsin government which

controls most of the oil and most of the exports from the U.S.S.R. tell us that they are going to world prices on all their exports and world prices on all of the internal trade. They are going to world prices, so that means no subsidies on their oil and no subsidies on their other products for which they have been propping up the Cuban economy, and perhaps other economies around the world.

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

Mr. GIBBONS. I am glad to yield to the gentleman from Arkansas.

Mr. ANTHONY. Mr. Speaker, I thank my subcommittee chairman for yielding to me.

The gentleman led us on a trip to the Soviet Union this year. We were actually there when it was broken up. We were there when it was put back together. The things the gentleman says we heard firsthand and I want my colleagues to know that I think everything the gentleman has said will happen; but one comment the gentleman made about having people over there to do trade, my home town is only 25,000, and when I was there we were able to introduce the gentleman to two of my constituent business people who have been going over there for a year and a half. This will help them open up trade. It will not tap into our Treasury and it will be a great thing.

Mr. GIBBONS. Well, Mr. Speaker, what the gentleman says is true. He was a very important participant in that discussion. America needs this opportunity. The rest of the world is in the U.S.S.R. ready to do business. We are not. All the reasons that we have not extended most-favored-nation treatment or nondiscriminatory tariff treatment to them have expired. They are gone. They are behind us. We need to move ahead.

Mr. Speaker, I urge adoption of this resolution.

Mr. ARCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SCHULZE].

Mr. SCHULZE. Mr. Speaker, I thank the gentleman for yielding this time to me and I thank the chairman of the full committee and the chairman of the Trade Subcommittee of the Committee on Ways and Means for their statements.

Mr. Speaker, I do support House Joint Resolution 346, but I have got to tell you that I have some doubts and I have some questions in my mind. I believe that we have further work to do.

I, too, was in the Soviet Union with the chairman of the Trade Subcommittee and at each and every meeting I asked the question, "How are you going to handle your external debt?"

I have got to tell you in all candor, in no instance did I receive a satisfactory answer.

Now, is that the end of the world? No, not necessarily, but I have got to tell you that this explosion that is going on is going to continue. We are talking about the Soviet Union, but there is no one in this Chamber who can accurately describe to me what the Soviet Union is today. Each of the satellite or associated countries want ther independence, but as we pass MFN let us try to think who controls the borders in each of these countries. Who controls the customs in each of these countries?

What we are talking about here is a matter of tariffs and customs.

Who is going to control foreign debt?

Who is going to guarantee credits in the international market?

There are many, many questions which must be answered, but that does not mean we should not necessarily pass this. We want to try to encourage this transition from a totalitarian centralized economy to a market economy.

The chairman used the phrase "the very difficult and uncertain movement to a market economy."

I agree with the gentleman and I think there are additional trade laws which we must pass to make sure that in this transition period that we do not have products coming in to America which are half subsidized and half free that would impact in an extremely negative way the employment of our people in this country.

So Mr. Speaker, I think there is more work to be done. I hope with the cooperation of the chairman of the Trade Subcommittee and of the full committee we can work on some rules and regulations in the trade areas which will assist us in encouraging this movement to a free economy, because let us remember, if we are going to just prop up this former centralized economy and make sure it survives the way it is, it will serve none of us well in the long run.

So what we have got to do is have in place some rules and regulations which will encourage and enhance the movement from a centralized to a market economy.

□ 1350

I am sure with the cooperation of the chairman of the full committee and the chairman of the subcommittee we can do that and early next year we can have before you a package which will aid the Soviet Union and the other socialist nations around the world in their transition to a market economy.

Mr. Speaker, I support House Joint Resolution 346.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. I thank the gentleman for yielding this time to me.

Mr. Speaker, first I want to thank the chairman for yielding to me and say that I am very pleased that I can come here today in support of most-favored-nation status for the Soviet Union.

I think we can look at this day and reflect with pride upon the success of our policy as it relates to Soviet emigration. In 1990 over 180,000 Soviet Jews were allowed to emigrate to the State of Israel. When you compare that to 1974, the year the Jackson-Vanik law was adopted by this Congress, less than 5,000 Jews were allowed to leave the Soviet Union.

The Jackson-Vanik law has worked. We have seen many times that the United States stood alone, we stood for principle and we can justifiably be proud of our results.

The people of this Nation through their participation in marches, the letters that they wrote, the adoption of the refusenik families, the participation in international forums all helped to bring us to this day. It is appropriate to waive the Jackson-Vanik provisions.

Let me remind my colleagues that this is a yearly waiver. We do not know about the political environment within the Soviet Union, what the future holds for that nation. We do not know what the activities within the republics will mean as far as Soviet emigration laws are concerned.

All this needs to be reviewed by this Congress and by the President on an annual basis.

Mr. Speaker, I urge my colleagues to adopt this resolution.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. I thank the gentleman for yielding this time to me.

Mr. Speaker, since our trip to the Soviet Union this summer, the Subcommittee on Trade of the Committee on Ways and Means, I have had an opportunity to talk extensively with businessmen in my district and in my State. Indeed what we do here today is very important to America's future as well as to that of the Soviet Union.

There are formidable opportunities for the United States in our future with the Soviet Union. There are some sectors of the economy that the Soviet Union will play a big role in the future. Any nation that has had the formidable military developments, that has been capable of those military developments of which the Soviet Union has been capable, and the space program is simply no slouch, scientifically. And when they apply those talents and abilities to peaceful products, they will be an important member of the international trading community.

It is of the utmost importance to us as a nation that we begin to develop some joint-venture capabilities so that we will be the Soviet Union's economic as well as political partner in the future.

There are very specific areas in which if we fail to do this the Japanese

will clearly be in there and we will be up against a competitor who will give some of our basic manufacturers real heartburn.

So this is not something that we do not have a very concrete economic interest in. And it is my pleasure indeed to stand in support of this resolution, one that is going to mean a lot to us in the future.

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

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding this time to me and for his generosity.

My colleagues, the time may come when we should approve most-favored-nation status for the Soviet Union. Their time is not today, for many, many reasons.

Twelve years ago the same Members stood on this floor and said now is the time to establish most-favored-nation status for China. We heard the same arguments: China is going to pull its troops back; China is going to shift to a market economy; China is not going to have any more slave labor; China is going to do this and going to do that. Now we are being told here today the same thing about the Soviet Union.

Members went to the Soviet Union and were enamored by the people they met there. Soviet leaders promised to pull their troops out of Cuba; they promised to stop subsidizing Cuba and Vietnam and North Korea. Soviet leaders promised to shift to a market economy.

Promises, promises, promises that never come to fulfillment. If we approve this bill today, we are once again dealing with a socialist government just like we did with China.

I just received a letter from a woman whose husband is unemployed. She went to a store, a major discount store in my district, and tried to buy some back-to-school clothing for her kids, winter clothing. She said to me, "I couldn't find one thing made in America."

You know, until the Soviet Union, the former Soviet Union, shifts to a market economy, and until the Soviet Union stops subsidizing its industries, we will be faced with unfair competition. Free trade is fine, but it has to be fair trade.

Now let me tell you something else that is happening right now: CHARLIE BENNETT is sitting over there and I am reminded that he and I and others managed to strip out of the Defense authorization bill 1 billion dollars' worth of American defense dollars going to provide aid to the Soviet Union which would have helped to prop up 4 million men under arms in that country.

We managed to strip that provision out, kill it, and then get a good Defense authorization bill.

Do you know what is happening right this minute over in the other body? Senator BOREN and Senator NUNN, along with our good friend, the gentleman from Wisconsin [Mr. ASPIN], are negotiating to bring that idea back on the floor as a free-standing bill taking $1 billion out of our Defense budget and making it available to the former Soviet Union.

You know, this Congress has itself upside down. I do not think this is the time to extend MFN to the Soviet Union. I think that this bill should be withdrawn until we have concrete evidence that genuine reform is underway over there.

Let us do it like Harry Truman did it: he was from Missouri, and we should tell them to show us that they have done it; then we will be glad to give the Soviet Union most-favored-nation status.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. PEASE].

Mr. PEASE. I thank the chairman for yielding this time to me.

Mr. Speaker, I rise in support of this bill. Mr. Speaker, I was fortunate to be one of the members of a congressional delegation headed by my distinguished colleague, the gentleman from Florida [Mr. GIBBONS], which visited the Soviet Union in late August/early September of this year.

As was very much evident to us at that time and certainly evident to anybody who reads the newspapers, the Soviet Union, or what is left of it in the Republics, faces absolutely enormous challenges in converting the economy of that country. And we are limited in what we can do to help. It is certainly in our national interest to help the Soviet Union make that adjustment successfully as soon as possible.

We can help by giving the Soviet Union most-favored-nation trading status. I think it is time for us to do that. I do not think it is too much of a gamble, as the gentleman preceding me said. It is a bit of a gamble, there is yet a conversion that has to be made, but I think it is time for us to do it now and we will see what happens.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. I thank the gentleman for yielding this time to me.

Mr. Speaker, I speak out against the resolution. In the past I have supported free trade; I think it is the future of this country not only in 10 years from now or 50 years from now but 100 years from now.

I support small business and the creation of jobs.

But, Mr. Speaker, I spent nearly all of my adult life fighting the Soviet Union and the weapons produced there. I was shot down with an SA–2 missile, built and exported in Vietnam, over North Vietnam. I faced weapons in Israel.

Our men in Desert Storm faced weapons that were produced and built in the Soviet Union. Our POW's were tortured by Soviet negotiators.

Every single place in which this country has an enemy it is supplied by the Soviet Union. They are still dropping nuclear-class subs, still producing Mig–29's and Mig–31's, still producing the AA–7 missiles and the AA–9 missiles for potential threats to this country, including China, including Cuba, Afghanistan, and the rest of the world.

We cannot be sucked into believing that the Soviet Union is not a threat.

Let me give you just a little parallel: Let us just say that the Republican side was able to get rid of the Democratic Party. Not a bad thought. But I know and you know that if we got rid of the Democratic Party all you little guys would be out there coagulating and collating, still doing your ill will.

□ 1400

The Soviet Union is doing the same thing, and I say, you make a cobra better, and he is going to bite you. You make the American people pay for this resolution, they're going to bite you.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BROWN].

Mr. BROWN. Mr. Speaker, I thank the gentleman from Illinois [Mr. ROSTENKOWSKI] for yielding time to me on this issue. I recognize that I do not have the background of information on this which really qualifies me to speak, but I am moved to do so because at this very moment I am considering a memorandum from a business group in my district which is seeking to enlarge business opportunities with the Soviet Union, and they have some very well-thought-out and ambitious plans to do that, involving bringing the Soviet business managers to the United States and helping them learn the rudiments of the free-market system.

Mr. Speaker, it is my view that this is a very constructive step for them to take, to look for opportunities to invest and to develop business enterprises in the Soviet Union and with the Soviets. I want to encourage them to do this. I am able to take this step of encouraging them in part because of the action represented by this resolution, and I want to compliment the chairman, the gentleman from Illinois [Mr. ROSTENKOWSKI], and all of the members of the committee who have brought this to the floor, and I want to add my unqualified support for it.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. COX].

Mr. COX of California. Mr. Speaker, House Joint Resolution 346 resolves that the Congress approve the extension of most-favored-nation status to, "the products of the Union of Soviet Socialist Republics." The problem is there is no more Soviet Union. The former Soviet Union is and should be history.

The former Soviet Union at this moment in the Kremlin seeks to sustain its life. The former Soviet Union continues to provide military assistance, $15 billion annually, to places like Cuba, Afghanistan, Angola; military sales to Libya, Syria, Iran, and Iraq. Sales of missile technology is enormously threatening to the national security of the United States.

Mr. Speaker, 2 weeks ago the FBI reported that the former Soviet Union is engaged in acquisition of Western technology through theft, through front companies and through espionage at an increasing rate. Mr. Speaker, this is not the time to prop up the former Soviet Union and to give it another lease on life. This is the time to help free enterprise democracy in the Republics, the new nations that are being born from that empire.

The United States Ambassador to the Soviet Union in my view has policy all wrong. Very recently, in the last 48 hours, he said that this Congress' failure to provide over a billion dollars from our defense budget to the Kremlin was a "god-damned outrage". It seems to me he has got it exactly backwards, and that kind of policy thinking is out of step with the American people.

Let us defeat House Joint Resolution 346. Let us not subsidize communism. Let us end it.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY. Mr. Speaker, I rise in support of the motion, and I want to say that there was a former member of the Committee on Ways and Means who summed up my view of trade. He would say—and it was Charlie Vanik, a Member from Ohio—he said, "Trade is the currency of peace. You're just much less likely to blow somebody up who owes you a lot of money and with whom you're doing a lot of business," and most-favored-nation trading status puts us in a position of doing more business with the Soviet Union. and that is good for them, and it is good for us.

Now I have heard a number of my colleagues come up and explain how the Soviet Union has not changed. For goodness sake. What would they have to do? Invite the Czar back for those people to recognize that the Soviet Union is a much different place today than it has ever been? When is the cold war going to be over for the inveterate cold warriors?

Mr. Speaker, it is done, it is over. The time has come for us to move on with our relationship with this country, to recognize there is money to be made, friends to be had, and a bright future for their children and ours.

Please support this resolution. It richly deserves to be approved.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Speaker, I thank the gentleman from Texas [Mr. ARCHER], my colleague, for yielding this time to me.

For over 17 years MFN for the Soviet Union has been conditioned under the Jackson-Vanik amendment, and while immigration is now open there, it is under different conditions in some cases, and there are real problems with anti-Semitism in the Soviet Union today.

There is no question that the cold war is over, but the Soviet Union still has much to do to change, and the primary issue, as my colleague from California pointed out, is who is the Soviet Union today? With whom should there be MFN?

Our trade relations should be with the Republics. We know that the three Baltic countries are committed to the kind of economic and political reforms that justify MFN. But we do not know that same commitment exists with respect to Georgia, Kazakhstan, or Azerbaijan, and we certainly do not know that the Central Government is committed to those same kind of reforms. Are they going to to cut their defense budgets to the same extent the United States is doing, for example?

Mr. Speaker, MFN requires a comfort factor that simply does not exist today for the Central Government of the Soviet Union.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman from Texas [Mr. ARCHER] for yielding this time to me.

Mr. Speaker, over the last several weeks we have had the well poisoned day after day on things relating to foreign policy as Members of the Democratic Party have come to the floor suggesting that the President of the United States travels too much and this Nation ought not be involved in foreign affairs, and one of the things we have heard over and over again is that workers' money, American workers' money, ought not to be sent overseas in any way or ought not be supporting any other countries. Here is a case where doing what we are doing today is where millions of dollars of taxpayer money will be lost as we do this. I do not know exactly what the figure is. I am told that Mr. Darman in doing the calculating here said that both the Soviet Union and the Baltics would cost $19 million in fiscal year 1992. I do not know what part of that is Soviet Union and what part of that is the Baltics, but obviously there are millions of dollars involved in MFN status for the Soviet Union.

So, what we are doing here is we are committing American taxpayer dollars to a relationship with the Soviet Union, and we are, in fact, starting a process which will result also in American workers having unfair competition with a command economy. We now have evidence that the Ukrainian industry, among others, is going to be hurt by this command economy. That is unfair.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the gentleman from Illinois [Mr. ROSTENKOWSKI] for yielding this time to me.

Mr. Speaker, I rise to support the granting of most-favored-nation status [MFN] to the Soviet Union. The Jackson-Vanik provision of the 1974 Trade Act forbade the granting of such status to a Communist country unless it permitted free emigration. Throughout the 1970's and into the mid-1980's, the Soviet leadership ignored or violated the Helsinki commitments it had pledged to accept. Thousands of people were refused permission to leave the U.S.S.R., as the word "refusenik" entered the lexicon of human rights and international relations. Many people in this Chamber can recount trips to Moscow, Leningrad, Kiev, and other cities, where they heard directly from the victims of official Soviet prejudice and bureaucratic arbitrariness who were denied the basic human right of freedom of movement.

But the situation in the U.S.S.R. has changed radically: Almost all of the barriers to emigration have been lifted. Since 1985, nearly 1 million people have left the Soviet Union. This figure includes over 400,000 Jews, and the rate of Jewish emigration continues at record levels. In May 1991, the U.S.S.R. Supreme Soviet, in milestone legislation, passed a law on exit and entry that secured the right of Soviet citizens to leave the country.

Granted, problems persist, despite these changes in law and practice. The May 1991 law has serious weaknesses, and hundreds of individuals are still denied the right to leave, many for reasons of alleged state secrecy and poor relatives provisions of Soviet regulations—even 2½ years after the close of the Vienna CSCE followup meeting, which mandated the resolution of all outstanding cases within 6 months. And even after the fall of communism in most of what used to be called the Soviet Union, unresolved human contacts cases continue to mar the greatly improved Soviet record and to cloud the agenda of United States-Soviet relations.

We remain deeply concerned about these shortcomings. The Helsinki Commission, in its frequent contact with Soviet officials, has presented lists of refuseniks and urged in the strongest terms the resolution of their cases. But despite these reservations, the fundamental shifts in emigration policy dictate at this time our extension of MFN to the Soviet Union.

We must give reality its due: Things have changed in the U.S.S.R., and so

must our attitudes and policies. And even if MFN does not offer much help to a decaying Soviet economy, we can hardly, as winter approaches, fail to take this elementary step. We may bitterly reproach ourselves if we do.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Speaker, I very much appreciate the gentleman from Texas [Mr. ARCHER] yielding this time to me.

Let me say that there is a giant issue involved here, and that is that the Soviet Union at the present time has thousands of nuclear warheads that are all over the Soviet Union, some in the hands of the Ukrainians, some in the hands of the Russians, some in the Byelorussians'. It is all over, and for us to think that we can just simply ignore the economic plight of the Soviet Union is to bury our head in the sand and to think that these problems they have, particularly with the idea of disarming warheads, that that is something that is just going to go away, is a big mistake.

□ 1410

Let me say that in one way or another the world with the Soviet Union is going to have to come to grips with the real proliferation of nuclear warheads, and these warheads are going to find their way into the hands of people who not only can threaten the United States but threaten the rest of the world. Some people are talking now about individuals in the Soviet Union who are going to get into the black market trade, individuals who are going to be able to get their hands on warheads and start giving them to people like the Iranians and giving them to who knows in the world. I think this is a terrible problem.

The gentleman from Wisconsin [Mr. ASPIN] had his billion-dollar aid programs, but I did not think that made sense. I think there are other ways to help them in a humanitarian way.

The MFN is something I support for the Soviet Union, for the simple reason that it allows the market to work. It says we want to let the free enterprise system work by giving the incentives to help pull these people along. I tend to think it is the way to go.

The gentleman from New York [Mr. SOLOMON] raised a good issue, because I am against MFN for China. Why for the Soviets and not for China? Because the Soviets were with us at Madrid. What are the Chinese doing? They are arming people all over the world. The trend patterns are the right way.

We are not talking about a big bailout here. We are talking about using the economic system that has made us successful to help save the Soviet Union so that their nuclear warheads can be taken down in an orderly way, not to threaten the very existence of the world.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, I understand what is going on here. I understand the reluctance and difficulty for some of us to admit that changes are going on in the world. However, when we are talking about MFN, we are talking about a nation being able to help itself.

We have some incredible things going on. We were all looking at the possibility of nuclear deterrence, and we were talking about nuclear weapons. We look now at Yugoslavia and we see what real conventional war can bring about and how difficult and terrible it can be. We look at the Soviet Union and we look at the republics, and we see the possibility of trouble there. We see the possibility that they could have food riots there this coming year. We see the possibility that they have huge armies of people who cannot be supported, and we see the need there.

I think this is the least we can do. Many of us have reservations about hard, cold cash that goes down a rathole. But the fact is that the President wants MFN, the fact is that he has insisted that our committee take it up, the fact is that this is brought up under suspension, and the fact is that we should give MFN treatment to any nation, whoever it be in this global world, to increase trade so they can try to get themselves back on their feet.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. RITTER].

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

As the ranking Republican, serving for 11 years on the Helsinki Commission, the counterpart to the gentleman from Maryland [Mr. HOYER], I just have to say that he is correct when he talks about "178 degrees change in the Soviet Union," or maybe it is 175. The fact is that when we trade with those folks over there, we are going to be trading with Russians, we are going to be trading with Ukranians, and we are going to be trading with the people in the Republics who need our trade if they are not gong to be forced into needing a lot of aid.

If we want to keep these democratic movements alive, if we want to see them flourish, if we want to see them prosper, and if we do not want to be strapped with the alternative of bailing them out to help the democratic movements survive, then we should be trading with them and making sure that they will at least get the trade treatment that China gets. These are Democrats at the forefront of democratic change that we are trading with, and they need our help via trade, not aid.

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. MCGRATH].

Mr. MCGRATH. Mr. Speaker, I thank the gentleman for yielding time to me, and I rise in support of extending most-favored-nation status to the Soviet Union.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there is much to be said about the caution with which we move here in the House of Representatives, but I would like to point out that it is this administration that has made this request for most-favored-nation status for the Soviet Union.

I would like to close this debate by quoting the President of the United States:

> I urge that the Congress act as soon as possible to approve the agreement on trade relations between the United States of America and the Union of Soviet Socialist Republics and the proclamation extending nondiscriminatory treatment to the products of the Union of Soviet Socialist Republics * * * by the enactment of a joint resolution referred to in section 151 of the Trade Act.

I believe that says it all. The President has been very active in addressing our international problems and I think it is time that we started the ships of commerce moving between our nations.

So, Mr. Speaker, I urge my colleagues to support this joint resolution. I think its time has come, and I think it is time for us to see to it that our marketplace is open to the Soviet Union and that their marketplaces are open to us.

Mr. MCGRATH. Mr. Speaker, I rise in support of House Resolution 346 granting nondiscriminatory, most-favored-nation status to the Soviet Union. After decades of repression, the Soviet people are assuming the difficult task of economic and political transformation toward market-based business structures.

This structure is as overwhelming as it is admirable. The legal and physical infrastructure needed for private ownership of property that evolved in this country over more than two centuries was never allowed to develop in a centrally planned economy. Soviet entrepreneurs and industrialists need technical knowledge, as well as funds, to create an environment that will encourage market principles. The benefits we offer to our trading partners through MFN designation certainly would be an important compliment to their own efforts.

As my colleagues are aware, the Trade Act of 1974 authorizes the President to extend MFN status to a nonmarket economy if that country meets specific emigration requirements. For over 5 years, we have witnessed tremendous increases in the number of Soviet emigres. This is certainly in line with the underlying intentions of the Jackson-Vanik emigration amendment and is truly indicative of the pervasiveness of the reform movement.

To show this country's support for such action, the administration negotiated a bilateral trade agreement which was signed by Presidents Bush and Gorbachev in June of last year. This document contained side letters which defined intellectual property rights, currency convertibility, and other items to facilitate business relationships.

During September of this year, my colleagues and I heard testimony by private sector representatives, administration officials, and Members of Congress regarding United States-Soviet trade matters. Included in these discussions was the question of granting MFN status to the Soviet Union. A significant majority supported the very same prospect we are asked to consider today.

This resolution is a means by which the United States can extend an opportunity that would help the Soviets to stabilize their economy, and thus begin to provide for the needs of their people. Most-favored-nation status is not a handout, but is a policy that creates the most favorable situation for a government to begin to help themselves.

Mr. Speaker, I urge my colleagues to approve House Joint Resolution 346.

Mr. DREIER of California. Mr. Speaker, this resolution is both a surprise and a mistake. It was not on the schedule for today, and I am disappointed that legislation of this magnitude was not given enough time for a thorough and reasoned debate on the House floor.

In my opinion, we should not move forward with trade privileges for a nation which doesn't exist. Gorbachev's power erodes further as each day passes. The Russian Republic has essentially taken over all economic policy, and is nearing a similar stage in the defense and foreign policy areas. Clearly, Gorbachev and the Central Government are rapidly becoming irrelevant, and this resolution fails to take this critical development into consideration.

This resolution makes no distinction between the U.S.S.R. and individual Republics. It ignores the changes that have taken place since the coup. MFN should not be extended until we ensure that there are changes in the economic structure which make a free market economy a reality, and until the individual Republics have taken steps to protect U.S. private investment, much of which will be guaranteed by U.S. taxpayers dollars through the Overseas Private Investment Corp. Also, this legislation will cost up to $19 million to implement, according to the Office of Management and Budget, a drop in the bucket in the minds of most Members of this House, but a significant amount in the eyes of the American people.

Furthermore, I believe that granting MFN for the U.S.S.R. rewards those officials who have resisted radical change in the Soviet Union. It lends international credibility to Mikhail Gorbachev and his colleagues who oppose the reforms initiated by Boris Yeltsin and other reformers such as Moscow Mayor Gavril Popov and St. Petersburg Mayor Anatoly Sobchok.

What would the Soviet people think of this endorsement of Gorbachev? What would they think of the United States endorsing the continued rule by an unelected central government? I believe that they would oppose this action, and I urge my colleagues to do the same.

Don't get me wrong. If this legislation specified what steps would have to be taken by individual Republics before MFN were granted, I would support it. But I cannot support blanket MFN for a nation which we have spent billions opposing, which continues to aid our enemies in Cuba, North Vietnam, and elsewhere, and which simply does not have the support of the people of the former Soviet Union. This legislation is misguided and should be rejected.

Mr. SCHUMER. Mr. Speaker, this is a difficult vote to cast. I admire the aspirations of the Soviet people who struggle to reform their government and provide for their country in a time of great need. I know that most-favored-nation status and the U.S.–U.S.S.R. trade agreement would better enable the U.S.S.R. to get through the hard times that lie ahead for that country.

Yet I cannot support the President's request to approve this trade status at this time. The President made a personal commitment to not seek approval of this trade agreement until the Soviet Union had implemented a free emigration law. Last spring, the Soviet Union passed an emigration law, but it was not satisfactory. It left open the door for too many of the practices used by the old regime to deny emigration to Soviet Jews: the poor relatives exception, the claim of property obligations, the state secrets exception, and the exclusion of draft-age emigrants.

I issued a report analyzing this law, and wrote to the State Department urging our Government to continue to press the Soviet Union on this matter. Although I received assurances that it would, little progress has been made, and emigrants have experienced many difficulties in seeking to leave under the new law. This occurs in an increasingly hostile atmosphere for Soviet Jews. Anti-Semitic incidents are again on the upswing, particularly in the southern regions of the U.S.S.R.

I therefore cannot in good conscience cast a vote for this trade agreement. I hope that the White House will hearing my voice and those of others joining me in this vote that more must be done on behalf of Soviet Jews. Their struggle is still very much alive in our minds here in Congress.

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

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

The SPEAKER pro tempore (Mr. OBEY). The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and pass the joint resolution, House Joint Resolution 346.

The question was taken.

Mr. SOLOMON. 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. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of order of no quorum is considered withdrawn.

TERMINATION OF JACKSON-VANIK PROVISIONS OF TRADE ACT OF 1974 AND PERMANENT EXTENSION OF MOST-FAVORED-NATION TREATMENT TO HUNGARY AND CZECHOSLOVAKIA

Mr. ROSTENKOWSKI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 287) relating to the consideration of the Senate amendment to H.R. 1724.

The Clerk read as follows:

H. RES. 287

Resolved, That upon the adoption of this resolution the bill (H.R. 1724) to provide for the termination of the application of title IV of the Trade Act of 1974 to Czechoslovakia and Hungary, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with an amendment as follows: After the matter proposed to be inserted by the Senate amendment, insert the combined texts of H.R. 3347, H.R. 3313, H.R. 661, and H.R. 3409 as reported to the House, as follows:

SEC. 4. REPEAL OF THE PROHIBITION ON THE IMPORTATION OF SOVIET GOLD COINS.

Section 510 of the Comprehensive Anti-Apartheid Act of 1986 (22 U.S.C. 5100) is repealed.

TITLE I—EXTENSION OF NONDISCRIMINATORY TREATMENT TO ESTONIA, LATVIA, AND LITHUANIA

SEC. 101. CONGRESSIONAL FINDINGS.

The Congress finds the following:

(1) The Government of the United States extended full diplomatic recognition to Estonia, Latvia, and Lithuania in 1922.

(2) The Government of the United States entered into agreements extending most-favored-nation treatment with the Government of Estonia on August 1, 1925, the Government of Latvia on April 30, 1926, and the Government of Lithuania on July 10, 1926.

(3) The Union of Soviet Socialist Republics incorporated Estonia, Latvia, and Lithuania involuntarily into the Union as a result of a secret protocol to a German-Soviet agreement in 1939 which assigned those three states to the Soviet sphere of influence; and the Government of the United States has at no time recognized the forcible incorporation of those states into the Union of Soviet Socialist Republics.

(4) The Trade Agreements Extension Act of 1951 required the President to suspend, withdraw, or prevent the application of trade benefits, including most-favored-nation treatment, to countries under the domination or control of the world Communist movement.

(5) In 1951, responsible representatives of Estonia, Latvia, and Lithuania stated that they did not object to the imposition of "such controls as the Government of the United States may consider to be appropriate" to the products of those countries, for such time as those countries remained under Soviet domination or control.

(6) In 1990, the democratically elected governments of Estonia, Latvia, and Lithuania declared the restoration of their independence from the Union of Soviet Socialist Republics.

(7) The Government of the United States established diplomatic relations with Estonia, Latvia, and Lithuania on September 2, 1991, and on September 6, 1991, the State Council of the transitional government of the Union of Soviet Socialist Republics recognized the independence of Estonia, Latvia, and Lithuania, thereby ending the involuntary incorporation of those countries into, and the domination of those countries by, the Soviet Union.

(8) Immediate action should be taken to remove the impediments, imposed in response to the circumstances referred to in paragraph (5), in United States trade laws to the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of those countries.

(9) As a consequence of establishment of United States diplomatic relations with Estonia, Latvia, and Lithuania, these independent countries are eligible to receive the benefits of the Generalized System of Preferences provided for in title V of the Trade Act of 1974.

SEC. 102. EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PRODUCTS OF ESTONIA, LATVIA, AND LITHUANIA.

(a) IN GENERAL.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) or any other provision of law, nondiscriminatory treatment (most-favored-nation treatment) applies to the products of Estonia, Latvia, and Lithuania.

(b) CONFORMING TARIFF SCHEDULE AMENDMENTS.—General Note 3(b) of the Harmonized Tariff Schedule of the United States is amended by striking out "Estonia", "Latvia", and "Lithuania".

(c) EFFECTIVE DATE.—Subsection (a) and the amendments made by subsection (b) apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 103. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO THE BALTICS.

Title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) shall cease to apply to Estonia, Latvia, and Lithuania effective as of the 15th day after the date of the enactment of this Act.

SEC. 104. SENSE OF THE CONGRESS REGARDING PROMPT PROVISION OF GSP TREATMENT TO THE PRODUCTS OF ESTONIA, LATVIA, AND LITHUANIA.

It is the sense of the Congress that the President should take prompt action under title V of the Trade Act of 1974 to provide preferential tariff treatment to the products of Estonia, Latvia, and Lithuania pursuant to the Generalized System of Preferences.

TITLE II—TRADE PREFERENCE FOR THE ANDEAN REGION

SEC. 201. SHORT TITLE.

This title may be cited as the "Andean Trade Preference Act".

SEC. 202. AUTHORITY TO GRANT DUTY-FREE TREATMENT.

The President may proclaim duty-free treatment for all eligible articles from any beneficiary country in accordance with the provisions of this title.

SEC. 203. BENEFICIARY COUNTRY.

(a) DEFINITIONS.—For purposes of this title—

(1) The term "beneficiary country" means any country listed in subsection (b)(1) with respect to which there is in effect a proclamation by the President designating such country as a beneficiary country for purposes of this title.

(2) The term "entered" means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(3) The term "HTS" means Harmonized Tariff Schedule of the United States.

(b) COUNTRIES ELIGIBLE FOR DESIGNATION; CONGRESSIONAL NOTIFICATION.—(1) In designating countries as beneficiary countries under this title, the President shall consider only the following countries or successor political entities: Bolivia, Ecuador, Colombia, and Peru.

(2) Before the President designates any country as a beneficiary country for purposes of this title, he shall notify the House of Representatives and the Senate of his intention to make such designation, together with the considerations entering into such decision.

(c) LIMITATIONS ON DESIGNATION.—The President shall not designate any country a beneficiary country under this title—

(1) if such country is a Communist country;

(2) if such country—

(A) has nationalized, expropriated or otherwise seized ownership or control of property owned by a United States citizen or by a corporation, partnership, or association which is 50 percent or more beneficiary owned by United States citizens,

(B) has taken steps to repudiate or nullify—

(i) any existing contract or agreement with, or

(ii) any patent, trademark, or other intellectual property of,

a United States citizen or a corporation, partnership, or association, which is 50 percent or more beneficiary owned by United States citizens, the effect of which is to nationalize, expropriate, or otherwise seize ownership or control of property so owned, or

(C) has imposed or enforced taxes or other exactions, restrictive maintenance or operational conditions, or other measures with respect to property so owned, the effect of which is to nationalize, expropriate, or otherwise seize ownership or control of such property, unless the President determines that—

(i) prompt, adequate, and effective compensation has been or is being made to such citizen, corporation, partnership, or association,

(ii) good-faith negotiations to provide prompt, adequate, and effective compensation under the applicable provisions of international law are in progress, or such country is otherwise taking steps to discharge its obligations under international law with respect to such citizen, corporation, partnership, or association, or

(iii) a dispute involving such citizen, corporation, partnership, or association, over compensation for such a seizure has been submitted to arbitration under the provisions of the Convention for the Settlement of Investment Disputes, or in another mutually agreed upon forum, and promptly furnishes a copy of such determination to the Senate and House of Representatives;

(3) if such country fails to act in good faith in recognizing as binding or in enforcing arbitral awards in favor of United States citizens or a corporation, partnership, or association which is 50 percent or more beneficially owned by United States citizens, which have been made by arbitrators appointed for each case or by permanent arbitral bodies to which the parties involved have submitted their dispute;

(4) if such country affords preferential treatment to the products of a developed country, other than the United States, and if such preferential treatment has, or is likely to have, a significant adverse effect on United States commerce, unless the President—

(A) has received assurances satisfactory to him that such preferential treatment will be eliminated or that action will be taken to assure that there will be no such significant adverse effect, and

(B) reports those assurances to the Congress;

(5) if a government-owned entity in such country engages in the broadcast of copyrighted material, including films or television material, belonging to United States copyright owners without their express consent or such country fails to work towards the provision of adequate and effective protection of intellectual property rights;

(6) unless such country is a signatory to a treaty, convention, protocol, or other agreement regarding the extradition of United States citizens; and

(7) if such country has not or is not taking steps to afford internationally recognized worker rights (as defined in section 502(a)(4) of the Trade Act of 1974) to workers in the country (including any designated zone in that country).

Paragraphs (1), (2), (3), (5), and (7) shall not prevent the designation of any country as a beneficiary country under this title if the President determines that such designation will be in the national economic or security interest of the United States and reports such determination to the Congress with his reasons therefor.

(d) FACTORS AFFECTING DESIGNATION.—In determining whether to designate any country a beneficiary country under this title, the President shall take into account—

(1) an expression by such country of its desire to be so designated;

(2) the economic conditions in such country, the living standards of its inhabitants, and any other economic factors which he deems appropriate;

(3) the extent to which such country has assured the United States it will provide equitable and reasonable access to the markets and basic commodity resources of such country;

(4) the degree to which such country follows the accepted rules of international trade provided for under the General Agreement on Tariffs and Trade, as well as applicable trade agreements approved under section 2(a) of the Trade Agreements Act of 1979;

(5) the degree to which such country uses export subsidies or imposes export performance requirements or local content requirements which distort international trade;

(6) the degree to which the trade policies of such country as they relate to other beneficiary countries are contributing to the revitalization of the region;

(7) the degree to which such country is undertaking self-help measures to protect its own economic development;

(8) Whether or not such country has taken or is taking steps to afford to workers in that country (including any designated zone in that country) internationally recognized worker rights;

(9) the extent to which such country provides under its law adequate and effective means for foreign nationals to secure, exercise, and enforce exclusive rights in intellectual property, including patent, trademark, and copyright rights;

(10) the extent to which such country prohibits its nationals from engaging in the broadcast of copyrighted material, including films or television material, belonging to United States copyright owners without their express consent;

(11) whether such country has met the narcotics cooperation certification criteria set forth in section 481(h)(2)(A) of the Foreign Assistance Act of 1961 for eligibility for United States assistance; and

(12) the extent to which such country is prepared to cooperate with the United States in the administration of the provisions of this Act.

(e) WITHDRAWAL OR SUSPENSION OF DESIGNATION.—(1) The President may—

(A) withdraw or suspend the designation of any country as a beneficiary country, or

(B) withdraw, suspend, or limit the application of duty-free treatment under this title to any article of any country,

if, after such designation, the President determines that as a result of changed circumstances such a country should be barred from designation as a beneficiary country.

(2)(A) The President shall publish in the Federal Register notice of the action the President proposes to take under paragraph (1) at least 30 days before taking such action.

(B) The United States Trade Representative shall, within the 30-day period beginning on the date on which the President publishes under subparagraph (A) notice of proposed action—

(i) accept written comments from the public regarding such proposed action,

(ii) hold a public hearing on such proposed action, and

(iii) publish in the Federal Register—

(I) notice of the time and place of such hearing prior to the hearing, and

(II) the time and place at which such written comments will be accepted.

(f) TRIENNIAL REPORT.—On or before the 3rd, 6th, and 9th anniversaries of the date of the enactment of this title, the President shall submit to the Congress a complete report regarding the operation of this title, including the results of a general review of beneficiary countries based on the considerations described in subsections (c) and (d). In reporting on the considerations described in subsection (d)(11), the President shall report any evidence that the crop eradication and crop substitution efforts of the beneficiary are directly related to the effects of this title.

SEC. 204. ELIGIBLE ARTICLES.

(a) IN GENERAL.—(1) Unless otherwise excluded from eligibility by this title, the duty-free treatment provided under this title shall apply to any article which is the growth, product, or manufacture of a beneficiary country if—

(A) that article is imported directly from a beneficiary country into the customs territory of the United States; and

(B) the sum of—

(i) the cost or value of the materials produced in a beneficiary country or 2 or more beneficiary countries under this Act, or a beneficiary country under the Caribbean Basin Economic Recovery Act or 2 or more such countries, plus

(ii) the direct costs of processing operations performed in a beneficiary country or countries (under this Act or the Caribbean Basin Economic Recovery Act),

is not less than 35 percent of the appraised value of such article at the time it is entered.

For purposes of determining the percentage referred to in subparagraph (B), the term "beneficiary country" includes the Commonwealth or Puerto Rico and the United States Virgin Islands. If the cost or value of materials produced in the customs territory of the United States (other than the Commonwealth of Puerto Rico) is included with respect to an article to which this paragraph applies, an amount not to exceed 15 percent of the appraised value of the article at the time it is entered that is attributed to such United States cost or value may be applied toward determining the percentage referred to in subparagraph (B).

(2) The Secretary of the Treasury shall prescribe such regulations as may be necessary to carry out subsection (a) including, but not limited to, regulations providing that, in order to be eligible for duty-free treatment under this title, an article must be wholly the growth, product, or manufacture of a beneficiary country, or must be a new or different article of commerce which has been grown, produced, or manufactured in the beneficiary country; but no article or material of a beneficiary country shall be eligible for such treatment by virtue of having merely undergone—

(A) simple combining or packaging operations, or

(B) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.

(3) As used in this subsection, the phrase "direct costs of processing operations" includes, but is not limited to—

(A) all actual labor costs involved in the growth, production, manufacture, or assembly of the specific merchandise, including fringe benefits, on-the-job training and the cost of engineering, supervisory, quality control, and similar personnel; and

(B) dies, molds, tooling, and depreciation on machinery and equipment which are allocable to the specific merchandise.

Such phrase does not include costs which are not directly attributable to the merchandise concerned or are not costs of manufacturing the product, such as (i) profit, and (ii) general expense of doing business which are either not allocable to the specific merchandise or are not related to the growth, production, manufacture, or assembly of the merchandise, such as administrative salaries, casualty and liability insurance, advertising, interest, and salesmen's salaries, commissions or expenses.

(4) If the President, pursuant to section 223 of the Caribbean Basin Economic Recovery Expansion Act of 1990, considers that the implementation of revised rules of origin for products of beneficiary countries designated under the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.) would be appropriate, the President may include similarly revised rules of origin for products of beneficiary countries designated under this title in any suggested legislation transmitted to the Congress that contains such rules of origin for products of beneficiary countries under the Caribbean Basin Economic Recovery Act.

(b) EXCEPTIONS TO DUTY-FREE TREATMENT.—The duty-free treatment provided under this title shall not apply to—

(1) textile and apparel articles which are subject to textile agreements;

(2) footware not designated at the time of the effective date of this Act as eligible for the purpose of the generalized system of preferences under title V of the Trade Act of 1974;

(3) tuna, prepared or preserved in any manner, in airtight containers;

(4) petroleum, or any product derived from petroleum, provided for in headings 2709 and 2710 of the HTS;

(5) watches and watch parts (including cases, bracelets and straps), of whatever type including, but not limited to, mechanical, quartz digital or quartz analog, if such watches or watch parts contain any material which is the product of any country with respect to which HTS column 2 rates of duty apply;

(6) articles to which reduced rates of duty apply under subsection (c);

(7) sugar, syrups, and molasses classified in subheadings 1701.11.03, 1701.12.02, 1701.99.02, 1702.90.32, 1806.10.42, and 2106.90.12 of the HTS; or

(8) rum and tafia classified in subheading 2208.40.00 of the HTS.

(c) DUTY REDUCTIONS FOR CERTAIN GOODS.—(1) Subject to paragraph (2), the President shall proclaim reductions in the rates of duty on handbags, luggage, flat goods, work gloves, and leather wearing apparel that—

(A) are the product of any beneficiary country; and

(B) were not designated on August 5, 1983, as eligible articles for purposes of the generalized system of preferences under title V of the Trade Act of 1974.

(2) The reduction required under paragraph (1) in the rate of duty on any article shall—

(A) result in a rate that is equal to 80 percent of the rate of duty that applies to the article on December 31, 1991, except that, subject to the limitations in paragraph (3), the reduction may not exceed 2.5 percent ad valorem; and

(B) be implemented in 5 equal annual stages with the first ⅛ of the aggregate reduction in the rate of duty being applied to entries, or withdrawals from warehouse for consumption, of the article on or after January 1, 1992.

(3) The reduction required under this subsection with respect to the rate of duty on any article is in addition to any reduction in the rate of duty on that article that may be proclaimed by the President as being required or appropriate to carry out any trade agreement entered into under the Uruguay Round of trade negotiations; except that if the reduction so proclaimed—

(A) is less than 1.5 percent ad valorem, the aggregate of such proclaimed reduction and the reduction under this subsection may not exceed 3.5 percent ad valorem, or

(B) is 1.5 percent ad valorem or greater, the aggregate of such proclaimed reduction and the reduction under this subsection may not exceed the proclaimed reduction plus 1 percent ad valorem.

(d) SUSPENSION OF DUTY-FREE TREATMENT.—(1) The President may by proclamation suspend the duty-free treatment provided by this title with respect to any eligible article and may proclaim a duty rate for such article if such action is proclaimed under chapter 1 of title II of the Trade Act of 1974 or section 232 of the Trade Expansion Act of 1962.

(2) In any report by the United States International Trade Commission to the President under section 202(f) of the Trade Act of 1974 regarding any article for which duty-free treatment has been proclaimed by the President pursuant to this title, the Commission shall state whether and to what extent its findings and recommendations apply to such article when imported from beneficiary countries.

(3) For purposes of section 203 of the Trade Act of 1974, the suspension of the duty-free treatment provided by this title shall be treated as an increase in duty.

(4) No proclamation providing solely for a suspension referred to in paragraph (3) of this subsection with respect to any article shall be taken under section 203 of the Trade Act of 1974 unless the United States International Trade Commission, in addition to making an affirmative determination with respect to such article under section 202(b) of the Trade Act of 1974, determines in the course of its investigation under such section that the serious injury (or threat thereof) substantially caused by imports to the domestic industry producing a like or directly competitive article results from the duty-free treatment provided by this title.

(5)(A) Any action taken under section 203 of the Trade Act of 1974 that is in effect when duty-free treatment is proclaimed under section 202 of this title shall remain in effect until modified or terminated.

(B) If any article is subject to any such action at the time duty-free treatment is pro-

claimed under section 202 of this title, the President may reduce or terminate the application of such action to the importation of such article from beneficiary countries prior to the otherwise scheduled date on which such reduction or termination would occur pursuant to the criteria and procedures of section 204 of the Trade Act of 1974.

(e) EMERGENCY RELIEF WITH RESPECT TO PERISHABLE PRODUCTS.—(1) If a petition is filed with the United States International Trade Commission pursuant to the provisions of section 201 of the Trade Act of 1974 regarding a perishable product and alleging injury from imports from beneficiary countries, then the petition may also be filed with the Secretary of Agriculture with a request that emergency relief be granted pursuant to paragraph (3) of this subsection with respect to such article.

(2) Within 14 days after the filing of a petition under paragraph (1) of this subsection—

(A) if the Secretary of Agriculture has reason to believe that a perishable product from a beneficiary country is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing a perishable product like or directly competitive with the imported product and that emergency action is warranted, he shall advise the President and recommend that the President take emergency action; or

(B) the Secretary of Agriculture shall publish a notice of his determination not to recommend the imposition of emergency action and so advise the petitioner.

(3) Within 7 days after the President receives a recommendation from the Secretary of Agriculture to take emergency action pursuant to paragraph (2) of this subsection, he shall issue a proclamation withdrawing the duty-free treatment provided by this title or publish a notice of his determination not to take emergency action.

(4) The emergency action provided by paragraph (3) of this subsection shall cease to apply—

(A) upon the taking of action under section 203 of the Trade Act of 1974,

(B) on the day a determination by the President not to take action under section 203(b)(2) of such Act becomes final.

(C) in the event of a report of the United States International Trade Commission containing a negative finding, on the day of the Commission's report is submitted to the President, or

(D) whenever the President determines that because of changed circumstances such relief is no longer warranted.

(5) For purposes of this subsection, the term "perishable product" means—

(A) live plants and fresh cut flowers provided for in chapter 6 of the HTS;

(B) fresh or chilled vegetables provided for in headings 0701 through 0709 (except subheading 0709.52.00) and heading 0714 of the HTS;

(C) fresh fruit provided for in subheadings 0804.20 through 0810.90 (except citrons of subheadings 0805.90.00, tamarinds and kiwi fruit of subheading 0810.90.20, and cashew apples, mameyes colorados, sapodillas, soursops and sweetsops of subheading 0810.90.40) of the HTS; or

(D) concentrated citrus fruit juice provided for in subheadings 2009.11.00, 2009.19.40, 2009.20.40, 2009.30.20, and 2009.30.60 of the HTS.

(f) SECTION 22 FEES.—No proclamation issued pursuant to this title shall affect fees imposed pursuant to section 22 of the Agricultural Adjustment Act of 1933 (7 U.S.C. 624).

SEC. 205. RELATED AMENDMENTS.

(a) INCREASE IN DUTY-FREE TOURIST ALLOWANCE.—Note 4 to subchapter IV of chapter 98 of the HTS is amended by inserting before the period the following: "of a country designated as a beneficiary country under the Andean Trade Preference Act".

(b) TREATMENT OF INSULAR POSSESSIONS PRODUCTS.—General Note 3(a)(iv) of the HTS (relating to products of the insular possessions) is amended by adding at the end thereof the following:

"(E) Subject to the provisions in section 204 of the Andean Trade Preference Act, goods which are imported from insular possessions of the United States shall receive duty treatment no less favorable than the treatment afforded such goods when they are imported from a beneficiary country under such Act.".

SEC. 206. INTERNATIONAL TRADE COMMISSION REPORTS ON IMPACT OF THE ANDEAN TRADE PREFERENCE ACT.

(a) IN GENERAL.—The United States International Trade Commission (hereinafter in this section referred to as the "Commission") shall prepare, and submit to the Congress, a report regarding the economic impact of this title on United States industries and consumers, and, in conjunction with other agencies, the effectiveness of this title in promoting drug-related crop eradication and crop substitution efforts of the beneficiary countries, during—

(1) the 24-month period beginning with the date of enactment of this title; and

(2) each calendar year occurring thereafter until duty-free treatment under this title is terminated under section 208(b).

For purposes of this section, industries in the Commonwealth of Puerto Rico and the insular possessions of the United States shall be considered to be United States industries.

(b) REPORT REQUIREMENTS.—(1) Each report required under subsection (a) shall include, but not be limited to, an assessment by the Commission regarding—

(A) the actual effect, during the period covered by the report, of this title on the United States economy generally as well as on those specific domestic industries which produce articles that are like, or directly competitive with, articles being imported into the United States from beneficiary countries;

(B) the probable future effect that this title will have on the United States economy generally, as well as on such domestic industries, before the provisions of this title terminate; and

(C) the estimated effect that this title has had on the drug-related crop eradication and crop substitution efforts of the beneficiary countries.

(2) In preparing the assessments required under paragraph (1), the Commission shall, to the extent practicable—

(A) analyze the production, trade and consumption of United States products affected by this title, taking into consideration employment, profit levels, and use of productive facilities with respect to the domestic industries concerned, and such other economic factors in such industries as it considers relevant, including prices, wages, sales, inventories, patterns of demand, capital investment, obsolescence of equipment, and diversification of production; and

(B) describe the nature and extent of any significant change in employment, profit levels, and use of productive facilities, and such other conditions as it deems relevant in the domestic industries concerned, which it believes are attributable to this title.

(c) SUBMISSION DATES; PUBLIC COMMENT.—(1) Each report required under subsection (a) shall be submitted to the Congress before the close of the 9-month period beginning on the day after the last day of the period covered by the report.

(2) The Commission shall provide an opportunity for the submission by the public, either orally or in writing, or both, of information relating to matters that will be addressed in the reports.

SEC. 207. IMPACT STUDY BY SECRETARY OF LABOR.

The Secretary of Labor, in consultation with other appropriate Federal agencies, shall undertake a continuing review and analysis of the impact that the implementation of the provisions of this title has with respect to United States labor; and shall make an annual written report to Congress on the results of such review and analysis.

SEC. 208. EFFECTIVE DATE AND TERMINATION OF DUTY-FREE TREATMENT.

(a) EFFECTIVE DATE.—This title shall take effect on the date of enactment.

(b) TERMINATION OF DUTY-FREE TREATMENT.—No duty-free treatment extended to beneficiary countries under this title shall remain in effect 10 years after the date of the enactment of this title.

TITLE III—CONTROL AND ELIMINATION OF CHEMICAL AND BIOLOGICAL WEAPONS

SEC. 301. SHORT TITLE.

This title may be cited as the "Chemical and Biological Weapons Control and Warfare Elimination Act of 1991".

SEC. 302. PURPOSES.

The purposes of this title are—

(1) to mandate United States sanctions, and to encourage international sanctions, against countries that use chemical or biological weapons in violation of international law or use lethal chemical or biological weapons against their own nationals, and to impose sanctions against companies that aid in the proliferation of chemical and biological weapons;

(2) to support multilaterally coordinated efforts to control the proliferation of chemical and biological weapons;

(3) to urge continued close cooperation with the Australia Group cooperation with other supplier nations to devise ever more effective controls on the transfer of materials, equipment, and technology applicable to chemical or biological weapons production; and

(4) to require Presidential reports on efforts that threaten United States interests or regional stability by Iran, Iraq, Syria, Libya, and others to acquire the materials and technology to develop, produce, stockpile, deliver, transfer, or use chemical or biological weapons.

SEC. 303. MULTILATERAL EFFORTS.

(a) MULTILATERAL CONTROLS ON PROLIFERATION.—It is the policy of the United States to seek multilaterally coordinated efforts with other countries to control the proliferation of chemical and biological weapons. In furtherance of this policy, the United States shall—

(1) promote agreements banning the transfer of missiles suitable for armament with chemical or biological warheads;

(2) set as a top priority the early conclusion of a comprehensive global agreement banning the use, development, production, and stockpiling of chemical weapons;

(3) seek and support effective international means of monitoring and reporting regularly on commerce in equipment, materials, and technology applicable to the attainment of a chemical or biological weapons capability; and

(4) pursue and give full support to multilateral sanctions pursuant to United Nations Security Council Resolution 620, which declared the intention of the Security Council to give immediate consideration to imposing "appropriate and effective" sanctions against any country which uses chemical weapons in violation of international law.

(b) MULTILATERAL CONTROLS ON CHEMICAL AGENTS, PRECURSORS, AND EQUIPMENT.—It is also the policy of the United States to strengthen efforts to control chemical agents, precursors, and equipment by taking all appropriate multilateral diplomatic measures—

(1) to continue to seek a verifiable global ban on chemical weapons at the 40 nation Conference on Disarmament in Geneva;

(2) to support the Australia Group's objective to support the norms and restraints against the spread and the use of chemical warfare, to advance the negotiation of a comprehensive ban on chemical warfare by taking appropriate measures, and to protect the Australia Group's domestic industries against inadvertent association with supply of feedstock chemical equipment that could be misused to produce chemical weapons;

(3) to implement paragraph (2) by proposing steps complementary to, and not mutually exclusive of, existing multilateral efforts seeking a verifiable ban on chemical weapons, such as the establishment of—

(A) a harmonized list of export control rules and regulations to prevent relative commercial advantage and disadvantages accruing to Australia Group members,

(B) liaison officers to the Australia Group's coordinating entity from within the diplomatic missions,

(C) a close working relationship between the Australia Group and industry,

(D) a public unclassified warning list of controlled chemical agents, precursors, and equipment,

(E) information-exchange channels of suspected proliferants,

(F) a "denial" list of firms and individuals who violate the Australia Group's export control provisions, and

(G) broader cooperation between the Australia Group and other countries whose political commitment to stem the proliferation of chemical weapons is similar to that of the Australia Group; and

(4) to adopt the imposition of stricter controls on the export of chemical agents, precursors, and equipment and to adopt tougher multilateral sanctions against firms and individuals who violate these controls or against countries that use chemical weapons.

SEC. 304. UNITED STATES EXPORT CONTROLS.

(a) IN GENERAL.—The President shall—

(1) use the authorities of the Arms Export Control Act to control the export of those defense articles and defense services, and

(2) use the authorities of the Export Administration Act of 1979 to control the export of those goods and technology,

that the President determines would assist the government of any foreign country in acquiring the capability to develop, produce, stockpile, deliver, or use chemical or biological weapons.

(b) EXPORT ADMINISTRATION ACT.—Section 6 of the Export Administration Act of 1979 (50 U.S.C. App. 2405) is amended—

(1) by redesignating subsections (m) through (r) as subsections (n) through (s), respectively; and

(2) by inserting after subsection (l) the following:

"(m) CHEMICAL AND BIOLOGICAL WEAPONS.—

"(1) ESTABLISHMENT OF LIST.—The Secretary, in consultation with the Secretary of State, the Secretary of Defense, and the heads of other appropriate departments and agencies, shall establish and maintain, as part of the list maintained under this section, a list of goods and technology that would directly and substantially assist a foreign government or group in acquiring the capability to develop, produce, stockpile, or deliver chemical or biological weapons, the licensing of which would be effective in barring acquisition or enhancement of such capability.

"(2) REQUIREMENT FOR VALIDATED LICENSES.—The Secretary shall require a validated license for any export of goods or technology on the list established under paragraph (1) to any country of concern.

"(3) COUNTRIES OF CONCERN.—For purposes of paragraph (2), the term 'country of concern' means any country other than—

"(A) a country with whose government the United States has entered into a bilateral or multilateral arrangement for the control of goods or technology on the list established under paragraph (1); and

"(B) such other countries as the Secretary of State, in consultation with the Secretary and the Secretary of Defense, shall designate consistent with the purposes of the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991.".

SEC. 305. SANCTIONS AGAINST CERTAIN FOREIGN PERSONS.

(a) AMENDMENT TO EXPORT ADMINISTRATION ACT.—The Export Administration Act of 1979 is amended by inserting after section 11B the following:

"CHEMICAL AND BIOLOGICAL WEAPONS PROLIFERATION SANCTIONS

"SEC. 11c. (a) IMPOSITION OF SANCTIONS.—

"(1) DETERMINATION BY THE PRESIDENT.—Except as provided in subsection (b)(2), the President shall impose both of the sanctions described in subsection (c) if the President determines that a foreign person, on or after the date of the enactment of this section, has knowingly and materially contributed—

"(A) through the export from the United States of any goods or technology that are subject to the jurisdiction of the United States under this Act, or

"(B) through the export from any other country of any goods or technology that would be, if they were United States goods or technology, subject to the jurisdiction of the United States under this Act,

to the efforts by any foreign country, project, or entity described in paragraph (2) to use, develop, produce, stockpile, or otherwise acquire chemical or biological weapons.

"(2) COUNTRIES, PROJECTS, OR ENTITIES RECEIVING ASSISTANCE.—Paragraph (1) applies in the case of—

"(A) any foreign country that the President determines has, at any time after January 1, 1980—

"(i) used chemical or biological weapons in violation of international law;

"(ii) used lethal chemical or biological weapons against its own nationals; or

"(iii) made substantial preparations to engage in the activities described in clause (i) or (ii);

"(B) any foreign country whose government is determined for purposes of section 6(j) of this Act to be a government that has repeatedly provided support for acts of international terrorism; or

"(C) any other foreign country, project, or entity designated by the President for purposes of this section.

"(3) PERSONS AGAINST WHICH SANCTIONS ARE TO BE IMPOSED.—Sanctions shall be imposed pursuant to paragraph (1) on—

"(A) the foreign person with respect to which the President makes the determination described in that paragraph;

"(B) any successor entity to that foreign person;

"(C) any foreign person that is a parent or subsidiary of that foreign person if that parent or subsidiary knowingly assisted in the activities which were the basis of that determination; and

"(D) any foreign person that is an affiliate of that foreign person if that affiliate knowingly assisted in the activities which were the basis of that determination and if that affiliate is controlled in fact by that foreign person.

"(b) CONSULTATIONS WITH AND ACTIONS BY FOREIGN GOVERNMENT OF JURISDICTION.—

"(1) CONSULTATIONS.—If the President makes the determinations described in subsection (a)(1) with respect to a foreign person, the Congress urges the President to initiate consultations immediately with the government with primary jurisdiction over that foreign person with respect to the imposition of sanctions pursuant to this section.

"(2) ACTIONS BY GOVERNMENT OF JURISDICTION.—In order to pursue such consultations with that government, the President may delay imposition of sanctions pursuant to this section for a period of up to 90 days. Following these consultations, the President shall impose sanctions unless the President determines and certifies to the Congress that that government has taken specific and effective actions, including appropriate penalties, to terminate the involvement of the foreign person in the activities described in subsection (a)(1). The President may delay imposition of sanctions for an additional period of up to 90 days if the President determines and certifies to the Congress that that government is in the process of taking the actions described in the preceding sentence.

"(3) REPORT TO CONGRESS.—The President shall report to the Congress, not later than 90 days after making a determination under subsection (a)(1), on the status of consultations with the appropriate government under this subsection, and the basis for any determination under paragraph (2) of this subsection that such government has taken specific corrective actions.

"(c) SANCTIONS.—

"(1) DESCRIPTION OF SANCTIONS.—The sanctions to be imposed pursuant to subsection (a)(1) are, except as provided in paragraph (2) of this subsection, the following:

"(A) PROCUREMENT SANCTION.—The United States Government shall not procure, or enter into any contract for the procurement of, any goods or services from any person described in subsection (a)(3).

"(B) IMPORT SANCTIONS.—The importation into the United States of products produced by any person described in subsection (a)(3) shall be prohibited.

"(2) EXCEPTIONS.—The President shall not be required to apply or maintain sanctions under this section—

"(A) in the case of procurement of defense articles or defense services—

"(i) under existing contracts or subcontracts, including the exercise of options for production quantities to satisfy United States operational military requirements;

"(ii) if the President determines that the person or other entity to which the sanctions would otherwise be applied is a sole source supplier of the defense articles or services, that the defense articles or services are essential, and that alternative sources are not readily or reasonably available; or

"(iii) if the President determines that such articles or services are essential to the na-

tional security under defense coproduction agreements;

"(B) to products or services provided under contracts entered into before the date on which the President publishes his intention to impose sanctions;

"(C) to—

"(i) spare parts,

"(ii) component parts, but not finished products, essential to United States products or production, or

"(iii) routine servicing and maintenance of products, to the extent that alternative sources are not readily or reasonably available;

"(D) to information and technology essential to United States products or production; or

"(E) to medical or other humanitarian items.

"(d) TERMINATION OF SANCTIONS.—The sanctions imposed pursuant to this section shall apply for a period of at least 12 months following the imposition of sanctions and shall cease to apply thereafter only if the President determines and certifies to the Congress that reliable information indicates that the foreign person with respect to which the determination was made under subsection (a)(1) has ceased to aid or abet any foreign government, project, or entity in its efforts to acquire chemical or biological weapons capability as described in that subsection.

"(e) WAIVER.—

"(1) CRITERION FOR WAIVER.—The President may waive the application of any sanction imposed on any person pursuant to this section, after the end of the 12-month period beginning on the date on which that sanction was imposed on that person, if the President determines and certifies to the Congress that such waiver is important to the national security interests of the United States.

"(2) NOTIFICATION OF AND REPORT TO CONGRESS.—If the President decides to exercise the waiver authority provided in paragraph (1), the President shall so notify the Congress not less than 20 days before the waiver takes effect. Such notification shall include a report fully articulating the rationale and circumstances which led the President to exercise the waiver authority.

"(f) DEFINITION OF FOREIGN PERSON.—For the purposes of this section, the term 'foreign person' means—

"(1) an individual who is not a citizen of the United States or an alien admitted for permanent residence to the United States; or

"(2) a corporation, partnership, or other entity which is created or organized under the laws of a foreign country or which has its principal place of business outside the United States.".

(b) AMENDMENT TO ARMS EXPORT CONTROL ACT.—The Arms Export Control Act is amended by inserting after chapter 7 the following:

"CHAPTER 8—CHEMICAL OR BIOLOGICAL WEAPONS PROLIFERATION

"SEC. 81. SANCTIONS AGAINST CERTAIN FOREIGN PERSONS.

"(a) IMPOSITION OF SANCTIONS.—

"(1) DETERMINATION BY THE PRESIDENT.—Except as provided in subsection (b)(2), the President shall impose both of the sanctions described in subsection (c) if the President determines that a foreign person, on or after the date of the enactment of this section, has knowingly and materially contributed—

"(A) through the export from the United States of any goods or technology that are subject to the jurisdiction of the United States.

"(B) through the export from any other country of any goods or technology that would be, if they were United States goods or technology, subject to the jurisdiction of the United States, or

"(C) through any other transaction not subject to sanctions pursuant to the Export Administration Act of 1979, to the efforts by any foreign country, project, or entity described in paragraph (2) to use, develop, produce, stockpile, or otherwise acquire chemical or biological weapons.

"(2) COUNTRIES, PROJECTS, OR ENTITIES RECEIVING ASSISTANCE.—Paragraph (1) applies in the case of—

"(A) any foreign country that the President determines has, at any time after January 1, 1980—

"(i) used chemical or biological weapons in violation of international law;

"(ii) used lethal chemical or biological weapons against its own nationals; or

"(iii) made substantial preparations to engage in the activities described in clause (i) or (ii);

"(B) any foreign country whose government is determined for purposes of section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 2405(j)) to be a government that has repeatedly provided support for acts of international terrorism; or

"(C) any other foreign country, project, or entity designated by the President for purposes of this section.

"(3) PERSONS AGAINST WHOM SANCTIONS ARE TO BE IMPOSED.—Sanctions shall be imposed pursuant to paragraph (1) on—

"(A) the foreign person with respect to which the President makes the determination described in that paragraph;

"(B) any successor entity to that foreign person;

"(C) any foreign person that is a parent or subsidiary of that foreign person if that parent or subsidiary knowingly assisted in the activities which were the basis of that determination; and

"(D) any foreign person that is an affiliate of that foreign person if that affiliate knowingly assisted in the activities which were the basis of that determination and if that affiliate is controlled in fact by that foreign person.

"(b) CONSULTATIONS WITH AND ACTIONS BY FOREIGN GOVERNMENT OF JURISDICTION.—

"(1) CONSULTATIONS.—If the President makes the determinations described in subsection (a)(1) with respect to a foreign person, the Congress urges the President to initiate consultations immediately with the government with primary jurisdiction over that foreign person with respect to the imposition of sanctions pursuant to this section.

"(2) ACTIONS BY GOVERNMENT OF JURISDICTION.—In order to pursue such consultations with that government, the President may delay imposition of sanctions pursuant to this section for a period of up to 90 days. Following these consultations, the President shall impose sanctions unless the President determines and certifies to the Congress that that government has taken specific and effective actions, including appropriate penalties, to terminate the involvement of the foreign person in the activities described in subsection (a)(1). The President may delay imposition of sanctions for an additional period of up to 90 days if the President determines and certifies to the Congress that that government is in the process of taking the actions described in the preceding sentence.

"(3) REPORT TO CONGRESS.—The President shall report to the Congress, not later than 90 days after making a determination under subsection (a)(1), on the status of consultations with the appropriate government under this subsection, and the basis for any determination under paragraph (2) of this subsection that such government has taken specific corrective actions.

"(c) SANCTIONS.—

"(1) DESCRIPTION OF SANCTIONS.—The sanctions to be imposed pursuant to subsection (a)(1) are, except as provided in paragraph (2) of this subsection, the following:

"(A) PROCUREMENT SANCTION.—The United States Government shall not procure, or enter into any contract for the procurement of, any goods or services from any person described in subsection (a)(3).

"(B) IMPORT SANCTIONS.—The importation into the United States of products produced by any person described in subsection (a)(3) shall be prohibited.

"(2) EXCEPTIONS.—The President shall not be required to apply or maintain sanctions under this section—

"(A) in the case of procurement of defense articles or defense services—

"(i) under existing contracts or subcontracts, including the exercise of options for production quantities to satisfy United States operational military requirements;

"(ii) if the President determines that the person or other entity to which the sanctions would otherwise be applied is sole source supplier of the defense articles or services, that the defense articles or services are essential, and that alternative sources are not readily or reasonably available; or

"(iii) if the President determines that such articles or services are essential to the national security under defense coproduction agreements;

"(B) to products or services provided under contracts entered into before the date on which the President publishes his intention to impose sanctions;

"(C) to—

"(i) spare parts.

"(ii) component parts, but not finished products, essential to United States products or production, or

"(iii) routine servicing and maintenance of products, to the extent that alternative sources are not readily or reasonably available;

"(D) to information and technology essential to United States products or production; or

"(E) to medical or other humanitarian items.

"(d) TERMINATION OF SANCTIONS.—The sanctions imposed pursuant to this section shall apply for a period of at least 12 months following the imposition of sanctions and shall cease to apply thereafter only if the President determines and certifies to the Congress that reliable information indicates that the foreign person with respect to which the determination was made under subsection (a)(1) has ceased to aid or abet any foreign government, project, or entity in its efforts to acquire chemical or biological weapons capability as described in that subsection.

"(e) WAIVER.—

"(1) CRITERION FOR WAIVER.—The President may waive the application of any sanction imposed on any person pursuant to this section, after the end of the 12-month period beginning on the date on which that sanction was imposed on that person, if the President determines and certifies to the Congress that such waiver is important to the national security interests of the United States.

"(2) NOTIFICATION OF AND REPORT TO CONGRESS.—If the President decides to exercise

the waiver authority provided in paragraph (1), the President shall so notify the Congress not less than 20 days before the waiver takes effect. Such notification shall include a report fully articulating the rationale and circumstances which led the President to exercise the waiver authority.

"(f) DEFINITION OF FOREIGN PERSON.—For the purposes of this section, the term 'foreign person' means—

"(1) an individual who is not a citizen of the United States or an alien admitted for permanent residence to the United States; or

"(2) a corporation, partnership, or other entity which is created or organized under the laws of a foreign country or which has its principal place of business outside the United States.".

SEC. 306. DETERMINATIONS REGARDING USE OF CHEMICAL OR BIOLOGICAL WEAPONS.

(a) DETERMINATION BY THE PRESIDENT.—

(1) WHEN DETERMINATION REQUIRED; NATURE OF DETERMINATION.—Whenever persuasive information becomes available to the executive branch indicating the substantial possibility that, on or after the date of the enactment of this title, the government of a foreign country has made substantial preparation to use or has used chemical or biological weapons, the President shall, within 60 days after the receipt of such information by the executive branch, determine whether that government, on or after such date of enactment, has used chemical or biological weapons in violation of international law or has used lethal chemical or biological weapons against its own nationals. Section 307 applies if the President determines that the government has so used chemical or biological weapons.

(2) MATTERS TO BE CONSIDERED.—In making the determination under paragraph (1), the President shall consider the following:

(A) All physical and circumstantial evidence available bearing on the possible use of such weapons.

(B) All information provided by alleged victims, witnesses, and independent observers.

(C) The extent of the availability of the weapons in question to the purported user.

(D) All official and unofficial statements bearing on the possible use of such weapons.

(E) Whether, and to what extent, the government in question is willing to honor a request from the Secretary General of the United Nations to grant timely access to a United Nations fact-finding team to investigate the possibility of chemical or biological weapons use or to grant such access to other legitimate outside parties.

(3) DETERMINATION TO BE REPORTED TO CONGRESS.—Upon making a determination under paragraph (1), the President shall promptly report that determination to the Congress. If the determination is that a foreign government had used chemical or biological weapons as described in that paragraph, the report shall specify the sanctions to be imposed pursuant to section 307.

(b) CONGRESSIONAL REQUESTS; REPORT.—

(1) REQUEST.—The Chairman of the Committee on Foreign Relations of the Senate (upon consultation with the ranking minority member of such committee) or the Chairman of the Committee on foreign Affairs of the House of Representatives (upon consultation with the ranking minority member of such committee) may at any time request the President to consider whether a particular foreign government, on or after the date of the enactment of this title, has used chemical or biological weapons in violation of international law or has used lethal chemical or biological weapons against its own nationals.

(2) REPORT TO CONGRESS.—Not later than 60 days after receiving such a request, the President shall provide to the Chairman of the Committee on Foreign Relations of the Senate and the Chairman of the Committee on Foreign Affairs of the House of Representatives a written report on the information held by the executive branch which is pertinent to the issue of whether the specified government, on or after the date of the enactment of this title, has used chemical or biological weapons in violation of international law or has used lethal chemical or biological weapons against its own nationals. This report shall contain an analysis of each of the items enumerated in subsection (a)(2).

SEC. 307. SANCTIONS AGAINST USE OF CHEMICAL OR BIOLOGICAL WEAPONS.

(a) INITIAL SANCTIONS.—If, at any time, the President makes a determination pursuant to section 306(a)(1) with respect to the government of a foreign country, the President shall forthwith impose the following sanctions:

(1) FOREIGN ASSISTANCE.—The United States Government shall terminate assistance to that country under the Foreign Assistance Act of 1961, except for urgent humanitarian assistance and food or other agricultural commodities or products.

(2) ARMS SALES.—The United States Government shall terminate—

(A) sales to that country under the Arms Export Control Act of any defense articles, defense services, or design and construction services, and

(B) licenses for the export to that country of any item on the United States Munitions List.

(3) ARMS SALES FINANCING.—The United States Government shall terminate all foreign military financing for that country under the Arms Export Control Act.

(4) DENIAL OF UNITED STATES GOVERNMENT CREDIT OR OTHER FINANCIAL ASSISTANCE.—The United States Government shall deny to that country any credit, credit guarantees, or other financial assistance by any department, agency, or instrumentality of the United States Government, including the Export-Import Bank of the United States.

(5) EXPORTS OF NATIONAL SECURITY-SENSITIVE GOODS AND TECHNOLOGY.—The authorities of section 6 of the Export Administration Act of 1979 (50 U.S.C. 2405) shall be used to prohibit the export to that country of any goods or technology on that part of the control list established under section 5(c)(1) of that Act (22 U.S.C. 2404(c)(1)).

(b) ADDITIONAL SANCTIONS IF CERTAIN CONDITIONS NOT MET.—

(1) PRESIDENTIAL DETERMINATION.—Unless, within 3 months after making a determination pursuant to section 306(a)(1) with respect to a foreign government, the President determines and certifies in writing to the Congress that—

(A) that government is no longer using chemical or biological weapons in violation of international law or using lethal chemical or biological weapons against its own nationals,

(B) that government has provided reliable assurances that it will not in the future engage in any such activities, and

(C) that government is willing to allow onsite inspections by United Nations observers or other internationally recognized, impartial observers, or other reliable means exist, to ensure that that government is not using chemical or biological weapons in violation of international law and is not using lethal chemical or biological weapons against its own nationals,

then the President, after consultation with the Congress, shall impose on that country the sanctions set forth in at least 3 of subparagraphs (A) through (F) of paragraph (2).

(2) SANCTIONS.—The sanctions referred to in paragraph (1) are the following:

(A) MULTILATERAL DEVELOPMENT BANK ASSISTANCE.—The United States Government shall oppose, in accordance with section 701 of the International Financial Institutions Act (22 U.S.C. 262d), the extension of any loan or financial or technical assistance to that country by international financial institutions.

(B) BANK LOANS.—The United States Government shall prohibit any United States bank from making any loan or providing any credit to the government of that country, except for loans or credits for the purpose of purchasing food or other agricultural commodities or products.

(C) FURTHER EXPORT RESTRICTIONS.—The authorities of section 6 of the Export Administration Act of 1979 shall be used to prohibit exports to that country of all other goods and technology (excluding food and other agricultural commodities and products).

(D) IMPORT RESTRICTIONS.—Restrictions shall be imposed on the importation into the United States of articles (which may include petroleum or any petroleum product) that are the growth, product, or manufacture of that country.

(E) DIPLOMATIC RELATIONS.—The President shall use his constitutional authorities to downgrade or suspend diplomatic relations between the United States and the government of that country.

(F) PRESIDENTAL ACTION REGARDING AVIATION.—(i)(I) The President is authorized to notify the government of a country with respect to which the President has made a determination pursuant to section 306(a)(1) of his intention to suspend the authority of foreign air carriers owned or controlled by the government of that country to engage in foreign air transportation to or from the United States.

(II) Within 10 days after the date of notification of a government under subclause (I), the Secretary of Transportation shall take all steps necessary to suspend at the earliest possible date the authority of any foreign air carrier owned or controlled, directly or indirectly, by that government to engage in foreign air transportation to or from the United States, notwithstanding any agreement relating to air services.

(ii)(I) The President may direct the Secretary of State to terminate any air service agreement between the United States and a country with respect to which the President has made a determination pursuant to section 306(a)(1), in accordance with the provisions of that agreement.

(II) Upon termination of an agreement under this clause, the Secretary of Transportation shall take such steps as may be necessary to revoke at the earliest possible date the right of any foreign air carrier owned, or controlled, directly or indirectly, by the government of that country to engage in foreign air transportation to or from the United States.

(iii) The Secretary of Transportation may provide for such exceptions from clauses (i) and (ii) as the Secretary considers necessary to provide for emergencies in which the safety of an aircraft or its crew or passengers is threatened.

(iv) For purposes of this subparagraph, the terms "air transportation", "air carrier",

"foreign air carrier", and "foreign air transportation" have the meanings such terms have under section 101 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1301).

(c) REMOVAL OF SANCTIONS.—The President shall remove the sanctions imposed with respect to a country pursuant to this section if the President determines and so certifies to the Congress, after the end of the 12-month period beginning on the date on which sanctions were initially imposed on that country pursuant to subsection (a), that—

(1) the government of that country has provided reliable assurances that it will not use chemical or biological weapons in violation of international law and will not use lethal chemical or biological weapons against its own nationals;

(2) that government is not making preparations to use chemical or biological weapons in violation of international law or to use lethal chemical or biological weapons against its own nationals;

(3) that government is willing to allow onsite inspections by United Nations observers or other internationally recognized, impartial observers to verify that it is not making preparations to use chemical or biological weapons in violation of international law or to use lethal chemical or biological weapons against its own nationals, or other reliable means exist to verify that it is not making such preparations; and

(4) that government is making restitution to those affected by any use of chemical or biological weapons in violation of international law or by any use of lethal chemical or biological weapons against its own nationals.

(d) Waiver.—

(1) CRITERIA FOR WAIVER.—The President may waive the application of any sanction imposed with respect to a country pursuant to this section—

(A) if—

(i) in the case of any sanction other than a sanction specified in subsection (b)(2)(D) (relating to import restrictions) or (b)(2)(E) (relating to the downgrading or suspension of diplomatic relations), the President determines and certifies to the Congress that such waiver is essential to the national security interests of the United States, and if the President notifies the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives of his determination and certification at least 15 days before the waiver takes effect, in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961, or

(ii) in the case of any sanction specified in subsection (b)(2)(D) (relating to import restrictions), the President determines and certifies to the Congress that such waiver is essential to the national security interest of the United States, and if the President notifies the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of his determination and certification at least 15 days before the waiver takes effect; or

(B) if the President determines and certifies to the Congress that there has been a fundamental change in the leadership and policies of the government of that country, and if the President notifies the Congress at least 20 days before the waiver takes effect.

(2) REPORT.—In the event that the President decides to exercise the waiver authority provided in paragraph (1) with respect to a country, the President's notification to the Congress under such paragraph shall include a report fully articulating the rationale and circumstances which led the President to exercise that waiver authority, including a description of the steps which the government of that country has taken to satisfy the conditions set forth in paragraphs (1) through (4) of subsection (c).

(E) CONTRACT SANCTITY.—

(1) SANCTIONS NOT APPLIED TO EXISTING CONTRACTS.—(A) A sanction described in paragraph (4) or (5) of subsection (a) or in any of subparagraphs (A) through (D) of subsection (b)(2) shall not apply to any activity pursuant to any contract or international agreement entered into before the date of the presidential determination under section 306(a)(1) unless the President determines, on a case-by-case basis, that to apply such sanction to that activity would prevent the performance of a contract or agreement that would have the effect of assisting a country in using chemical or biological weapons in violation of international law or in using lethal chemical or biological weapons against its own nationals.

(B) The same restrictions of subsection (p) of section 6 of the Export Administration Act of 1979 (50 U.S.C. App. 2405), as that subsection is so redesignated by section 304(b) of this title, which are applicable to exports prohibited under section 6 of that Act shall apply to exports prohibited under subsection (a)(5) or (b)(2)(C) of this section. For purposes of this subparagraph, any contract or agreement the performance of which (as determined by the President) would have the effect of assisting a foreign government in using chemical or biological weapons in violation of international law or in using lethal chemical or biological weapons against its own nationals shall be treated as constituting a breach of the peace that poses a serious and direct threat to the strategic interest of the United States, within the meaning of subparagraph (A) of section 6(p) of that Act.

(2) SANCTIONS APPLIED TO EXISTING CONTRACTS.—The sanctions described in paragraphs (1), (2), and (3) of subsection (a) shall apply to contracts, agreements, and licenses without regard to the date the contract or agreement was entered into or the license was issued (as the case may be), except that such sanctions shall not apply to any contract or agreement entered into or license issued before the date of the presidential determination under section 306(a)(1) if the President determines that the application of such sanction would be detrimental to the national security interests of the United States.

SEC. 308. PRESIDENTIAL REPORTING REQUIREMENTS.

(a) REPORTS TO CONGRESS.—Not later than 90 days after the date of the enactment of this title, and every 12 months thereafter, the President shall transmit to the Congress a report which shall include—

(1) a description of the actions taken to carry out this title, including the amendments made by this title;

(2) a description of the current efforts of foreign countries and subnational groups to acquire equipment, materials, or technology to develop, produce, or use chemical or biological weapons, together with an assessment of the current and likely future capabilities of such countries and groups to develop, produce, stockpile, deliver, transfer, or use such weapons;

(3) a description of—

(A) the use of chemical weapons by foreign countries in violation of international law,

(B) the use of chemical weapons by subnational groups,

(C) substantial preparations by foreign countries and subnational groups to do so, and

(D) the development, production, stockpiling, or use of biological weapons by foreign countries and subnational groups; and

(4) a description of the extent to which foreign persons or governments have knowingly and materially assisted third countries or subnational groups to acquire equipment, material, or technology intended to develop, produce, or use chemical or biological weapons.

(b) PROTECTION OF CLASSIFIED INFORMATION.—To the extent practicable, reports submitted under subsection (a) or any other provision of this title should be based on unclassified information. Portions of such reports may be classified.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 20 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the pending legislation.

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

There was no objection.

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

Mr. Speaker, the House of Representatives passed H.R. 1724 on October 8. The original bill provides for termination of the Jackson-Vanik provisions of the Trade Act of 1974 and permanent extension of most-favored-nation treatment to Hungary and Czechoslovakia. On November 15, the Senate passed the bill with a nongermane amendment modifying the Emergency Unemployment Compensation Act of 1991, which Congress passed and the President signed last week as Public Law 102–164. The Senate amendment would replace the three-tier benefit system enacted in the Emergency Unemployment Compensation Program of 6, 13, and 20 weeks with a two-tier system of 13 and 20 weeks. This amendment would allow 24 additional State programs to provide 13 weeks of extended benefits instead of 6 weeks. In addition, the amendment would make 19 additional State programs eligible for the reachback provisions under the new program. To pay for these two changes, the Senate amendment would cut 3 weeks from the duration of the program, from July 4 to June 13, 1992. However, no State would lose benefits because of the Senate amendment.

The administration estimates the additional costs of the Senate amendment to be $380 million, which is offset by $123 million in excess savings from H.R. 3575, as enacted, and $285 million in savings from shortening the pro-

gram to June 13, 1992. Based on these estimates, the administration has assured me that the Senate amendment fully complies with last year's budget summit agreement, and would not trigger a minisequester later this year. I am submitting for the RECORD copies of letters I received from OMB Director Darman dated November 18 and 19 attesting to these budget effects.

The proposed House amendment to the Senate amendment is a composite of four trade bills that were introduced as separate legislation and favorably reported by the Committee on Ways and Means yesterday. The amendment incorporates H.R. 3347 on the importation of Soviet gold coins; H.R. 3313, extending most-favored-nation treatment to the Baltic States; H.R. 661, as amended, the Andean Trade Preference Act; and H.R. 3409, the Chemical and Biological Weapons Control Act of 1991. Each of these bills was approved in the committee by voice vote, and each is supported by the administration.

More specifically, the House amendment repeals section 510 of the Comprehensive Anti-Apartheid Act of 1986, which imposed a ban on the importation of gold coins from the Soviet Union. The repeal was requested by the administration to fulfill a commitment made to the Soviet Government by the U.S. Trade Representative in a side letter to the United States-Soviet bilateral commercial agreement granting most-favored-nation treatment.

The House amendment also responds directly to the newly recognized independence of the Baltic States of Estonia, Latvia, and Lithuania. It would extend most-favored-nation [MFN] status unconditionally to the products of those countries and repeal the application of the Jackson-Vanik amendment.

Mr. Speaker, extension of MFN status will have the effect of fully normalizing United States trade relations with the Baltic States. The House amendment also expresses the sense of the Congress that the President should take prompt action to provide duty-free, GSP benefits to Estonia, Latvia, and Lithuania.

The House amendment also includes the Andean Trade Preference Act, which is an initiative of the administration announced last year by the President to expand economic opportunities for the Andean countries as alternatives to the production, processing, and shipment of illegal drugs. The bill as amended is patterned closely after the trade benefits granted under the existing Caribbean Basin Initiative Program. It is designed to provide meaningful trade assistance on imports of eligible articles from the Andean nations while safeguarding the interests of United States domestic industries and workers.

Finally, Mr. Speaker, the House amendment would establish a framework for controlling the proliferation of chemical and biological weapons. It would mandate U.S. export controls and sanctions—including import sanctions—against foreign persons and countries involved in the production and use of such weapons. The successful efforts of Iraq and other countries in the Middle East and elsewhere to obtain these weapons of mass destruction provide clear evidence of the need to strengthen United States law in this area.

Mr. Speaker, I postponed committee consideration of the trade provisions contained in the House amendment until I received assurances from OMB Director Darman that the revenue losses estimated by the Congressional Budget Office for these administration initiatives would be fully offset in order to avoid any kind of minisequester. I am satisfied by Director Darman's two letters indicating that the recently enacted Emergency Unemployment Compensation Act contains a sufficient pay-as-you-go surplus to offset the revenue losses associated with these important trade initiatives.

Mr. Speaker, the House amendment to the Senate amendment contains a number of important trade provisions, and I urge my colleagues to join me in supporting its passage.

Mr. Speaker, I include for the RECORD the letters from Mr. Darman referred to earlier:

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC November 18, 1991.

Hon. DAN ROSTENKOWSKI,
Chairman, Committee on Ways and Means, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: We have what I understand to be a shared interest in enactment of pending Baltic, Soviet, and Andean trade agreements. We also share an interest in assuring that the enactment of these agreements would not trigger a sequester.

With our common interest in view, and given what now appears to be a realistic prospect that Congress will recess before Thanksgiving, I wish to bring the following to your attention. Based on legislation enacted to date, OMB would officially estimate in the end-of-session Sequestration Report that the pay-as-you-go balance is positive for each of the fiscal years 1992 through 1995. This positive current balance is now sufficient to offset what OMB estimates to be the pay-as-you-go costs of the pending trade agreements. Therefore, if these trade agreements were enacted promptly, while the pay-as-you-go balance is positive, their enactment would not trigger a sequester under the Budget Enforcement Act.

It is, of course, possible that other legislation might be enacted which would turn the pay-as-you-go balance negative. But I know of no such legislation that we are now supporting that is likely to be enacted before the session ends. If unforeseen legislation were enacted that turned the balance negative, a sequester would be triggered unless the imbalance were corrected. But in that hypothetical circumstance, I can assure you that we would not (and we could not fairly) attribute the cause of the sequester to the enactment of the trade agreements—provided their enactment occurred while the pay-as-you-go balance were sufficient to offset them.

For these reasons, I would again urge the enactment of the pending trade agreements—now, while the pay-as-you-go balance is a sufficient offset—and will continue to work with you to that end.

With best regards,

RICHARD DARMAN,
Director.

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC November 19, 1991.

Hon. DAN ROSTENKOWSKI,
Chairman, Committee on Ways and Means, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This note is simply to confirm two matters of scoring with the prospect of enactment of H.R. 1724 now in view.

We have not yet completed the final outyear scoring of P.L. 102-164, the Emergency Unemployment Compensation Act of 1991. Nonetheless, it is clear that enactment of H.R. 1724 would not change two conclusions I recently shared with you:

(1) By letter of November 13, 1991—the conclusion that enactment of the unemployment insurance compromise (now including H.R. 1724 as passed by the Senate) would not trigger a sequester; and

(2) By letter of November 18, 1991—the conclusion that OMB's current estimate of the pay-as-you-go surplus (after enactment of the compromise) is sufficient to offset certain pending trade agreements that are in the United States interest.

With best regards,

RICHARD DARMAN,
Director.

□ 1420

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

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

Mr. Speaker, Let me be blunt. This is a terrible way to write trade legislation. It's a ridiculous way to write unemployment legislation.

The trade issues before us today are important, and I support them as separate legislation. Three of the bills seek to normalize trade relations with emerging nonmarket economies.

They extend most-favored-nation status to Hungary and Czechoslovakia, as well as the Baltic nations of Estonia, Latvia, and Lithuania. That's an appropriate reflection of the improved international situation in which we find ourselves.

Another trade provision extends special tariff benefits to the Andean nations of Brazil, Colombia, Ecuador, and Peru. The notion is to help those governments combat illegal drug trafficking by stimulating other exports.

I particularly commend my colleague PHIL CRANE, the distinguished ranking Republican on the Trade Subcommittee, for his persistence in moving the Andean initiative forward.

These trade issues are important. They deserve our support. I want to vote for them, but I can't—not the way they've been packaged with new unemployment expansions.

It's outrageous to use this vehicle to carry still another increase in unemployment benefits before the ink is dry on last week's new law.

This expansion violates one of the most fundamental assumptions of the unemployment insurance system since Congress first addressed extended benefits in 1958.

In every State an eligible worker who loses a job receives up to 26 weeks of basic unemployment benefits. A condition of those benefits is that the worker must continue to look for work. The benefits are to pay personal or family expenses while the worker tries to find a job. The program clearly is not designed to provide a half year of leisure time. All of us agree with that.

If the worker hasn't found a job after 6 months, he or she is eligible for extended benefits under some circumstances.

That is where the Federal Government comes in. What is the main criterion that we use to judge that Federal extended benefit eligibility? The answer is the overall level of insured unemployment in that worker's State. That is the key factor in whether the worker can find another job and is the basis for extended unemployment benefits.

For over 30 years extended benefits have been contingent on high unemployment in the worker's State. Now, for the first time, the authors of this measure, crafted in the Senate, tacked on to a bill we sent over to them, bumped back to us, and now put together with the trade issues in one package, those authors are proposing, with the support of those of us who vote for this bill in the House, to give extended benefits to workers in every State, even if the unemployment rate in the involved State is 1 or 2 percent.

That violates the entire concept of Federal extended unemployment benefits. Sixteen States have insured unemployment rates under 2 percent. Under this bill all are eligible for 13 weeks of additional benefits.

Another 21 States have insured unemployment rates between 2 and 3 percent. All of these are eligible, too.

In its haste to fulfill political expediency, Congress, and unfortunately the White House, are throwing out the basic premise of extended Federal benefits. This bill seeks a precedent that will come back to haunt us. In the future, whenever conventional political wisdom decides the time is right, Congress will rush to give extended benefits to every worker in the country.

□ 1430

What we have before us today is an expression of political panic. Maybe it does not matter to many in this Chamber that it smashes the foundations of a successful and important benefit program. It does to me.

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

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

Mr. DOWNEY. Mr. Speaker, this is the fourth unemployment compensation bill that we will send to the President in the last 4 months, and it hopefully marks an end to the odyssey of the unemployment compensation debate.

The reason we are doing this, and I suspect that those who have not followed the unemployment compensation bills with a scorecard may not be aware of this, but when we sent the Senate a bill and they became dissatisfied with it last week, it was precisely because we were using the ineffective insured unemployment rate to measure whether or not States should get extended benefits.

There is a handout. Some of our colleagues can see it. On the back it tells the tale of why the IUR, the insured unemployment rate, does not work.

I see my friend from Kentucky on the floor, and let me use the State of Kentucky as an example of why we need to make a permanent change in the way we extend unemployment benefits.

If we take a look at Kentucky's rate of unemployment at 7 percent or take a look at the State of Arkansas at 7.5 or 7.7 percent, both of those States got under the old formula, which the administration wanted, the IUR, they got 6 weeks of extended benefits. Yet their unemployment rates were high, as high or higher than the State of Alaska, which got 20 weeks of extended benefits.

That makes no sense to the people of those States, and it certainly did not make any sense to our colleagues in the other body. So when we sent them this jury-rigged bill that was imposed in large measure on us by the administration, using an insured unemployment rate, an exhaustion rate, a 6-month IUR, they rebelled. And this is the result of their rebellion.

What is the lesson? The lesson is simply this: We need to fix this unemployment extension permanently by going back to a national trigger, which recognizes the need for a countercyclical response throughout the country, even though States have low rates of unemployment. And we need to scrap the IUR as a method of computing extended benefits because the IUR is too inextricably linked to a State's ability or interest in providing the initial 26 weeks of benefits.

If a State, again like Kentucky or Texas or Arkansas, decides that it has elaborate rules for extending benefits for 26 weeks, then even if the State has a high rate of total unemployment, its citizens will not benefit from this uniquely national bill.

It is screwed up, my colleagues, and this is evidence of how it is screwed up, that we had to do it 4 times to get it right. We need to pass a permanent change in law so that we do not have to every month change the rate of unemployment benefits that get extended to people.

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

The gentleman has not responded to my comments. He has talked about a new formula for determining what unemployment is, but he has not responded to the fact that in States where there is extremely low unemployment, where jobs are easy to find, that a person who is laid off of work through no fault of their own and is on 26 weeks of unemployment benefits can get an additional 13, even though jobs are readily available on every corner.

I do not believe that the workers who pay the taxes into this fund or the employers who pay the taxes into this fund, depending upon whom we wish to charge it, should have their dollars spent under those circumstances.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. CRANE], the ranking Republican on the Subcommittee on Trade.

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

Mr. Speaker, H.R. 1724 includes several trade measures which I wholeheartily endorse. However, because I am profoundly opposed to the unemployment provisions in this package, it is with regret that I cannot support it.

One trade measure which I am particularly supportive of is the Andean Trade Preference Act. I introduced this measure on behalf of the administration because I believe it goes a long way in helping to solve the economic and narcotics problems plaguing Latin America by placing the emphasis on trade rather than aid. By eliminating the duties on a number of products from the Andean region, this measure will encourage the development of alternative crops, thus providing a way out for those farmers who have grown dependent upon the cocaine economy.

Providing expanded trade opportunities to the Andean region would also serve to demonstrate our commitment to our partners in the war on drugs. Despite terrible violence, massive poverty, and spreading disease, Colombia, Bolivia, Peru, and Ecuador, have devoted precious financial and human resources to their efforts to rid their region of the drug scourge. The Andean Trade Preference Act will serve as a formal recognition of these many sacrifices.

The United States will also benefit a great deal from this legislation. As the Andean farmers begin to take advantage of the legitimate market opportunities available to them, the amount of illegal drugs crossing our borders will no doubt lessen. In addition, by helping to strengthen the Andean economies we also help ourselves by increasing the ability of the four countries to purchase quality U.S. exports. The Caribbean Basin Initiative, which this bill is patterned after, is a fine example of how the United States can profit. In

1983, when the CBI was passed, we ran a trade deficit of $3 billion with the Caribbean region, by 1990 the U.S. was running a surplus of $2 billion.

In addition, it should be noted that because Andean exports account for less than 1 percent of U.S. imports and since duty-free treatment will only affect approximately $300 million of Andean exports, this measure is expected to have little, if any, adverse impact on U.S. producers. Furthermore, goods that are generally considered to be import-sensitive have been excluded from the bill.

Let me conclude by quoting the President at the time he transmitted the Andean Trade Preference Act to Congress:

The Andean nations are engaged in a serious struggle to combat illegal narcotics trafficking. It is incumbent upon the United States to aid them in their efforts to develop legitimate trading opportunities for their people. Their struggle is our struggle as well.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Speaker, the heart and soul of the legislation before us is to extend the unemployment benefit program. We have had four different attempts for this, and I think now there is an agreement on both sides of the House that we pass it and it can become law.

Now is not the time to try to settle every issue related to the extended benefit program or to make permanent changes in it. Some would want a national trigger. Some would want an extended UI continuation program. And both approaches have merits.

This time, at this hour, we ought to say these unemployment benefits and perhaps most of the trade benefits can be held together or agreed on in conference.

There is a general sentiment for agreement. There are millions of people, Americans, who need this legislation. I am hoping that this is the final version of it, and it can be approved. I recommend a vote for passage of this measure.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I want to thank the distinguished chairman of the Committee on Ways and Means for bringing this bill up. I want to talk about how it relates to my State of Ohio because Ohio is experiencing unemployment.

This would increase Ohio benefits from the bill passed the other day from 6 weeks to 13 weeks. It is true that Ohio, as a State, has lower unemployment. But there are areas of Ohio that have higher unemployment than the national average, like Cleveland, like Youngstown, like rural areas.

So I am so glad that we are going to have that benefit of 13 weeks.

□ 1440

In addition, I think it is just outstanding that this bill would provide the extension for all States for those whose benefits have run out since last February. I am sure Members have gotten calls from people who said, "You know, my benefits ran out 2 weeks ago and I'm not going to be eligible." So we make this retroactive, and currently this reachback benefit is not available to our State of Ohio.

So for these and other reasons I thank the chairman and members of the committee for the good work they are doing and have done for the unemployed workers, 32 percent of whom have exhausted their benefits in 1991.

Mr. ARCHER. Mr. Speaker, I yield 3½ minutes to the gentleman from Pennsylvania [Mr. SCHULZE].

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

I would like to make just a few remarks concerning a few of the measures incorporated into H.R. 1724.

First, with respect to the Andean Trade Preference Act, I am pleased that in full Ways and Means Committee action yesterday, a provision which would have had serious consequences for the application of our critical antidumping and countervailing duty laws, was defeated.

I am now hopeful that the Andean countries of Bolivia, Colombia, Ecuador, and Peru will use the benefits included in the Andean Trade Preference Act to earn the foreign exchange they desperately need, and to prepare themselves to eventually join the rest of the Western Hemisphere in the creation of an enormous, cohesive, and productive free-trade area.

I would also like to comment on provisions of H.R. 1724 extending most favored nation—or MFN—trading status to Hungary, Czechoslovakia, and the Baltic Republics of Estonia, Latvia, and Lithuania.

As many in this Chamber are aware, I have had a longstanding interest in how U.S. antidumping and countervailing duty laws are applied in cases involving nonmarket economy or NME countries.

On October 8 of this year, the House considered a separate measure granting permanent MFN to Hungary and Czechoslovakia. At that time, I expressed concern that our antidumping and countervailing duty laws were not being adapted quickly enough to assure U.S. producers access to predictable and effective remedies against the unfair trading practices of such and similar countries, now commonly referred to as "economies in transition."

The reasoning behind my concerns is simple and straightforward: As these countries make the slow transition from nonmarket economy to market-based economic systems, America must have in place trade laws which allow U.S. producers to combat such countries' dumping and subsidy practices.

In this regard, I am pleased with the Commerce Department's decision of November 6 to initiate an investigation into allegations by United States industry that the Chinese Government is subsidizing certain exports. For many years, Commerce has not even entertained petitions by U.S. industry requesting investigations into possible subsidy practices in nonmarket economy countries or economies in transition.

I am encouraged by Commerce's acknowledgment that subsidies can in fact, exist in economies which are partially state-controlled and partially market-driven.

On the antidumping side of the equation, I am not convinced that the so-called mix-and-match approach to determining factors of production in economies in transition—which Commerce has relied upon in recent months—is an unbiased and prudent approach.

Accordingly, I note with interest and some satisfaction that, as part of its ongoing subsidy investigation against China, the Department will reevaluate the presumed merits of its mix-and-match policy.

The previously mentioned topics are neither sexy nor glamorous. But, as we normalize trade relations with one former Communist country after another, these issues must not be ignored.

I appreciate this opportunity to comment on an issue of tremendous importance to me and many others. I am hopeful that within the Ways and Means Committee, we can engage in the thoughtful consideration and analysis of these matters—and related legislation I am developing—early in 1992.

Mr. Speaker, in conclusion I would like to say that we do have more work to do in the trade area, but for the reasons enumerated by my friend, the gentleman from Texas [Mr. ARCHER], I am afraid I have to oppose this bill, but not because of the trade provisions.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. PEASE].

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

Mr. Speaker, I rise in support of this bill. This is what we might call a twofer. We are doing several good things in one bill. I am particularly pleased to be seeing that we are granting MFN to the Baltics, Hungary, and Czechoslovakia in this bill. I think that is a good move on our part.

On our unemployment front, the bill that we passed last week provided only 6 weeks of benefits for many States, including my State of Ohio. Additionally the bill had an egregious flaw and provided no reachback provisions for those workers who had already exhausted their benefits. That was due to the insistence of the Bush administration on using the archaic IUR, insured unem-

ployment rate, rather than the total rate. The administration insisted on that. The Senate, thank heavens, saved us from that bad provision. The result is that with this bill we are able to provide 13 weeks for every State and reachback for every State. That is good news indeed.

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky [Mr. BUNNING].

Mr. BUNNING. Mr. Speaker, I thank the gentleman for yielding. I rise in support of H.R. 1724.

Mr. Speaker, I rise in strong support of this bill. Like sausage, it wasn't pretty in the making, but it turned out to be a pretty tasty and well done morsel of legislation.

This bill does several very important things. It restores our Nation's credibility in the international war against illicit drugs; 18 months ago, our President promised at the Andean drug summit to do what he could to relieve economic pressure on the countries that cooperate with us to eliminate the illegal drug trade.

The provisions of the bill today which comprise the Andean trade initiative show our commitment to fulfilling that promise. If Colombia and the other Andea countries can find lucrative markets for their products, the financial incentive to ignore the drug lords will be reduced.

If they can sell us their flowers, there is less incentive for them to push us their drugs.

A second major accomplishment of this bill—a very long overdue accomplishment—is the extension of MFN status to Estonia, Latvia, and Lithuania.

We recognized the independence of these countries back in 1922. And now, nearly 70 years later, with the passage of this bill, we will finally be treating and trading with them as free nations. This bill can and should be an important step in the movement of these nations to free market-oriented economies.

And of course, one of the major accomplishments of this bill and the one with the most immediate impact here at home, are the provisions which correct the glaring inequity that marred the passage of H.R. 3575, the unemployment bill we passed last week in this body. That bill provided 13 and 20 weeks of extended benefits for most States but only 6 weeks for Kentucky and 4 other States—even though the unemployment levels in several of our States are higher than in many others.

That bill—inequity and all—breezed through this body but fortunately, because of the quick work of Kentucky's senior Senator, WENDELL FORD, the alternative extension system provided in this bill was hammered out at the last minute.

This bill corrects the shortcomings of H.R. 3575. It guarantee that Kentucky can share in the relief provided the other unfortunate victims of our Nation's stuttering economy.

I encourage my colleagues to support this bill. It is a well crafted package. It was put together in haste, but it will accomplish many long-term goals on which we all can agree.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. INHOFE].

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

Mr. Speaker, I rise in support of this resolution. I am very much concerned if this fails it is going to go back to the law that was passed, signed by the President just the other day. I commend the other body for extending this and bringing it back from a three-tiered system to a two-tiered system. But I would like to serve notice to this body that either way, whether it passes or fails, I will be introducing legislation to eliminate the tier system.

It is very unusual that I disagree with my friend from Texas, Mr. ARCHER, but in this case I do because I can assure the Members, in the State of Oklahoma there are not jobs readily available on every street corner. We are in the sixth year of a recession in Oklahoma. We have workers that are just trying to eat at this time. They hold up signs, "I will work for food."

The unemployed worker in Oklahoma, under the law that was just passed, who has 6 children will get extended benefits of only 6 weeks. That same worker with the same number of children with the same income in the State of Massachusetts gets 20 weeks. That is unfair, it is a bad law, and we need to change it.

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Speaker, I rise in opposition to the bill.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. PETRI].

Mr. PETRI. Mr. Speaker, I thank my colleague from Texas for yielding me this time, and I rise in strong support of this bill. It goes a long way toward righting an inequity in the unemployment bill that was brought before this House and was passed by an overwhelming majority last week.

Under that bill, the workers and taxpayers of my State were disadvantaged. We are paying about $2 in increased taxes for only every dollar of unemployment benefits, and frankly, it was not a very good deal. We could have raised unemployment benefits at the State level and kept it at home and taken care of a lot more unemployed people within our border than coming out to Washington and asking for Federal Government help.

This bill, by the retroactive provision, and by extending unemployment, will be of great benefit to an awful lot of people who, through no fault of their own, need help now. Please vote for the measure.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. RUSSO].

Mr. RUSSO. Mr. Speaker, I rise today in support of this legislation which will grant most favored nation status for Lithuania, Latvia, and Estonia. This legislation is of vital importance to the free people of the Baltic States.

Incorporated into the Soviet Union against their will in 1941, these three small nations never gave up their dreams for freedom and democracy. Lithuania, Latvia, and Estonia were free and independent nations operating under a capitalist style system until their independence was seized from them.

The United States extended diplomatic recognition to the three Baltic States in 1922 and entered into commercial treaties with each country in 1925 and 1926. The only reason MFN trade status for the Baltics was revoked was because they were illegally annexed by the Soviet Union.

During the 50 years of their illegal annexation, the People of the Baltic nations courageously resisted the imposed Soviet regime and its oppressive tactics, always maintaining their commitment to self-determination and the ideals of freedom and democracy.

The Baltic people had to wait for U.S. diplomatic recognition. Then they had to wait for true independence from the Soviet Union, and now they await this final measure which will assure their rightful place in the community of free nations. This bill restores what has always been rightfully theirs—favorable trade benefits which will help them maintain their freedom and independence. This is a small but very important gesture which will help nurture their budding democracies.

I urge my colleagues to act quickly on this bill and give the Baltic people more than just our moral support. Vote for MFN for the Baltic nations and provide them with real economic security.

□ 1450

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

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

Mr. ROSTENKOWSKI. Mr. Speaker, I want to congratulate the gentleman from Illinois [Mr. RUSSO] for the leadership he has displayed in urging that most-favored-nation status be granted expeditiously to the Baltic States of Lithuania, Latvia, and Estonia. I have been impressed for quite some time with the fervor with which the gentleman has represented the interests of the Baltic nations and its citizens. I know the gentleman has been very active in all the committee markup sessions on this issue and he is largely responsible for bringing this bill to the floor today. I just want to say to him that I appreciate and commend him for this hard work.

Mr. RUSSO. Mr. Speaker, I thank the gentleman.

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. MCGRATH].

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

Mr. Speaker, I rise in support of this bill and all its parts, including the unemployment insurance section.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, I rise in support of the gentleman's motion to suspend the rules.

Last week when the unemployment compensation bill came up, I spoke and voted against that bill as being unfair to Wisconsin's unemployed. That bill had no reach-back provisions, so that the hard-core unemployed whose benefits expired by last Sunday would not have been eligible for any additional unemployment compensation.

This bill corrects that inequity, and furthermore, extends the period of eligibility from 6 to 13 weeks. It is done on a fiscally neutral basis, so there is no additional cost to the Treasury or to the taxpayers of this country. It is a good bill and I hope it passes.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Speaker, this bill grants Most Favored Nation treatment to Hungary and to Czechoslovakia. It has got so many things in it, it is a little hard to remember it all.

It also grants most-favored-nation treatment to the three Baltic states, Latvia, Lithuania and Estonia.

This is an important, very important piece of legislation. It is important because it does bring our unemployment compensation laws into the touch of reality that we need today with the current economic situation in the United States.

In addition, it grants a brandnew status to the countries of Columbia, Ecuador, Peru, and Bolivia in a program that is very similar to the Caribbean Basin Initiative that has worked so successfully here in the Congress and in the Caribbean. So it is important that we vote for it.

Mr. Speaker, time is short and history is pressing upon us. The little countries of Latvia, Lithuania, and Estonia are very important to us. They are important to us for not only emotional, but for principled reasons. These countries were cruelly swallowed up in the power play between Hitler and Stalin. They have been occupied now for over 50 years by hostile forces.

We happened to be in the Baltics on the day that they became independent. I was talking to the Foreign Minister of Estonia. I was congratulating him upon his independence.

He said:

Well, Mr. Gibbons, let me correct that. Estonia has always been independent. We just have been occupied for a long, long time.

So we owe it to these people to correct those errors that were committed so many years ago, to bring them into the full family of nations so that they can trade with the United States on a nondiscriminatory basis.

We also if we are going to do anything constructive about the drug trade between the Andean countries and the United States and help wipe it out by helping them develop some alternative industries down there, we need to grant them the kind of tariff treatment that this bill does.

I commend my colleague, the gentleman from Illinois [Mr. CRANE] for having introduced this bill for the administration. This is the administration's legislation and it should be enacted.

So Mr. Speaker, we would welcome back into the family of nations the countries of Czechoslovakia and Hungary, and to the family of nations Estonia, Latvia, and Lithuania, and to a better trade status those Andean countries that need it.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire [Mr. ZELIFF].

Mr. ZELIFF. Mr. Speaker, I urge the House to support this fair play unemployment insurance extended benefits legislation. The other body spent a day and a half last Friday pointing out the inconsistencies in the unemployment legislation recently signed into law.

This is not a partisan issue. Many legislators on both sides of the aisle pointed out dramatically how unfair the formula we passed was on a great number of states. Five States, Arkansas, Alabama, Louisiana, Kentucky, and New Hampshire, with some of the highest unemployment rates in America, would only receive 6 additional weeks of unemployment insurance benefits. Nineteen States would not receive the so-called reachback provisions.

What this means is that the unemployed workers in those 19 States who have already exhausted their unemployment benefits since March 1 would not receive 1 red cent in extended benefits, unless we pass this bill.

There is no rhyme or reason to the current formula. I urge you to pass this compromise bill in the interest of fair play. Our long-term unemployed workers desperately need our help.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

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

Mr. Speaker, I heard the chairman of the committee say earlier in the debate that no one would lose benefits under this particular revision of the program. That is not the way I think it goes for some of the States who were put in place in the law that the President has now signed.

Our State of Pennsylvania had 13 weeks of benefits under the former plan. They have 13 weeks of benefits under this plan. We had reachback under our plan. We still have reachback under this plan; however, our structure went until July 4, 1992, under the plan which is now law. Under this plan, our people would only be eligible up until June 13, 1992. So some people in Pennsylvania are not going to have a period of eligibility which they now have under law, so for them this is a cutback in benefits.

The problem here is that you take a State with fairly high unemployment rates, like Pennsylvania, you reduce the benefits for people there in order to give benefits to some States that have relatively low unemployment, so you are taking money away from high unemployment States in order to give it to low unemployment States and reducing the benefit structure.

I do not see how people who come from States that are going to be disadvantaged by this bill can vote yes here. It seems to me the vote is "no" from those States that have a benefit structure that is going to be decreased under this particular bill. Pennsylvania is certainly one of those States. Pennsylvania will have less benefits under this bill than it has under present law.

Mr. Speaker, I would suggest that people look very carefully at the formula and decide whether or not your State is better off or worse off before you vote yes on this bill.

□ 1500

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

Mr. ROSTENKOWSKI. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire [Mr. SWETT].

Mr. SWETT. Mr. Speaker, I rise in support of this legislation and, in particular, for the correction of New Hampshire's unemployed benefits from 6 weeks to 13 weeks.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. DOWNEY] to conclude debate.

Mr. DOWNEY. I thank the chairman for yielding.

Mr. Speaker, I just wanted to deal with the question my friend from Texas raised before, which was why do we pay extended benefits to those States that have low rates of unemployment? I think it is appropriate coming from the gentleman from Texas because he was not in favor of paying extended benefits to those States with high rates of unemployment. So he has been entirely consistent and consistently opposed to the extension of benefits for everyone, whether they come from States with high unemployment or States with low rates of unemployment. A lot of this has to do with the extension of benefits based on what one considers to be a full rate of employment.

There are only three States in this Union that would meet that criterion, below 3 percent unemployment. You

can argue that maybe those three particular States, despite the fact that jobs continue to go begging there, which is really not the case because people are begging for jobs even in those States, that maybe we should not extend benefits to them. But I would point out to the gentleman once again, because I pointed out in my first comment on this, that the whole purpose of extended benefits and the reason we used to have a national trigger for the entire country was for its countercyclical effect. It was in our interest to provide a certain floor level of benefits to all people who were out of work regardless of the particular economic conditions within States.

So, hopefully, we will go back to a period of time where we have a national trigger. This is what this does temporarily. That is what the Senate did, it provided a floor, a high floor of 13 weeks and a reach-back for everyone.

As for the gentleman from Pennsylvania who makes the point that his State is disadvantaged by several weeks, I would hope that if the recession continues in June, the gentleman will be the first to cosponsor my additional 4-or-5-week extension bill when it comes to the floor.

Mr. LIPINSKI. Mr. Speaker, I rise in support of MFN for the Baltic States and against MFN for the Soviet Union. The newly free Baltic States have finally rid themselves of Soviet domination and are moving down the very difficult road toward economic independence. They cannot do this without our help. MFN status will allow them to compete in the open market with the same opportunities that our best allies have. Not only is this fair, but it is smart foreign policy. This will help ensure democracy and stability in those three nations for years to come.

However, after 46 years and billions of dollars spent fighting Soviet communism, we cannot and should not rush toward granting MFN to the Soviet Union. As the Western nations fall over themselves trying to be the first and friendliest in our new relationship with the Soviets, I am concerned that we are losing sight of the very foreign policy goals we set as the world's leading democracy after World War II. Unlike the Baltics, the Soviet Union has not made the same great strides toward democracy.

Yes, the changes of the last 6 years have been historic and the Soviets have finally showed signs of genuine reform. The Baltic States would be the first to testify to that. But we must also be cautious. The failed coup last August was a victory for reformers, but it also showed the instability of the Soviet Union that continues today.

The tension among the remaining republics is now at an all-time high. Armenia and Azerbaijan are reigniting an age-old dispute that has erupted repeatedly during the last several years. Georgia is headed by a throwback hardliner who is following Serbia's example and using nationalism to protect his rule. And Ukraine is troubled by separatists in the Crimean region in the south of that Republic.

I am hopeful that President Yeltsin and President Gorbachev will finally bring true democracy and a market economy to the Soviet Union. But until we know where the republics and central government are going, we must hold off on giving them easy access to our markets. Let's first see Cuba completely isolated, more drastic cuts in their military capabilities, and the emergence of a stabile democracy.

So. Mr. Speaker, I believe the time is not right to grant MFN to the Soviets. It is an economic break they don't yet deserve. I urge my colleagues to vote "no" on this House Joint Resolution 346 and "yes" on House Resolution 287.

Mr. DURBIN. Mr. Speaker, I rise in support of Chairman ROSTENKOWSKI's language in H.R. 1724 which would grant the Baltic States most-favored-nation status.

Given our budgetary constraints and domestic problems, I believe it is unrealistic to grant large amounts of foreign aid to the Soviet Union or the Baltic States at this time. At the same time, I believe we must make every effort to assist these emerging democracies through other channels as they face the difficult task of building a prosperous open market economy.

To this end, Mr. HOYER and I introduced legislation earlier this year granting the Baltic States most-favored-nation status. This bill enjoyed wide bipartisan support.

I commend the distinguished chairman of the Ways and Means Committee for including similar language in H.R. 1724. By granting nondiscriminatory treatment to the products of Estonia, Latvia, and Lithuania, we are reaffirming our long-term commitment to their goal of economic self-sufficiency as well as encouraging the development of private business partnerships between the United States and the Baltic States.

I support this language because I believe it will benefit both the people of Lithuania, Estonia, and Latvia and those here at home.

Mr. MORAN. Mr. Speaker, today I rise to join my colleagues in supporting H.R. 1724—extending most-favored-nation status for Czechoslovakia and Hungary.

This bill is important for America because it opens the doors of trade between the United States and the emerging democracies of Czechoslovakia and Hungary. The importance of trade between these nations, however, is diminished in comparison to the other provision of this legislation that eliminates the first tier of the Unemployment Insurance Extension Act—granting all States 13 weeks of unemployment insurance—and allows every State of the Union to reach back and compensate those individuals whose benefits have exhausted prior to last Sunday.

This week, my office has been inundated with calls from constituents who have been left out in the cold from the bill just signed by the President. They do not understand why unemployment benefits have been extended for those whose benefits will be exhausted in the future, but not be extended for those who have already exhausted their benefits. They still can't find jobs. They still are having trouble meeting their mortgages and they still are having trouble feeding their families. These people need our help as much, if not more, than those who are protected by the first bill. These are the people we are seeking to help today.

I urge all my colleagues to join me in supporting this legislation and in ensuring that all unemployed Americans are given the same treatment and that all unemployed Americans will be given some relief before Thanksgiving.

Mr. LEVIN of Michigan. Mr. Speaker, I rise today in support of H.R. 1724, which grants most-favored-nation trade status to the Baltic nations. I hope this bill is quickly enacted into law.

By granting MFN status to the people of Latvia, Lithuania, and Estonia, we strengthen through economic relations the strong ties that already bind Americans with the people of the Baltic States.

This legislation could not be more timely. After years of struggle, the people of the Baltics have reclaimed the sovereignty that was denied them for half a century. Now they must begin the difficult task of integrating their economy with world markets and developing a free-market infrastructure. The American people, who have supported the Baltics in their political struggles, must now help them in their struggle to develop a market economy.

We do so by passing this legislation.

A few months ago I traveled with several of our colleagues to the Baltic nations. We arrived at the moment when Estonia, Latvia, and Lithuania finally recovered their true independence. As I watched people experience the sweet taste of freedom, I thought about how truly remarkable a thing it was they were celebrating. It wasn't long ago, Mr. Speaker, that we stood on the floor of the House and spoke out against attempts to crush the spirit of freedom in the Baltics.

That spirit eventually triumphed, a monument to the power of a people's will. Today we take a great step toward nourishing that spirit by welcoming the Baltics to the world economy.

Mr. MCGRATH. Mr. Speaker, I support H.R. 1724 because it includes many important trade propositions which I endorse, even though it is incorporated in a rather unusual manner to unemployment insurance legislation.

The Andean Trade Preference Act addresses the enormous problem faced by our country of the spread of illicit drugs from South America. By eliminating the duties on many products from this region, these countries may develop alternative crops and industries to halt the cultivation of coca plants.

This legislation has little adverse effect on U.S. products because goods that are generally considered to be import sensitive have been excluded from the bill. Alternatively, these countries will benefit from a strengthened economy and develop the ability to purchase U.S. goods and services.

H.R. 1724 also extends most-favored-nation status to Hungary and Czechoslovakia, as well as the Baltic nations of Estonia, Latvia, and Lithuania. This is a proper response to remarkable changes in that region of the world. Another provision in this legislation lifts the ban on imports of gold coins from the Soviet Union. We agreed to this measure in our bilateral trade negotiations.

Mr. Speaker, these trade measures are worthy of our consideration and I urge my colleagues to support H.R. 1724.

Mr. RANGEL. Mr. Speaker, I rise in support of the conference report on unemployment compensation. In addition to the important unemployment provisions, this report contains an important counternarcotics initiative, the Andean Trade Preferences Act [ATPA].

The Select Committee on Narcotics Abuse and Control, which I chair, has for many years examined international narcotics control issues. In all of the drug producing and transit countries around the world, we have discovered that the narcotics issue is inextricably linked to a number of other important issues, most frequently including local economic and social problems. Our Select Committee on Narcotics study missions to Latin America, in particular, have always included developmental issues, trade, and immigration, in addition to the stated purpose of studying the narcotics problem. In our discussions, we have never been able to truly isolate the narcotics issue from the economic and social context in the host country.

The committee recently conducted a series of individual meetings with the Ambassadors from the four Andean nations which will be covered under the ATPA. All four Ambassadors stressed the importance of economic and trade issues to their domestic battles against drug production and traffic.

This series of off-the-record meetings led up to a public hearing on the Andean strategy with administration witnesses. The administration witnesses all emphasized the need for a comprehensive approach to combatting drugs in the Andean region. The most requested additional assistance from Capitol Hill was the passage of the Andean Trade Preferences Act.

The relationship between the drug problem on one side and the economy on the other manifests itself in different ways in each of these countries. I will very briefly outline some of our findings.

In Peru and Bolivia, the very survival of hundreds of thousands of peasants is dependent upon one cash crop, coca. The legitimate economies in those countries cannot sustain the population at present. Not only is development assistance crucial, but there must be a market for the alternative goods in order for the development process to be successful.

The situation in Peru is further complicated by the presence of two extremely violent insurgences, the Shining Path guerrillas and the Tupac Amaru. These guerrilla groups have been able to gain support among the peasants because of the poor economy and resulting abysmal living conditions.

Colombia has waged an exemplary war against drug traffickers. The top leaders of the Medellin cartel are either dead or behind bars. Record amounts of cocaine have been seized. This has not occurred without considerable costs to Colombian society, to the Government and to the economy. Narcoterrorism has cost thousands of lives, and millions of dollars in property damages. One of the major industries, tourism, declined sharply as the fear of the random narcoterrorist attacks became widespread. Foreign investment has also declined. And, of course, the dramatically stepped up drug law enforcement efforts put a very great burden on the Colombian taxpayer.

Successes in Colombia have put more pressure on neighboring nations. Ecuador has been fairly successful in its counternarcotics efforts, but at great cost. Without a stronger economic base to tap, the government will not be able to sustain, let alone increase, counternarcotics efforts.

Mr. Speaker, we are asking all of these countries to dramatically increase their counternarcotics efforts, because we, in the United States of America, are having difficulty controlling our appetite for the illegal drug cocaine. The costs of their stepped up efforts and of the eventual decrease in the whole cocaine industry will have enormous negative impacts on the economies of these countries, and may create serious political instability as well.

We should provide them with the opportunity to export legal goods instead of the illegal and deadly drug, cocaine, to the United States.

The ATPA is not a free trade agreement. It really only provides access to some of the local goods from the Andean region. Controversial commodities, such as textiles, petroleum, tuna, rum, footware, and watches, are exempted from this legislation. It does not change the treatment of sugar and related products which are covered under the Food and Agricultural Resources Act. I have not seen any economic analyses that would indicate that this legislation would be a threat to any U.S. industry or to U.S. labor.

I strongly support this legislation. It is an important component to the entire antinarcotics strategy in the Andean region. We all know that there is no single bullet, no one approach we can take against drug trafficking and abuse. Each and every front of this war must have the full support of the administration and the Congress. Economic issues, of which trade is a vital part, are as important a battleground in this war as developing a strong and incorruptible judiciary.

I would like to thank my colleague from Illinois [Mr. CRANE] for introducing this legislation and working diligently on its passage. In addition, I would like to commend the Trade Subcommittee chairman, Mr. GIBBONS, and the Ways and Means Committee chairman, Mr. ROSTENKOWSKI, for the efforts to get this legislation enacted before adjournment. I urge my colleagues to support this legislation.

Mr. MOODY. Mr. Speaker, many months ago, the Committee on Ways and Means and the Congress passed legislation that would have extended desperately needed unemployment benefits to virtually all of the hundreds of thousands of workers and their families who had run out of regular benefits due to the current recession.

The President refused to release a single penny of those benefits, citing his concerns over the budget deficit.

So we tried to compromise with the President and passed a new, less generous bill. The President vetoed that bill because he said it, too, was a budget buster.

Why wasn't aid to the Kurds in Iraq considered a budget buster? Why wasn't aid to Bangledesh flood victims considered a budget buster?

It seems that only help for working families here at home is rejected as too expensive.

All the while, thousands more families who have run out of benefits were being forced to take their children out of school, forced out of their homes, or even onto welfare.

Finally, after months of additional negotiations in which the President's main goal seemed to be to offer as few benefits as possible, we passed a bill. Unfortunately, that bill left out 30,000 Wisconsin workers who had run out of benefits while the President stalled and dissembled.

Only after the President came face to face with the outrage of the American people and the Congress, has the President agreed to extend these crucial benefits to those most in need—the workers who have suffered the longest from the recession.

I support this bill enthusiastically, and can only observe that it has come much later than it needed to have. Now, we must turn our attention to stimulating the economy and creating new jobs and broad-based economic growth.

Mr. SWETT. Mr. Speaker, I rise today in support of H.R. 1724, which will extend unemployment benefits which was recently enacted. While the previous law provided much-needed help to those unemployed workers whose benefits have expired, it did not extend benefits equally. The previous law would have provided only 6 weeks of benefits extension for New Hampshire, while unemployed workers in other States in similar circumstances would have received 13 or 20 weeks.

Mr. Speaker, this legislation is vital to people in New Hampshire and throughout our country who would not receive 13 weeks of benefits without its passage. In New Hampshire alone, there are over 55,000 unemployed people, and thousands of people whose unemployment benefits have already expired. They are looking to Washington for help.

The extension of unemployment benefits is not a luxury to those workers who depend upon these benefits for their very existence. It is necessary to provide relief to the thousands of people in New Hampshire and the millions nationwide who are victims of the prolonged recession. These additional benefits will allow them to save their homes and keep their children fed.

Mr. Speaker, I ask my colleagues to lend a helping hand to all hard-working jobless Americans and join me in supporting this legislation.

Mr. BROOMFIELD. Mr. Speaker, I strongly support H.R. 3409, the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991, which is included in the resolution we are currently considering.

H.R. 3409 imposes sanctions, and encourages international sanctions, against countries which use chemical or biological weapons in violation of international law. In addition, this legislation also imposes sanctions against companies that aid in the proliferation of chemical or biological weapons.

As a part of the fiscal year 1992–93 State Department authorization bill (Pub. L. 102–138), the President has already signed into law legislation which is nearly identical to H.R. 3409. The sole difference between the version now a part of public law and the version included in this bill concerns the issue of import sanctions.

As Chairman ROSTENKOWSKI indicated yesterday during the markup of H.R. 3409, import

sanctions were stripped from the version of the CBW bill in the State Department Authorization Act on order to meet jurisdictional concerns of the Ways and Means Committee.

In order to address those valid concerns, an agreement was worked out between the other body and the House and relevant committees which allowed for a bill to be considered by each body which contains import sanctions. That provision, H.R. 3409, is before us now as a part of House Resolution 287.

I urge all Members to support this legislation so that we can send it to the other body, get it passed, and to the President for his signature. The addition of import sanctions will improve what is already an excellent piece of legislation which should help the President's ability to curtail the proliferation of CBW and punish countries and companies that use CBW.

Mr. FASCELL. Mr. Speaker, the resolution that is before the House for consideration today, House Resolution 287, contains a chemical weapons sanctions provision which complements and finalizes legislative action already taken by the House and already signed into law by the President as part of the Foreign Relations Authorization Act for fiscal years 1992 and 1993. This legislative provision in the Foreign Relations Authorization Act—State Department authorization—institutes sanctions against countries which use chemical and biological weapons in violation of international law and against foreign individuals and firms which assist countries to obtain a chemical or biological weapons capability. The legislative provision in House Resolution 287 on chemical weapons sanctions mirrors the previously passed provision in the State Department authorization bill but adds a very important sanction, import sanctions, against companies and individuals proliferating chemical and biological weapons.

During the House and Senate conference on their respective State Department authorization bills, H.R. 1415 and S. 1433, agreement was reached on chemical weapons sanctions provisions but a disagreement between the House Ways and Means Committee and the Senate conferees caused import sanctions to be withheld from the conference provision pending further consideration by the House Ways and Means Committee. The chemical weapons sanctions provision became part of the conference agreement on the State Department authorization and was passed by both Houses of Congress as the Foreign Relations Authorization Act for fiscal years 1992 and 1993 conference report of October 3, 1991, and was signed into law by the President on October 28, 1991. Part of the unofficial conference agreement was that a clean chemical weapons sanctions bill, containing import sanctions, would then be introduced and duly considered in both House and Senate. This chemical weapons sanctions provision which passed and was signed into law was substantially the same as the chemical weapons sanctions provision which was part of the Omnibus Export Amendments Act of 1990, H.R. 4653, title IV, which the President pocket vetoed on November 16, 1990.

On September 25, 1991, I, Mr. BERMAN, and Mr. BROOMFIELD introduced H.R. 3409, a clean bill entitled the "Chemical and Biological Weapons Control and Warfare Elimination Act of 1991." That bill was jointly referred to the Committees on Foreign Affairs, Ways and Means, Banking, Finance and Urban Affairs, and Public Works and Transportation. On September 26, 1991, the Committee on Foreign Affairs met to mark up H.R. 3409 and ordered it favorably reported, as amended. This action by the Committee on Foreign Affairs continues consideration of similar legislation which began in the 101st Congress and can be referred to in the committee report (101–334) on the Chemical and Biological Warfare Elimination Act, and the conference report (101–944) on H.R. 4653, the Omnibus Export Amendments Act of 1990.

During consideration and action on chemical weapons sanctions legislation in the 101st and 102d Congress the primary objective has been threefold:

First, to stop the proliferation of chemical and biological weapons;

Second, to penalize countries and companies using or transferring chemical and biological weapons; and

Third, to establish a meaningful mandatory sanctions regime against country and company violators.

H.R. 3409 was simply the latest legislative expression of that effort and the provision in House Resolution 287 complements that effort by adding import sanctions. Both provisions reiterate the strong conviction in Congress that, whenever chemical and/or biological weapons are used or the capability to produce them is passed on, sanctions should be imposed by the United States and the world community.

The chemical weapons sanctions legislation of H.R. 3409 and the similar provision contained in House Resolution 287 both recognize the practical necessity of granting the President adequate flexibility and discretion in imposing sanctions. For example, the legislation specified that the President can waive the imposition of sanctions on a country violator if he determines that it is essential to the national security interests of the United States not to implement the sanctions in that particular case. However, in order for that waiver to take effect, there must be concurrence of the chairman of the Senate Foreign Relations Committee, the chairman of the House Foreign Affairs Committee, and the ranking minority members of both committees.

This waiver is keyed to the House Foreign Affairs Committee's normal reprogramming procedures for foreign aid—section 634A of the Foreign Assistance Act—and allows the committee to review, judge, and, if necessary, put a hold on the President's waiver decision.

This legislation also grants authority to the President to waive the country sanctions if he determines and certifies to the Congress that there has been a fundamental change in the leadership and policies of the government of the sanctioned country and notifies the Congress at least 20 days before the waiver takes effect.

This legislation underscores the importance of U.S. leadership in unilateral and multilateral efforts to stop the proliferation of chemical and biological weapons and the need for stronger and more effective actions to sanction violations of international law.

The legislation specifies that the President is to impose sanctions on foreign persons who have knowingly and materially contributed to efforts by certain countries, projects, or entities to use, develop, produce, stockpile, or acquire chemical or biological weapons. It urges the President to undertake consultation with the country or jurisdiction in order to secure corrective action. It permits the President to delay imposition of sanctions against a foreign person for up to 90 days to pursue consultations and corrective action. It requires the President to report within 90 days after his determination on the status of the consultations. It applies sanctions, Government procurement and import sanctions, for at least 12 months, after which the sanctions can be terminated if the President determines and certifies that the violations have ceased. It also provides for a Presidential waiver after 12 months, based on the President's determination that the waiver is important to the national security of the United States.

A two-tier sanctions regime is established by the legislation to be applied against countries which use chemical or biological weapons in violation of international laws, make substantial preparation to do so, or develop, produce, or stockpile biological weapons in violation of international law.

Under this two-tier sanctions regime the President would be required to impose immediately after his determination all U.S. Government-associated sanctions: Foreign assistance, arms sales, arms sales financing, government credits or financial assistance, and exports of national security-sensitive goods and technology. Three additional sanctions out of six possible sanctions—multilateral development bank assistance, bank loans, further export restrictions, import restrictions, diplomatic relations, landing rights—are to be imposed unless, within 3 months after the President's determination that a violation has occurred, the President certifies that the government in question has ceased its use of chemical weapons, is no longer violating international law, has provided assurances regarding future violations, and is willing to allow inspections. The President can remove the country sanctions after 12 months if he determines and can certify these same changes in conduct by the government in question.

I urge support of this chemical weapons sanctions provision in House Resolution 287 which, if adopted and signed by the President, would make complete the legislative effort begun 3 years ago to sanction Iraq or any other country or individual for any efforts to proliferate, develop, or use chemical or biological weapons. The goal of the Foreign Affairs Committee's legislation on chemical weapons sanctions was then in the case of Iraq, and is now in the case of all other countries and individuals, to express the strong feeling that whenever chemical or biological weapons are used or the capability to produce them is passed on, Congress disapproves and presumes that sanctions will be firmly imposed.

Mr. SANTORUM. Mr. Speaker, I rise reluctantly in opposition to this bill. I am a cosponsor of the legislation being considered, but disagree with a provision of the unemployment compensation rider attached to the bill. It is

difficult for me to stand and urge my colleagues to oppose the bill. While I am supportive of free trade, especially in this time of an improved international situation, I must vote against the legislation due to the impact of the unemployment compensation provisions on the unemployed in my State of Pennsylvania.

I wholeheartedly agree with the Members who have mentioned during the debate that this is not a responsible way to pass trade or unemployment compensation legislation. Unfortunately, the Senate has forced us to handle the unemployment compensation bill in this fashion. By insisting on wholesale changes to the House-passed bill and attaching unemployment compensation bill provisions to trade legislation, Members of this Chamber are now in the uncomfortable situation of considering legislation in a manner that is beyond the scope of normal House procedure.

Mr. Speaker, I welcomed consideration of H.R. 3575, the Federal Supplemental Compensation Act. I was encouraged that an unemployment compensation bill was put before the House that paid for itself and was in strict compliance with the last year's budget agreement. I voted for passage of H.R. 3575 last Thursday with the assurance that those Pennsylvanians eligible for extended benefits would receive benefits expeditiously. The action taken by the Senate, however, assists low unemployment States at the expense of high unemployment States like Pennsylvania. By elevating low unemployment States from 6 to 13 weeks of extended benefits and by shortening the time period that the bill is effective, Pennsylvanians will receive 1 month less of extended benefits than they were entitled to under H.R. 3575.

Mr. Speaker, I cannot understand why any Member from a State with high unemployment can support this provision. I am a cosponsor of the trade legislation that we are considering. Unfortunately, with the Senate attaching this irresponsible provision reducing unemployment benefits for Pennsylvanians, I must vote against passage of the bill. I urge my colleagues to take a closer look at the bill before voting.

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

The SPEAKER pro tempore (Mr. OBEY). All time has expired.

The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and agree to the resolution, House Resolution 287.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has concluded on both motions to suspend the rules.

Pursuant to clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today, in the order in which that motion was entertained.

Votes will be taken in the following order: House Joint Resolution 346, de novo; and House Resolution 287, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

APPROVING EXTENSION OF NONDISCRIMINATORY TREATMENT WITH RESPECT TO PRODUCTS OF THE UNION OF SOVIET SOCIALIST REPUBLICS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the joint resolution, House Resolution 346.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and pass the joint resolution, House Joint Resolution 346.

The question was taken.

Mr. SOLOMON. 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 350, nays 78, not voting 6, as follows:

[Roll No. 410]

YEAS—350

Abercrombie	Blackwell	Coleman (MO)	Eckart	Leach	Rinaldo
Ackerman	Bliley	Coleman (TX)	Edwards (CA)	Lehman (CA)	Ritter
Alexander	Boehlert	Collins (IL)	Edwards (TX)	Lehman (FL)	Roberts
Allard	Boehner	Collins (MI)	Emerson	Lent	Roe
Anderson	Bonior	Combest	Engel	Levin (MI)	Roemer
Andrews (ME)	Borski	Conyers	Espy	Levine (CA)	Rogers
Andrews (TX)	Boucher	Cooper	Evans	Lewis (CA)	Rose
Annunzio	Boxer	Costello	Ewing	Lightfoot	Rostenkowski
Anthony	Brewster	Coughlin	Fascell	Livingston	Roth
Archer	Brooks	Cox (IL)	Fawell	Long	Roukema
Armey	Broomfield	Coyne	Fazio	Lowery (CA)	Rowland
Aspin	Browder	Darden	Feighan	Lowey (NY)	Roybal
Atkins	Brown	de la Garza	Fields	Luken	Sabo
AuCoin	Bruce	DeFazio	Fish	Machtley	Sanders
Bacchus	Bryant	DeLauro	Flake	Manton	Sangmeister
Baker	Bustamante	Dellums	Foglietta	Markey	Santorum
Ballenger	Byron	Derrick	Ford (MI)	Marlenee	Sarpalius
Barnard	Camp	Dicks	Frank (MA)	Martin	Savage
Barrett	Campbell (CA)	Dingell	Franks (CT)	Martinez	Sawyer
Barton	Campbell (CO)	Dixon	Frost	Matsui	Saxton
Bateman	Cardin	Donnelly	Gallo	Mavroules	Scheuer
Bellenson	Carper	Dooley	Gaydos	Mazzoli	Schiff
Bereuter	Carr	Dorgan (ND)	Gejdenson	McCloskey	Schroeder
Berman	Chandler	Downey	Gekas	McCrery	Schulze
Bevill	Clay	Durbin	Gephardt	McCurdy	Sensenbrenner
Bilbray	Clement	Dwyer	Gibbons	McDade	Serrano
Bilirakis	Clinger	Dymally	Gilchrest	McDermott	Sharp
			Gilman	McGrath	Shaw
			Gingrich	McHugh	Shays
			Glickman	McMillan (NC)	Shuster
			Gonzalez	McMillen (MD)	Sikorski
			Goodling	Meyers	Sisisky
			Gordon	Mfume	Skaggs
			Gradison	Michel	Skeen
			Grandy	Miller (CA)	Skelton
			Green	Miller (OH)	Slattery
			Guarini	Miller (WA)	Slaughter
			Gunderson	Mineta	Smith (FL)
			Hall (OH)	Mink	Smith (IA)
			Hamilton	Moakley	Smith (NJ)
			Hammerschmidt	Molinari	Smith (OR)
			Hansen	Mollohan	Smith (TX)
			Harris	Montgomery	Solarz
			Hastert	Moody	Spence
			Hayes (IL)	Moran	Spratt
			Hayes (LA)	Morella	Stallings
			Hefley	Morrison	Stark
			Hefner	Murphy	Stenholm
			Henry	Murtha	Stokes
			Hertel	Nagle	Studds
			Hoagland	Natcher	Sundquist
			Hobson	Neal (MA)	Swett
			Hochbrueckner	Nichols	Swift
			Horn	Nowak	Synar
			Horton	Nussle	Tallon
			Houghton	Oakar	Tanner
			Hoyer	Oberstar	Tauzin
			Huckaby	Obey	Taylor (NC)
			Hughes	Olin	Thomas (CA)
			Hutto	Olver	Thomas (GA)
			Hyde	Ortiz	Thomas (WY)
			Ireland	Orton	Thornton
			Jacobs	Owens (NY)	Torres
			Jefferson	Owens (UT)	Torricelli
			Jenkins	Oxley	Traxler
			Johnson (CT)	Panetta	Unsoeld
			Johnson (SD)	Pastor	Upton
			Johnson (TX)	Payne (NJ)	Vander Jagt
			Johnston	Payne (VA)	Vento
			Jones (GA)	Pease	Visclosky
			Jones (NC)	Pelosi	Volkmer
			Jontz	Penny	Walsh
			Kanjorski	Perkins	Washington
			Kaptur	Peterson (FL)	Waxman
			Kasich	Peterson (MN)	Weiss
			Kennedy	Petri	Weldon
			Kennelly	Pickett	Wheat
			Kildee	Pickle	Whitten
			Kleczka	Poshard	Williams
			Klug	Price	Wilson
			Kolbe	Pursell	Wise
			Kolter	Rahall	Wolpe
			Kopetski	Rangel	Wyden
			Kostmayer	Ravenel	Wylie
			LaFalce	Ray	Yates
			Lagomarsino	Reed	Yatron
			Lancaster	Regula	Young (AK)
			Lantos	Richardson	Zeliff
			LaRocco	Ridge	Zimmer
			Laughlin	Riggs	

NAYS—78

Allen	Bennett	Burton
Andrews (NJ)	Bentley	Callahan
Applegate	Bunning	Chapman

Coble	Hancock	Paxon
Condit	Herger	Porter
Cox (CA)	Holloway	Quillen
Cramer	Hopkins	Ramstad
Crane	Hubbard	Rhodes
Cunningham	Hunter	Rohrabacher
Dannemeyer	Inhofe	Ros-Lehtinen
Davis	James	Russo
DeLay	Kyl	Schaefer
Dickinson	Lewis (FL)	Schumer
Doolittle	Lipinski	Snowe
Dornan (CA)	Lloyd	Solomon
Dreier	McCandless	Staggers
Duncan	McCollum	Stearns
Early	McEwen	Stump
Edwards (OK)	McNulty	Taylor (MS)
English	Moorhead	Traficant
Erdreich	Myers	Valentine
Gallegly	Neal (NC)	Vucanovich
Geren	Packard	Walker
Gillmor	Pallone	Weber
Goss	Parker	Wolf
Hall (TX)	Patterson	Young (FL)

NOT VOTING—6

Ford (TN)	Lewis (GA)	Towns
Hatcher	Mrazek	Waters

□ 1525

Messrs. VALENTINE, DREIER of California, DELAY, ROHRABACHER, HERGER, PARKER, GEREN of Texas, ALLEN, and HUBBARD changed their vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OBEY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

TERMINATION OF JACKSON-VANIK PROVISIONS OF TRADE ACT OF 1974, AND PERMANENT EXTENSION OF MOST-FAVORED-NATION TREATMENT TO HUNGARY AND CZECHOSLOVAKIA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 287.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and agree to the resolution, House Resolution 287.

The question was taken.

Mr. ROSTENKOWSKI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. The Chair will remind the Members that this is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 21, not voting 6, as follows:

[Roll No. 411]

YEAS—407

Abercrombie	Dornan (CA)	Johnston
Ackerman	Downey	Jones (GA)
Alexander	Dreier	Jones (NC)
Allard	Duncan	Jontz
Allen	Durbin	Kanjorski
Anderson	Dwyer	Kaptur
Andrews (ME)	Dymally	Kasich
Andrews (NJ)	Early	Kennedy
Andrews (TX)	Eckart	Kennelly
Annunzio	Edwards (CA)	Kildee
Anthony	Edwards (OK)	Kleczka
Applegate	Edwards (TX)	Klug
Aspin	Emerson	Kolbe
Atkins	Engel	Kolter
AuCoin	English	Kopetski
Bacchus	Erdreich	Kostmayer
Baker	Espy	Kyl
Ballenger	Evans	LaFalce
Barnard	Ewing	Lagomarsino
Barrett	Fascell	Lancaster
Barton	Fawell	Lantos
Bateman	Fazio	LaRocco
Bellenson	Feighan	Laughlin
Bennett	Fish	Leach
Bentley	Flake	Lehman (CA)
Bereuter	Foglietta	Lehman (FL)
Berman	Ford (MI)	Lent
Bevill	Frank (MA)	Levin (MI)
Bilbray	Franks (CT)	Levine (CA)
Bilirakis	Frost	Lewis (CA)
Blackwell	Gallegly	Lewis (FL)
Bliley	Gallo	Lightfoot
Boehlert	Gaydos	Lipinski
Boehner	Gejdenson	Livingston
Bonior	Gekas	Lloyd
Borski	Gephardt	Long
Boucher	Geren	Lowery (CA)
Boxer	Gibbons	Lowey (NY)
Brewster	Gilchrest	Luken
Brooks	Gillmor	Machtley
Broomfield	Gilman	Manton
Browder	Gingrich	Markey
Brown	Glickman	Marlenee
Bruce	Gonzalez	Martin
Bryant	Goodling	Martinez
Bunning	Gordon	Matsui
Bustamante	Goss	Mavroules
Byron	Gradison	Mazzoli
Callahan	Grandy	McCandless
Camp	Green	McCloskey
Campbell (CA)	Guarini	McCollum
Campbell (CO)	Gunderson	McCrery
Cardin	Hall (OH)	McCurdy
Carper	Hall (TX)	McDade
Carr	Hamilton	McDermott
Chandler	Hammerschmidt	McEwen
Chapman	Hansen	McGrath
Clay	Harris	McMillan (NC)
Clement	Hastert	McMillen (MD)
Clinger	Hayes (IL)	McNulty
Coble	Hayes (LA)	Meyers
Coleman (MO)	Hefley	Mfume
Coleman (TX)	Hefner	Michel
Collins (IL)	Henry	Miller (CA)
Collins (MI)	Herger	Miller (OH)
Condit	Hertel	Miller (WA)
Conyers	Hoagland	Mineta
Cooper	Hobson	Mink
Costello	Hochbrueckner	Moakley
Cox (CA)	Holloway	Molinari
Cox (IL)	Hopkins	Mollohan
Coyne	Horn	Montgomery
Cramer	Horton	Moody
Cunningham	Houghton	Moorhead
Darden	Hoyer	Moran
Davis	Hubbard	Morella
de la Garza	Huckaby	Morrison
DeFazio	Hughes	Murphy
DeLauro	Hutto	Murtha
Dellums	Hyde	Myers
Derrick	Inhofe	Nagle
Dickinson	Ireland	Natcher
Dicks	Jacobs	Neal (MA)
Dingell	James	Neal (NC)
Dixon	Jefferson	Nichols
Donnelly	Jenkins	Nowak
Dooley	Johnson (CT)	Nussle
Dorgan (ND)	Johnson (SD)	Oakar
Oberstar	Rohrabacher	Stokes
Obey	Ros-Lehtinen	Studds
Olin	Rose	Sundquist
Olver	Rostenkowski	Swett
Ortiz	Roth	Swift
Orton	Roukema	Synar
Owens (NY)	Rowland	Tallon
Owens (UT)	Roybal	Tanner
Oxley	Russo	Tauzin
Packard	Sabo	Taylor (NC)
Pallone	Sanders	Thomas (CA)
Panetta	Sangmeister	Thomas (GA)
Parker	Sarpalius	Thomas (WY)
Pastor	Savage	Thornton
Patterson	Sawyer	Torres
Paxon	Saxton	Torricelli
Payne (NJ)	Schaefer	Traficant
Payne (VA)	Scheuer	Traxler
Pease	Schiff	Unsoeld
Pelosi	Schroeder	Upton
Penny	Schumer	Valentine
Perkins	Sensenbrenner	Vander Jagt
Peterson (FL)	Serrano	Vento
Peterson (MN)	Sharp	Visclosky
Petri	Shaw	Volkmer
Pickett	Shays	Vucanovich
Pickle	Shuster	Walsh
Porter	Sikorski	Washington
Poshard	Sisisky	Waters
Price	Skaggs	Waxman
Pursell	Skeen	Weber
Rahall	Skelton	Weiss
Ramstad	Slattery	Wheat
Rangel	Slaughter	Whitten
Ravenel	Smith (FL)	Williams
Ray	Smith (IA)	Wilson
Reed	Smith (NJ)	Wise
Regula	Smith (OR)	Wolf
Rhodes	Smith (TX)	Wolpe
Richardson	Snowe	Wyden
Ridge	Solarz	Wylie
Riggs	Solomon	Yates
Rinaldo	Spence	Yatron
Ritter	Spratt	Young (AK)
Roberts	Staggers	Young (FL)
Roe	Stallings	Zeliff
Roemer	Stark	Zimmer
Rogers	Stenholm	

NAYS—21

Archer	DeLay	Santorum
Armey	Doolittle	Schulze
Burton	Fields	Stearns
Combest	Hancock	Stump
Coughlin	Hunter	Taylor (MS)
Crane	Johnson (TX)	Walker
Dannemeyer	Quillen	Weldon

NOT VOTING—6

Ford (TN)	Lewis (GA)	Mrazek
Hatcher	McHugh	Towns

□ 1534

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 355, RECLAMATION STATES EMERGENCY DROUGHT RELIEF ACT OF 1991

Mr. MILLER of California. Mr. Speaker, pursuant to clause 1 of rule XX, and by direction of the Committee on Interior and Insular Affairs, I move to take from the Speaker's table the bill (H.R. 355) to provide emergency drought relief to the reclamation States, and for other purposes, a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. OBEY). The question is on the motion

offered by the gentleman from California [Mr. MILLER].

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Speaker will appoint conferees upon his return to the chair.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 353

Mr. BALLENGER. Mr. Speaker, I ask unanimous consent that the name of the gentleman from North Carolina [Mr. MCMILLAN] be withdrawn as a cosponsor of House Joint Resolution 353.

The SPEAKER pro tempore. (Mr. MFUME). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION ACT OF 1991

Mr. WHEAT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 278 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 278

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 bill (H.R. 2130) to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1992, 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, with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, and with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space and Technology, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider an amendment in the nature of a substitute consisting of the text of H.R. 3704, as modified by the amendments printed in section 2 of this resolution, as an original bill for the purpose of amendment under the five-minute rule, and said substitute shall be considered as having been read. No amendment to said substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Said amendments shall be considered in the order and manner specified, shall be considered as having been read, and shall be debatable for the period specified in the report, equally divided and controlled by the proponent and a Member opposed thereto. Said amendments shall not be subject to amendment except as specified in the report of the Committee on Rules. Where the report of the Committee on Rules specifies consideration of amendments en bloc, then said amendments shall be so considered, and such amendments en bloc shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. It shall be in order at any time for the chairman of the Committee on Merchant Marine and Fisheries, or his designee, to offer amendments en bloc consisting of amendments, and modifications in the text of any amendment which are germane thereto, printed in the report of the Committee on Rules. Such amendments en bloc, except for any modifications, shall be considered as having been read and shall be debatable for not to exceed thirty minutes, with fifteen minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, and with fifteen minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space and Technology. All points of order against the amendments en bloc are hereby waived. The original proponents of the amendments en bloc shall have permission to insert statements in the Congressional Record immediately before disposition of the amendments en bloc. Such amendments en bloc shall not be subject to amendment, or to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report 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, and any Member may demand a separate vote on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. On page 54, line 20, delete "(a)". On page 54, line 21, delete "a qualified" and insert in lieu thereof "an". On page 55, strike lines 1 through 7.

□ 1540

The SPEAKER pro tempore (Mr. MFUME). The gentleman from Missouri [Mr. WHEAT] is recognized for 1 hour.

Mr. WHEAT. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 278 is a modified open rule providing for the consideration of H.R. 2130, authorizing appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1992. The rule provides for 1 hour of general debate—30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries and 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology.

The rule makes in order an amendment in the nature of a substitute consisting of the text of H.R. 3704 to be considered as an original bill for the purpose of amendment.

The resolution further makes in order only those amendments printed in the report accompanying the rule. All amendments are to be considered in the order and manner specified and for the time specified.

It should be noted that the rule does make in order all the amendments prefiled with the committee. Finally, the rule also provides for one motion to recommit with or without instructions.

Mr. Speaker, House Resolution 278 is a good and fair rule which allows for full and orderly consideration of the issues related to the National Oceanic and Atmospheric Administration programs. I urge the adoption of the rule.

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

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

Mr. Speaker, I would like to commend the chairmen and ranking republican members of both the Merchant Marine and Fisheries Committee and the Science, Space, and Technology Committee for putting this compromise together.

Mr. Speaker, the bill made in order by this rule is important legislation. It provides for a 2-year authorization for programs such as the National Weather Service, which is responsible for weather forecasts along with hurricane, tornado, and flash flood warnings and alerts.

This compromise measure provides the authorization for acquisition of the next-generation weather radar system. This is a public warning and forecast system designed to replace the current short-term warning and forecast system.

Mr. Speaker, for those of us who have weather service field offices and are concerned about their possible closure, I would like to point out that this measure continues current law which requires the Department of Commerce to submit an annual plan to Congress for modernization of the Weather Service. The bill requires that the Commerce Department certify that closure will not degrade weather services before closing a field office. It also makes radar systems subject to these certification requirements by prohibiting the removal of any radar system before a replacement system is operating.

Mr. Speaker, normally I am not supportive of a rule which restricts the ability of Members to offer amendments. I do, however, understand the time constraints we are under here at the end of the session. The rule before us today allows for consideration of all the amendments which were submitted by Members to the Rules Committee. Therefore, I will support the rule and urge its adoption so that the House can get down to business and move this legislation.

Mr. Speaker, I have a Weather Service field office in my district, and it is scheduled to be closed. It should not be

closed because of the hazardous situation there, and I am going to fight to keep it open and I need my colleagues' help.

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

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

H.R. 2130 authorizes funds for a range of programs and services, from the National Marine Fisheries Service and the National Ocean Service to the National Weather Service and satellite programs.

Our colleagues from both sides of the aisle and the committees of jurisdiction have worked diligently to arrive at the compromise before this body today, and I know we all appreciate their efforts.

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 resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. MFUME). Pursuant to House Resolution 278 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. 2130.

The Chair designates the gentleman from Illinois [Mr. DURBIN] as Chairman of the Committee of the Whole and requests the gentleman from Missouri [Mr. VOLKMER] to assume the chair temporarily.

□ 1545

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. 2130) to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1992, with Mr. VOLKMER, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore (Mr. VOLKMER). Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Michigan [Mr. HERTEL] will be recognized for 15 minutes; the gentleman from Virginia [Mr. BATEMAN] will be recognized for 15 minutes; the gentleman from California [Mr. BROWN] will be recognized for 15 minutes; and the gentleman from Pennsylvania [Mr. WALKER] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Michigan [Mr. HERTEL].

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

Mr. Chairman, I am pleased to bring before the House reauthorization legislation for the National Oceanic and Atmospheric Administration, H.R. 2130. The bill before us includes recommendations of the Merchant Marine and Fisheries Committee and the Science, Space, and Technology Committee. These recommendations are combined and offered as original text for purposes of amendment. That original text is incorporated into H.R. 3704.

As chairman of the Subcommittee on Oceanography, Great Lakes and the Outer Continental Shelf of the Merchant Marine and Fisheries Committee and on behalf of our esteemed Chairman WALTER B. JONES, it is my pleasure to present this 2-year reauthorization of research, management, and technical assistance programs coordinated by the National Oceanic and Atmospheric Administration.

Through a variety of programs which I will summarize, NOAA manages our Nation's ocean, coastal, and Great Lakes resources in a responsible, balanced approach that ensures the enjoyment and the preservation of our rich and fragile natural resources.

The Merchant Marine and Fisheries Committee developed a consensus of priorities for NOAA in H.R. 2130 for fiscal years 1992 and 1993. These include specific programs under the National Ocean Service; the National Marine Fisheries Service; Ocean and Atmospheric Research; the National Weather Service; and National Satellite, Data and Information Service; and Program Support.

There are a number of key areas given priority in the authorization act. Various observation and assessment projects for determining the impact of human development on our coastal, Great Lakes, and ocean resources—including wetlands, salinity, and water level management. Fisheries programs under the bill include information collection, analysis, and conservation and management operations—including a number of studies that will enhance fisheries productivity, safeguard against diseases, prevent catch errors, and manage protected species.

Ocean and atmospheric research programs focus on global climate change, climate services systems, and cooperation and exchange of scientific information among universities and institutes on various undersea and Great Lakes research programs.

National weather service, environmental satellite, and data information service modernization and operations improvements are recommended in H.R. 2130. Facilities acquisition, construction and maintenance of NOAA facilities, and modernization of the NOAA oceanographic fleet are funded in this legislation.

Additional recommendations for streamlining administrative activities, auditing damage assessments, encouraging continued widespread use of nautical charts by freezing prices, promoting remote sensing ocean satellite technologies, eliminating aquatic nuisances, and developing cooperative fisheries research, are included in the bill.

Each of the provisions described generally is specified with a separate authorization level for fiscal years 1992 and 1993, as included in the respective reports of the Merchant Marine and Fisheries Committee and the Science, Space, and Technology Committee (Report 101–133, parts 1 and 2). The total for programs authorized in H.R. 2130 is $1.67 billion in fiscal year 1992 and $1.7 billion in fiscal year 1993, allowing for inflationary adjustment.

Reported from the Merchant Marine and Fisheries Committee on June 26, 1991, and the Science, Space, and Technology Committee on August 2, 1991, H.R. 2130 represents a thorough examination of the programs and presentation of improvements to NOAA. I am pleased to recommend this bill to our colleagues for approval.

□ 1550

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

The CHAIRMAN pro tempore (Mr. VOLKMER). The gentleman from Michigan [Mr. HERTEL] has consumed 4 minutes.

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

Mr. Chairman, I support H.R. 2130, the bill reported by the Merchant Marine and Fisheries Committee.

Mr. Chairman, this bill, and the amendment in the nature of a substitute made in order by the rule, is the result of a bipartisan effort. The bill authorizes funding for fiscal years 1992 and 1993, for programs in the National Ocean Service, National Marine Fisheries Service, Office of Oceanic and Atmospheric Research, National Weather Service, and the National Environmental Satellite, Data, and Information Service. The bill also authorizes funding for much needed program support and facilities, including authority to modernize NOAA's fleet. The bill also contains provisions for "Buy America" for NOAA vessels, and for making the NOAA financial assistance process more efficient.

H.R. 2130, as amended, also establishes an office within NOAA to expand and strengthen NOAA's role in restoring and protecting the Chesapeake Bay. The office would coordinate the on-going and planned programs and activities in the bay in the areas of coastal and estuarine research, monitoring, and assessment; fisheries research and stock assessment; data management; remote sensing; coastal management; and habitat conservation. The office also would identify technical and management alternatives for restoring and protecting living resources and the habitats they depend upon, and provide technical assistance where needed.

Mr. Chairman, the total authorization contained in this legislation for fiscal year 1992 is $1.675 billion—only slightly above what the President requested. The bill provides for the modest 4-percent increase in fiscal year 1993.

Mr. Chairman, knowledge about the Nation's environment—the air we breathe, the coastal areas that provide critical habitat for plants and animals—including the two-legged variety—the oceans that serve as regulators of climate and weather, media for commerce and trade, and provide habitat for a variety of marine life—such knowledge is absolutely necessary if we are to keep our environment clean, safe, and productive for future generations. This legislation provides the funding necessary to continue the United States' pursuit of such knowledge.

I encourage all of my colleagues in the House to vote in favor of H. 2130. It is a sound investment in our future.

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

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

Mr. Chairman, I rise in support of H.R. 2130, the National Oceanic and Atmospheric Administration Authorization Act of 1991.

I would like to thank many distinguished Members for their work and collaboration on this bill: Congressman WALTER JONES, chairman of the Committee on Merchant Marine and Fisheries; Congressman ROBERT DAVIS, ranking Republican of the Committee on Merchant Marine and Fisheries; Congressman HERBERT BATEMAN, ranking Republican of the Oceanography and Great Lakes Subcommittee; and particularly Congressman DENNIS HERTEL, chairman of the Oceanography and Great Lakes Subcommittee; and floor manager of this bill.

On the Science, Space, and Technology Committee, I want to thank: Congressman JAMES SCHEUER, chairman of the Subcommittee on Environment; and Congressman DON RITTER, ranking Republican member of the Subcommittee on Environment.

I also want to recognize Congressman ROBERT WALKER, ranking Republican member of the committee, for his diligent attention to this legislation.

I thank them all for their hard work in bringing this legislation before the House of Representatives today.

Mr. Chairman, it is critical that we authorize sufficient funds to enable the National Weather Service to modernize its vintage equipment. The equipment currently in use by the National Weather Service is outdated, outmoded, and in many cases, unreliable and sometimes inoperable.

The bill before us today provides funding authorization for the continued operation of all weather service offices and the simultaneous modernization of weather forecasting technology. We believe this is an essential investment.

In addition, the legislation contains funding for all scheduled weather satellite procurements, including operational support to enable the United States to use the European meteosat weather satellite should that be necessary; construction and launch of the landsat 6 satellite; as well as authorization to begin procurement of long-lead parts for landsat 7; and expanded oceanic and atmospheric research in support of the Global Climate Change Program.

Mr. Chairman, we are powerless to prevent the devastation and destruction of severe weather. In addition, we are extremely limited in our understanding of global climate change.

The programs we authorize through NOAA will help us protect our citizens in the wake of severe weather, and educate us to better predict and to mitigate the impact of global climate change.

I urge my colleagues to support this important authorization legislation.

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

Mr. WALKER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, as the Science Committee Republican manager of this bill, I rise in support of House passage with the inclusion of a consensus en bloc amendment to be offered by Oceanography Subcommittee Chairman HERTEL and myself.

With the adoption of this amendment, the NOAA bill will provide both the program blueprint for Federal management of our marine resources and weather services over the next 2 years, while firmly recognizing the fiscal realities that make budget discipline imperative.

At this point, I would like to thank Chairman MOAKLEY and Republican Chairman SOLOMON for being so receptive to the request made by Environment Subcommittee Republican Chairman DON RITTER and myself and for providing the time and impetus to the authorizing committees to produce this consensus package. I'd especially like to recognize the efforts of Chairman HERTEL and his staff and the Oceanography Subcommittee Republican chairman, HERB BATEMAN, and his staff, for their efforts to work this out. I think this is a product of which we can all be proud.

The NOAA bill we are considering today, like the legislation reported out of the Science Committee back in May, is at the level of the President's budget request for NOAA's dry programs—those under the jurisdiction of the committee on which I serve. This calls for just over $1 billion in fiscal year 1992 to provide weather forecasting, operate environmental satellites and conduct atmospheric research including work on the question of global and; 1992 funding of these programs in the recently enacted Commerce appropriations bill is within about $20 million of this level and follows the authorization fairly closely. The 1993 levels are then responsibly authorized at just 4 percent above the 1992 amounts.

There are two key elements in terms of budget control in this legislation that deserve mention. First, as part of the consensus amendment to be offered by the Science and Merchant Marine Committees, total funding for both fiscal years 1992 and 1993 is set at levels below the amounts that the individual authorizations add up to in the bill. This still allows the appropriators to fully fund programs, it just can't max out on every one. This will limit runaway spending and is a somewhat unprecedented, but very healthy change in the authorization process.

The other budget control mechanism in H.R. 3704 is the use of complete project authorizations for the modernization of the weather service. While these provisions support the modernization initiative with resources through completion toward the turn of the century in the interest of public safety, they do so within multiyear funding caps from 1993 on out, based on the administration's own estimates. If the new doppler radars, automated surface observing system, or two new series of weather satellites can't be built on budget, on time, and to spec, then the money authorized in this Act is not available. At that point, the Secretary of Commerce would have to come to Congress and justify any changes. This is an approach I know full committee Chairman BROWN and I are very interested in using in other measures to get a handle on these big, capital-intensive, technology programs.

Mr. Chairman, in light of these very commendable aspects to the NOAA bill before us today, this legislation advances the NOAA mission in a responsible manner and I support it. The en bloc consensus amendment, taken together with the self-executing portion of the rule requested by Mr. SOLARZ, makes important changes that Mr. RITTER and I felt were needed before this legislation reached the floor. I must be honest, however, and point out that we have not addressed all the objections outlined in the statement of administration position and we may well still face a veto threat on this bill. But Chairman HERTEL and I agree that outstanding objections can still be addressed during the eventual conference with the Senate.

□ 1600

Mr. HERTEL. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. JONES], chairman of the Committee on Merchant Marine and Fisheries.

Mr. JONES of North Carolina. Mr. Chairman, I support H.R. 2130, the National Oceanic and Atmospheric Administration Authorization Act of 1991. This bill authorizes programs of the National Oceanic and Atmospheric Administration [NOAA] for fiscal years 1992 and 1993.

The chairman of our Oceanography, Great Lakes, and the Outer Continental Shelf Subcommittee, Mr. HERTEL, introduced H.R. 2130 on April 30, 1991, to provide comprehensive authorization for NOAA activities. The bill was referred jointly to the Committees on Merchant Marine and Fisheries and Science, Space, and Technology. On June 26, 1991, H.R. 2130 was referred sequentially to the Committees on Ways and Means and Interior and Insular Affairs for a limited period of time. The Committee on Ways and Means reported the bill with amendments, which are included in the substitute amendment made in order as original text under the rule.

The bill before you today represents a compromise negotiated in good faith between the two primary committees of jurisdiction. As you will hear from my colleagues on the other side of the aisle, H.R. 2130 enjoys strong bipartisan support from the Merchant Marine and Fisheries Committee.

The bill authorizes $1.68 billion for fiscal year 1992 and $1.74 billion for fiscal year 1993. This includes $631.4 million in fiscal year 1992 and $657.3 million in fiscal year 1993 for ocean, coastal, and fisheries programs: such as Coastal Zone Management, the National Sea Grant College Program, and the National Marine Sanctuaries Program. In addition, the bill provides authorizations for marine fisheries programs that are not authorized under other laws.

The programs authorized in this bill are important for the Nation. But I would like to focus briefly on their importance to my State.

North Carolina derives many economic, environmental, and health benefits from NOAA programs. Funds in this bill will support important fisheries research at the National Marine Fisheries Service Laboratory in Beaufort, NC. The bill also authorizes the Cooperative Institute of Fisheries Oceanography [CIFO] involving NOAA, Duke University, and the Consolidated University of North Carolina. CIFO will provide enhanced cooperation and research on fisheries and oceanography problems of interest to North Carolina and the entire southeast. In addition, the Coastal Ocean Science Program supports numerous researchers in North Carolina working on projects ranging from satellite monitoring of ocean conditions to seagrass and marsh restoration.

H.R. 2130 also reflects my continuing support for the NOAA fleet of research, mapping, and charting vessels by authorizing $50 million in fiscal year 1992 and $52 million in fiscal year 1993, to start the revitalization of this fleet. NOAA has just completed a year-long study which concluded what many of us have long known—the entire fleet is in a state of disrepair and obsolescence. Unless NOAA acts immediately to replace and modernize these vessels, there will not be a NOAA fleet in the 21st century and, without these ships, NOAA cannot hope to carry out its vital oceanographic and research functions, such as mapping and charting U.S. coastal and ocean waters, monitoring ocean indices of global climate change, and assessing the state of our fisheries stocks. The NOAA fleet is vital to NOAA's basic missions.

While NOAA has now determined that the fleet is in trouble, it has not developed a plan to fix it. H.R. 2130 requires NOAA to submit a detailed fleet replacement and modernization plan for congressional review. Until the plan is submitted, NOAA cannot enter into a contract for a new vessel.

The NOAA study acknowledges that one way for the agency to fulfill its fleet requirements is to maximize cooperation with other research fleet operators. One operator that shares many of NOAA's research missions is the University-National Oceanographic Laboratory System [UNOLS]. At present, the UNOLS fleet has excess capacity, which NOAA could utilize—either through charter or joint cruises—to compensate for its shortage of ship time. I encourage NOAA to coordinate with UNOLS and other Federal oceanographic fleets, including the Navy, to meet the research requirements of all parties. H.R. 2130 provides the necessary authority to enter into cooperative agreements with UNOLS and the Navy.

Finally, a great clamor has been raised in some quarters over the administration's objections to this legislation. I would like to respond to some of those objections.

The administration objects to prohibiting NOAA from deactivating any more research vessels until it is ready to replace them. Mr. Speaker, if this is a crime, we are guilty as charged. NOAA freely admits that the number of days its ships spend at sea is well under those needed by its researchers. The Committee on Merchant Marine and Fisheries will not permit further reductions in fleet capacity until replacement ships are available.

The administration also objects to a requirement that new NOAA vessels be built in American shipyards. Mr. Chairman, we are guilty on this count as well. There is no reason for American taxpayers' dollars to be spent in foreign shipyards. In this period of recession and unemployment, I do not understand why the President would want to send money and jobs to foreign shipbuilders.

The administration says that the bill requires NOAA ships to be interoperable with Navy vessels. To this charge, we must plead not guilty. This provision requires only that NOAA consult with the Navy on measures that would make its vessels interoperable. We are not talking about mounting eight-inch guns on the deck of fish trawlers, Mr. Chairman. What we are talking about is compatible radio and other equipment that would make the coordinated response and clean up of an oilspill, such as the spill that occurred in the Persian Gulf, easier and more efficient. In addition, NOAA vessels can be transferred to the Navy in times of war or national emergency, making this requirement important for our security needs.

The administration complains that the bill infringes on the right of the Secretary of Commerce to ensure that public funds are spent in a financially sound manner. On the contrary, the only infringement is on the right of the Department of Commerce to obstruct the timely obligation of funds for nondiscretionary assistance programs, such as funding for regional fisheries management councils. We bypass the Financial Assistance Review Board [FARB] in the substitute amendment. The FARB has been used by the Department of Commerce to obstruct the will of the Congress that these funds be available in a timely fashion for the purposes for which they were appropriated. A compromise amendment that will be offered to the substitute will allow the FARB 90 days to review proposals approved by NOAA. This amount of time should be more than ample for review of nondiscretionary financial assistance.

Lastly, the bill contains a provision permitting NOAA to recoup certain base costs associated with response, cleanup, and damage assessment following oil or hazardous substance spills. This provision would not affect the amount of money going into the Oil Spill Liability Trust Fund nor would it change the purposes for the expenditure from that fund as provided in 26 U.S.C. 9509(C). The provision simply provides that these reimbursements are not to be considered an augmentation of appropriations.

I would like to thank Mr. HERTEL for introducing this legislation and bringing it to the floor. I also would like to thank Chairman GEORGE BROWN and Environment Subcommittee Chairman JIM SCHEUER, and their ranking minority members, BOB WALKER and DON RITTER, of the Committee on Science, Space, and Technology for their cooperation in developing a compromise bill and for their determination in bringing a comprehensive NOAA authorization bill to the floor. It makes sense, as a matter of public policy, to put aside considerations of jurisdiction, to the extent possible, and au-

thorize all of NOAA's programs in one bill. I urge the support of the House for passage of this important authorizing legislation.

Mr. BATEMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. FIELDS] for purposes of engaging in a colloquy with the gentleman from Michigan [Mr. HERTEL], the distinguished subcommittee chairman.

Mr. FIELDS. Mr. Chairman, I wonder if the chairman of the Oceanography, Great Lakes, and the Outer Continental Shelf Subcommittee would respond to a brief question on H.R. 2130.

Mr. HERTEL. Mr. Chairman, if the gentleman will yield, I would be glad to.

Mr. FIELDS. Mr. Chairman, of the amount that is authorized for the National Ocean Service, isn't it true that $750,000 has been earmarked to be used to obtain updated current and water level data for Galveston Bay and the Houston ship channel to improve navigation safety, oilspill response, search and rescue and environmental management?

Mr. HERTEL. Mr. Chairman, if the gentleman will yield, the gentleman is correct.

Mr. FIELDS. Mr. Chairman, I am pleased that funds have been authorized for this important effort. The Houston ship channel, which is 50 miles long, is a narrow and fairly dangerous waterway. The National Ocean Service is currently making its predictions of astronomically-induced tides based on data collected in 1963. Since this channel has changed dramatically over the past 28 years, existing tables do not begin to adequately satisfy the informational requirements of those who transit this waterway.

By updating its database—which will include the collection of new current, water level and meteorological information—the National Ocean Service will be able to improve navigation safety, expedite hazardous material and oilspill response, and ensure timely search and rescue efforts by the U.S. Coast Guard.

This project has been enthusiastically endorsed by the Houston/Galveston Navigation Safety Advisory Committee, which is an organization compromised of members representing shippers, stevedores, the U.S. Coast Guard, and maritime labor.

This authorization is most appropriate and it will provide the National Oceanic and Atmospheric Administration with substantially improved data. I am hopeful that this legislation will soon be enacted into law.

Mr. BROWN of California. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SCHEUER], the distinguished chairman of the Subcommittee on Environment of the Committee on Science, Space, and Technology.

Mr. SCHEUER. Mr. Chairman, I am pleased to join my colleagues on the Committee on Merchant Marine and Fisheries in support of H.R. 2130, the National Oceanic and Atmospheric Administration Act of 1991. H.R. 2130 reflects the combined efforts of several committees, particularly the Committee on Science, Space, and Technology and the Committee on Merchant Marine and Fisheries.

I would like to commend the gentleman from Michigan [Mr. HERTEL] chairman of the Oceanography and Great Lakes Subcommittee, and the gentleman from Virginia [Mr. BATEMAN], the ranking minority member of that subcommittee, for their hard work on this important legislation.

Mr. Chairman, H.R. 2130 authorizes the programs of the National Oceanic and Atmospheric Administration for fiscal years 1992 and 1993, including the National Weather Service; the National Environmental Data, Satellite, and Information Service; the National Ocean Service, NOAA Fisheries programs; Oceanic and Atmospheric Research, and program support activities.

H.R. 2130 provides the authorizations necessary to enable the National Weather Service to modernize its technology through the procurement of the Nexrad Doppler weather radar system. The Nexrad radar, in recent tests, was able to identify tornado development near Wichita, KS, even though the radar was located over 160 miles away near Norman, OK.

H.R. 2130 also authorizes the funds for the geostationary weather satellite system, while assuring that the Geosnext satellites meet specifications and are fully tested before launch.

Mr. Chairman, the Geos weather satellite contractor, the Loral Corp., is doing a good job in turning this program around. When Loral bought Ford Aerospace, they inherited a satellite development program that had been neglected by NASA, had not undergone the normal technology feasibility tests, and was already over budget and behind schedule.

Loral has put together a first class team to remedy these deficiencies and has devoted significant funds of their own to solve the problems with the sensors. They have dramatically increased the professional talent and technical expertise of the engineers working on this program.

I am confident that Loral will be able to make this satellite program a success with a more realistic launch schedule and with complete testing of the satellite components before launch.

Mr. Chairman, H.R. 2130 also provides the authorization for NOAA's Global Climate Change Research Program. This program is critical to our understanding of the complex interactions of the ocean and the atmosphere under the stress of global warming.

The Committee on Science, Space, and Technology has worked very closely with the Committee on Merchant Marine and Fisheries to bring a comprehensive NOAA authorization bill to the full House of Representatives. The need to proceed with a comprehensive authorization bill is particularly important in view of NOAA's plans to modernize and improve its weather and satellite services and to study important phenomena such as global climate change.

Mr. Chairman, it concerns me that the administration decided to issue a veto threat on this important legislation just hours before it was considered by the Rules Committee. It is interesting to note some of the provisions which concerns the administration.

The veto threat was issued because the bill requires the Secretary of Commerce to provide assurance to Congress that the weather satellites meet technical specifications before they are launched.

The veto threat was issued because the bill requires the Secretary of Commerce to provide assurance to Congress that the new weather service technologies work before they are put into service.

If problems develop in these programs, all the Secretary of Commerce has to do is to inform the Congress. That is how it should work. Congress should be kept informed on the status of these important programs.

Mr. Chairman, these are not reasons to veto a bill, but they do seem to illustrate the lack of sound management at the Department of Commerce.

Perhaps it is time that we free NOAA from the shackles of Commerce and make it an independent agency.

Mr. Chairman, this is a good bill and it deserves our support. I urge my colleagues to vote in favor of H.R. 2130.

Mr. WALKER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RITTER].

Mr. RITTER. Mr. Chairman, I want to rise in support of H.R. 2130, along with my colleagues, as it will be amended by the joint committee substitute and the Walker-Hertel en bloc compromise amendment.

□ 1610

I want to thank the chairman and the ranking Republican member of the full Committee on Science, Space, and Technology, the gentleman from California [Mr. BROWN], and the gentleman from Pennsylvania [Mr. WALKER], for their hard work on this, and I especially want to commend the chairman of the Subcommittee on Environment, the gentleman from New York [Mr. SCHEUER], for his dedication over the years to ensuring that NOAA has the resources to carry out its important mission of environmental monitoring and protection.

I also want to thank the members of the Committee on Merchant Marine and Fisheries for their efforts in bringing this bill before us today.

Mr. Chairman, this bill authorizes funding for the fiscal years 1992 and 1993 for NOAA. NOAA's commitment to studying and protecting our atmos-

phere and ocean and coastal resources is a critical part of the Federal effort to safeguard our environment for the benefit of our children and our grandchildren.

I would like to highlight some of NOAA's important contributions to improving our understanding of our environment.

Among other activities, NOAA's Office of Oceanic and Atmospheric Research is analyzing fundamental scientific issues of global climate change.

My colleagues, there is still enormous scientific uncertainty about the rate and the magnitude of global climate change. We are all very familiar with the apocalyptic predictions of disaster from global warming, but, frankly, at this time we do not even know whether global warming as a result of greenhouse gases generated by human, so-called anthropogenic greenhouse gases is occurring.

Substantially more research is needed to establish the solid scientific foundation for action.

So I am pleased to support NOAA's linchpin role in the U.S. global change research program.

Research performed by NOAA's scientists will help address the greatest question marks in the global climate change equation, the roles of the oceans and the clouds.

Satellite-based remote sensing is another important activity of NOAA's. The data attained from NOAA's satellites plays a key role in a range of everyday activities we sometimes take for granted, like weather forecasting, mapping, agriculture, and was a major factor in our winning strategy in the Persian Gulf conflict.

This bill provides support for NOAA's satellites and for procurement of long-lead-time parts for the construction of Lands-at7. The bill also provides unique mechanisms to ensure that costs on major NOAA satellite programs can be held within reason.

Another vital NOAA Program is the National Weather Service. Unfortunately, the National Weather Service is forced to rely on vintage technology dating from the 1950's. H.R. 2130 provides funding to continue the modernization program of the Weather Service, including the acquisition of sophisticated equipment such as Nexrad, the next generation of weather radar.

Mr. Chairman, I am especially pleased that the bill combines a commitment to responsible protection of our environment with a sense of fiscal responsibility. The caps placed in this bill under the compromise agreement to be offered yet today would limit overspending and provide reasonable guidance to the appropriators.

Mr. Chairman, I reiterate my support for this bill and look forward to working with the House and Senate leadership to bring a bill to the President for his approval.

Mr. Chairman, I rise to join my colleagues in support of H.R. 2130, the NOAA Authorization Act of 1991, as it will be amended by the joint committee substitute and the Walker-Hertel en bloc compromise amendment. I wish to thank the chairman and ranking Republican member of the Science, Space, and Technology Committee, Mr. BROWN and Mr. WALKER, for their hard work on this bill, and I especially wish to commend the chairman of the Subcommittee on Environment, Mr. SCHEUER, for his dedication over the years to ensuring that NOAA has the resources to carry out its important mission of environmental monitoring and protection.

I also wish to thank the members of the Merchant Marine and Fisheries Committee for their efforts in bringing this bill before us today.

This bill authorizes funding for fiscal years 1992 and 1993 for the National Oceanic and Atmospheric Administration. NOAA's commitment to studying and protecting our atmosphere and ocean and coastal resources is a critical part of the Federal effort to safeguard our environment for the benefit of our children and grandchildren.

I would like to highlight some of NOAA's many important contributions to improving our understanding of our environment.

Among other activities, NOAA's Office of Oceanic and Atmospheric Research is analyzing fundamental scientific issues of global climate change. There is still enormous scientific uncertainty about the rate and magnitude of global climate change. We are all familiar with the apocalyptic predictions of disaster from global warming, but we do not even know, at present, whether global warming as a result of greenhouse gases generated by humans is occurring. Substantially more research is needed to establish the solid scientific foundation for action, and I am pleased to support NOAA's linchpin role in the U.S. global change research program. Research performed by NOAA scientists will help address the greatest question marks in the global climate change equation: The role of the oceans and clouds.

Satellite-based remote sensing is another of NOAA's important activities. The data obtained from NOAA satellites plays a key role in a range of everyday activities, like weather forecasting, mapping, and agriculture, and was a major factor in our winning strategy in the Persian Gulf conflict. This bill provides support for NOAA's satellites, and for procurement of long-lead time parts for the construction of Landstat–7. This bill also provides unique mechanisms to ensure that costs on major NOAA satellite programs can be kept within reason.

Another vital NOAA Program is the National Weather Service. Unfortunately, the National Weather Service is forced to rely on vintage technology dating from the 1950's. H.R. 2130 provides funding to continue the modernization program of the Weather Service, including the acquisition of sophisticated equipment such as the Nexrad [next generation weather radar].

I am especially pleased that this bill combines a commitment to responsible protection of our environment, with a sense of fiscal responsibility. The caps placed in this bill, under the compromise amendment to be offered today, would limit overspending, and provide reasonable guidance to the appropriators.

Mr. Chairman, I wish to reiterate my support for this bill. I look forward to working with the House and Senate leadership to bring a NOAA bill to the President for his approval.

Mr. HERTEL. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from California [Mr. PANETTA], the chairman of the Committee on the Budget.

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

I take the floor to engage the gentleman from Michigan [Mr. HERTEL] in a colloquy.

Mr. Chairman, I want to congratulate the gentleman from Michigan [Mr. HERTEL] and the ranking member and all those who are involved in bringing this reauthorization bill to the floor.

I think the two great frontiers of the future are the oceans and our atmosphere and NOAA is the one agency that can help direct our policy on both of those frontiers.

I congratulate all the Members for bringing this bill to the floor and would want to engage in a colloquy with the gentleman from Michigan regarding the Marine Protection, Research and Sanctuaries Act with regard to a designation.

Mr. Chairman, Public Law 100–627, the 1988 reauthorization of the Marine Protection, Research and Sanctuaries Act [MPRSA] required the designation of a number of new national marine sanctuaries including the Monterey Bay National Marine Sanctuary in my congressional district. The Congress required the designation of the Monterey site by December 31, 1989. Nearly 2 years past this date, the National Oceanic and Atmospheric Administration [NOAA] has yet to publish the final environmental impact statement/management plan for the Monterey site.

It is my understanding from NOAA that its work on the final EIS/management plan for Monterey Bay will be completed in less than 6 weeks. I hope NOAA will stay on this schedule and that the designation document for Monterey Bay will be sent to Congress before Congress reconvenes in January. Based upon my past experience with the National Marine Sanctuary Program, however, I am concerned that the designation process for Monterey Bay may become further bogged down in administrative delays.

I considered offering an amendment to H.R. 2130 to mandate submission of the designation document for Monterey Bay by February 3, 1992. Were this deadline not met, my amendment would statutorily designate the Monterey Bay National Marine Sanctuary, specifying boundaries and prohibiting oil and gas development there.

While I decided not to offer my amendment at this time, if NOAA fails to meet the February deadline, I will be seeking the gentleman's assistance to designate the Monterey Bay Na-

tional Marine Sanctuary through legislation.

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

Mr. PANETTA. Mr. Chairman, I yield to the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. I thank the gentleman for yielding.

Mr. Chairman, I am troubled with the extensive delays in the designation process for the four sites mandated under the 1988 reauthorization of the National Marine Sanctuary Act, particularly the Monterey Bay site. I would like the gentleman to know that I will pursue legislation to designate the Monterey Bay National Marine Sanctuary, and will seek his assistance in assuring adequate funding for all MPRSA and coastal zone management activities, should it become necessary.

Mr. PANETTA. I thank the gentleman for his comments.

Mr. Chairman, I recognize part of the problem is due to the funding with regard to NOAA and the ability to have staff there.

I want to assure the gentleman that this is something that, hopefully, we will consider in the budget process.

Mr. HERTEL. NOAA is doing a great job, we are proud of the work they are doing, but sometimes it takes a little extra assistance to speed things up.

Mr. PANETTA. I thank the gentleman.

Mr. BATEMAN. Mr. Chairman, I yield myself such time as I may consume and would like to engage the gentleman from Michigan [Mr. HERTEL] in a colloquy.

Mr. Chairman, may I inquire of the gentleman from Michigan, may I request some clarification of subsection 803(e) of the bill before us? This subsection asks the Secretary of Commerce to consult with the Oceanographer of the Navy regarding ways that NOAA research vessels can operate compatibly with Navy vessels. As the report on H.R. 2130 points out, this provision recognizes that NOAA and the Navy have many overlapping areas of responsibility which can benefit from coordinated planning, management and compatible equipment. To be perfectly clear, though, as the author of this consultation provision, is it your intention that NOAA be mandated to duplicate Navy vessel construction standards for NOAA research vessels?

Mr. HERTEL. The answer is "no." The gentleman is correct. What we want them to do is to be compatible for use with Navy vessels. We also want in this bill that it will be American built and the repairs will be done in American shipyards.

Mr. BATEMAN. I thank the gentleman for his comments.

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

Mr. BROWN. Mr. Chairman, I yield such time as she may consume to the distinguished gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Chairman, I rise in support of the National Oceanic and Atmospheric Administration Authorization Act [NOAA] of 1991. H.R. 2130 authorizes NOAA's ocean, coastal, fisheries, weather, satellite and atmospheric programs.

I am a strong proponent of sections 403 and 404 of the bill, the Perkins language, to block Weather Service Office [WSO] closures which jeopardize weather services and public safety. This language is long overdue and should be swiftly enacted.

For some time, I have been quite disturbed by the efforts of the National Weather Service to close 142 weather services offices nationwide. I feel that accurate, localized weather services are a necessary public service. Each year, floods, hurricanes, and tornadoes pose a major threat to life and property, making it essential that adequate weather coverage is available. In addition to providing severe weather warnings, local weather stations provide essential services to aviation and agriculture.

For many years, I have been quite active in seeing that the Chattanooga Weather Service Office in the Third Congressional District remains open because of the safety hazards which would affect Chattanooga and the surrounding areas without it.

The Weather Service Office in Chattanooga is located at Lovell Field Airport and provides weather forecasts, severe weather and flood warnings for 15 counties, surface weather observations, local weather information services, pilot weather briefings and winter storm warnings.

These services are essential because the Chattanooga area is subject to seasonal floodings and other severe weather. Unexpected temperature inversions often cause rapid and potentially dangerous changes in weather conditions. The WSO provides accurate and timely warnings necessary to protect the community. It is of vital importance to area residents as well as the Chattanooga airport that the WSO remain in operation.

While the administration views this as a cost-saving device, I do not believe that the savings incurred by closing weather service offices will offset the potential safety hazards that will result. My record on fiscal restraint and deficit reduction is second to none, but I feel that this must be done by looking for cost savings practices in all Government spending, rather than at the cost of public safety.

The Perkins language recognizes this. It requires the Secretary of Commerce to provide public institution and community preparedness services for at least 2 years in each area currently served by a weather office which is slated to be closed or consolidated; prohibits the removal of any National Weather Service radar until it can be certified that no degradation of weather services to the affected area will result; and tightens the certification requirements for nondegradation of weather services so as to enhance congressional oversight capabilities.

This approach reflects the importance of weather service offices nationwide and public safety concerns. I urge its adoption.

□ 1620

Mr. HERTEL. Mr. Chairman, I yield 2½ minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I rise in strong support of H.R. 2130, the National Oceanic and Atmospheric Administration Authorization Act of 1991. I am pleased that this bill contains my language to ensure that the Weather Service's modernization benefits all Americans.

The modernization program is necessary and overdue. I do not oppose it per se; indeed, I have been impressed by the new technologies. Merging some offices may even make some sense, but I fear that OMB may push the Weather Service into too much of a good thing.

Providing accurate and timely weather forecasts is vital both in my eastern Kentucky district and around the country. However, too much streamlining would threaten the quality of service and forecasting for areas now covered by the weather offices marked for closure.

In eastern Kentucky the Weather Service office in Jackson has vastly improved the forecasting of bad weather like floods which are matters of life and death in my region's hills and hollows. In addition, mountain school systems depend upon the Jackson office to get good information at the last minute, so they can limit the school days lost to bad weather without risking the children.

The Weather Service plans to place eastern Kentucky in between a few different next generation weather radars. Although we hope and we believe the new radars are much better than the present ones, my constituents and I fear that their forecasting for fringe areas may be worse than the older radars. In addition, we strongly believe that moving liaison services to the middle of West Virginia would make it harder for the Weather Service and local officials in eastern Kentucky to exchange information quickly and correctly.

Public institution liaison and community preparedness should remain local, not regional, functions. The new fringe areas have every right to demand proof that the new, improved radars will not, in fact, give them worse forecasts. In working to improve weather service across the United States, the Congress must ensure that

forecasting improves for all parts of the country and that these forecasts can be spread as well as before. Simply put, sections 403 and 404 of H.R. 2130 meet this responsibility; I urge my colleagues to adopt this bill.

Mr. WALKER. Mr. Chairman, before I yield to the gentleman from Kentucky [Mr. ROGERS] I want to engage in a colloquy with the chairman of the Committee on Science, Space, and Technology, the gentleman from California [Mr. BROWN].

Mr. Chairman, we authorize funds under this bill for the completion of the four main elements of the new weather system as part of our complete project authorization initiative. These complete project authorizations include funds for 1993 and beyond. However, the bill also separately authorizes total funding levels for 1993 for the Weather Service and Environmental Satellite Service which include these same four main elements of modernization covered above. Therefore, I just want to ensure that the amounts authorized under the service accounts shall not be in addition to, but are subject to and count against, the total cap on authorizations for the complete project authorizations. Does the chairman agree?

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

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

Mr. BROWN. Mr. Chairman, the gentleman from Pennsylvania [Mr. WALKER] with his usual astuteness is indicating that he is reading legislation very carefully, and I want to indicate that I concur with him, but he has correctly expressed the bill's intent. There will be no double counting as far as I am concerned.

Mr. WALKER. Mr. Chairman, I thank the gentleman from California [Mr. BROWN].

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

Mr. ROGERS. Mr. Chairman, I just want to acknowledge the work of my colleague from Kentucky, and support his effort here.

I support the modernization of the Weather Service.

My Appropriations subcommittee is funding the Nexrad radars and the other major systems that will be installed later in the decade. And we dealt this year with some serious local concerns about the future modernization and closure of certain stations.

We as much as anybody want proof that these new consolidated stations improve weather forecasts and warnings, especially in regions with difficult terrains, or in the outlying coverage areas of the Nexrad radars.

And we want to ensure public safety throughout every step of the certification process.

The Weather Service has a complex and expensive mission on its hands; $3 billion or more will be spent to consolidate stations and install state-of-the-art instruments throughout this decade.

This bill as I read it will add to those costs somewhat, as will this amendment.

But our constituents don't presume that the new weather stations will protect them as well or better than those serving them now. I hope and expect they will. But none of us will know until new stations are tested and certified.

Communities must be safeguarded throughout this long process—I think this amendment provides for that, and I commend the gentleman.

Mr. WALKER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. LEWIS].

Mr. LEWIS of Florida. Mr. Chairman, I rise in support of the National Oceanic and Atmospheric Administration authorization legislation before the House. The legislation is the result of the hard work by Chairman BROWN and Ranking Member WALKER along with the efforts of members of the Merchant Marine and Fisheries Committee.

The provisions in title VII, involving the Tropical Cyclone Research Program are especially important. They are drawn from House Concurrent Resolution 102, and the predecessor from the 100th Congress, House Concurrent Resolution 366, supporting hurricane reconnaissance aircraft, and H.R. 2479, the Tropical Cyclone Research Act of 1989.

The landmark Tropical Cyclone Research Program includes a 5-year joint Federal research effort with the Departments of Defense and Commerce as coleaders. The goal is to begin the first coordinated Federal Research Program that will study technologies to improve the accuracy of predicting the precise location where hurricanes will hit land.

Expert witnesses testifying at the April 7, 1989, hearing in West Palm Beach, FL, on hurricane forecasting and reconnaissance testified that the accuracy of hurricane prediction had not improved since the 1960's. Several reasons were given for this lack of progress including the lack of outside scientific peer review to assess the strengths and weaknesses of research programs and insufficient funding for many of the research programs.

In response to these concerns, the legislation directs that the Secretary of Commerce establish a standing committee of tropical cyclone research experts who will provide NOAA with independent scientific advice and recommendations to improve its hurricane reconnaissance and hurricane research programs. Furthermore, the Secretary is directed to develop a 5-year Tropical Storm Research Program, drawing on the expertise of the Advisory Committee and other agencies.

The Air Force manages the WC–130 Hurricane Surveillance Aircraft Program. Therefore, the long-range plan of the Air Force WC–130 Program will be an integral part of the 5-year Tropical Storm Research Program. This means that the Air Force cannot withdraw the WC–130 surveillance aircraft from this joint effort without congressional approval.

I want to thank the Science Subcommittee chairman, Mr. SCHEUER, for his leadership in having the field hearing on hurricane surveillance in Florida and for including hurricane research provision in this legislation. Moreover, this would not have been possible without the support and assistance of the subcommittee ranking member, Mr. RITTER.

I also want to recognize the efforts of the subcommittee staff of the Science Committee who have worked long and hard on this legislation: Curt Stanford on the majority staff and Joel Eisen on the minority staff.

Finally, I want to commend the Science Committee chairman, Mr. BROWN, and the ranking member, Mr. WALKER, for their support and assistance in including the cyclone research provisions in this legislation before the House.

I also want to thank the Merchant Marine and Fisheries chairman, Mr. JONES of North Carolina, and ranking member, Mr. DAVIS of Michigan, for their hard work in forging this bill we have before us.

Mr. BROWN. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. HERTEL].

□ 1630

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

Mrs. UNSOELD. Mr. Chairman, I rise in strong support of the compromise bill and want to commend the chairmen of the committees for their efforts in bringing it to the floor today.

The National Shellfish Indicator Study Program is an important program for our domestic shellfish industry. As a representative of the Nation's leading oyster producing region, I have great interest in the amendment by the gentleman from Louisiana.

A major goal of the study contained in the bill is to develop a new, more accurate standard for assessing the water quality of shellfish growing areas. Scientists, State and Federal shellfish regulators, and the shellfish industry agree the current standard is outdated and may not accurately reflect health risks.

But this agreement has not translated into a successful study. The struggle for control of this program between the National Marine Fisheries Service and the Louisiana Universities Marine Consortium has disinfranchised

segments of industry and compromised its success.

The Food and Drug Administration—the Federal agency responsible for implementing any new shellfish standard—has acknowledged these programs. They recently wrote that, "progress of the project has been slow and certain of the scientific goals could be better defined." The letter concludes that there is a "need to completely reassess the conduct of this project."

In the conference report to the 1992 Commerce, State, Justice, and Judiciary appropriations bill, Congress provided clear direction for the National Shellfish Indicator Study. We established the Louisiana Universities Marine Consortium as the lead academic organization and fiscal agent to carry out the scientific management of the program. But we also reaffirmed the role of the Interstate Shellfish Sanitation Conference to establish priorities, to direct, and to oversee the study.

The ISSC is the organization of Federal and State shellfish regulatory agencies and the shellfish industry. Its role is critical to the future success of this program, critical to ensuring the best possible studies; and critical to the ultimate acceptance of the results by FDA.

The poor record of this program, as stated by FDA, demands that Congress provide guidance on how to manage and administer it. Consistent with the conference report language, this amendment provides that guidance. For that reason, I am prepared to support this amendment.

Mr. HERTEL. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. HUTTO].

Mr. HUTTO. Mr. Chairman, I rise in support of H.R. 2130.

I want to commend the gentleman from Michigan [Mr. HERTEL], the chairman of the Subcommittee on Oceanography, Great Lakes, and the Outer Continental Shelf, and the ranking minority member of that subcommittee, the gentleman from Virginia [Mr. BATEMAN], for bringing this bill to the floor.

I want to speak briefly on the National Marine Fisheries Service. The fishermen of northwest Florida are not pleased with many of the NMFS policies. Of course, we hear from them often, and I cannot say I blame them.

The basic problem, I believe, with many of our fisheries policies stems from a lack of accurate, up-to-date data. Of course, money is always the key to research, but this NOAA authorization bill recognizes the need for funding data collection. This is very critical to the fishermen in my area and indeed to all the Nation's fishermen.

This legislation also authorizes special research on shellfish and a study on U.S. tropical shrimp.

Mr. Chairman, I believe these are much needed initiatives, and I urge support for H.R. 2130.

Mr. HERTEL. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. SARPALIUS].

Mr. SARPALIUS. Mr. Chairman, on April 10, 1979, 3 tornadoes came together as one and cut a path 10 miles long and 1 mile in radius, cutting 17 blocks out of the city of Wichita Falls, destroying property, and killing and injuring hundreds of people. It destroyed 2,000 homes, over a hundred businesses, and left 5,000 people homeless.

Mr. Chairman, my district sits in the heart of what is known as tornado alley. People constantly live in fear during the tornado season of tornadoes coming into their homes.

It is vitally important in any legislation that we look at that, we must have the most up-to-date and the most current warning systems available for anybody. I strongly support this legislation, and I especially support the amendment of the gentleman from Kentucky [Mr. PERKINS], which I think is vitally important.

We sent a letter to Secretary Mosbacher, with over 60 Members of this body signing that letter, encouraging an outside study of the warning systems that are available if this system is put into effect.

Mr. Chairman, I strongly encourage the Secretary to look at an outside study to make sure that these warning systems are adequate and available. When a tornado comes through, there is very little warning for people to seek help. I support this legislation.

The CHAIRMAN. The Chair will state that the gentleman from Michigan [Mr. HERTEL] has 3½ minutes remaining and the gentleman from Pennsylvania [Mr. WALKER] has 1½ minutes remaining. It was my understanding that the gentleman from California [Mr. BROWN] yielded the balance of his time to the gentleman from Michigan [Mr. HERTEL].

Mr. BROWN. That is correct, Mr. Chairman, but the gentleman from Michigan [Mr. HERTEL] has agreed to yield that time back to me.

Mr. HERTEL. Mr. Chairman, the gentleman is correct.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BROWN].

Mr. BROWN. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. PANETTA].

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

Mr. Chairman, the National Oceanic and Atmospheric Administration [NOAA] has announced its intention of relocating the San Francisco Weather Forecast Office to Monterey, CA, as part of its modernization plan. At my request, the conference report accompanying H.R. 2608, the fiscal year 1992 Departments of Commerce, Justice, State, and the Judiciary appropriation bill, contains an appropriation of $2 million for the relocation of the San Francisco National Weather Service Forecast Office. I requested that this amount be included in the bill to allow for the construction of an NOAA facility in Monterey which could house both the Weather Service facility and the existing NOAA Center for Ocean Analysis and Prediction [COAP] which is currently located in rented space owned by the Naval Postgraduate School in Monterey.

Public Law 100-685 prohibits the closure, consolidation, full automation, or relocation of any Weather Service office until the Secretary of Commerce can certify to the Committee on Science, Space, and Technology that there will be no degradation of weather services to the affected area. H.R. 2130 places further requirements on this certification process. This is an important provision as the Congress needs to ensure that the modernization process does not unintentionally result in a loss of services to parts of the country.

It is my understanding, however, that neither Public Law 100-685 nor H.R. 2130 is intended to restrict the ability of the Department to prepare for implementing the modernization plan, including its undertaking the design and or construction of new weather offices. Am I correct in stating that it is not the intention of this legislation to delay the design or construction of new weather service forecast offices, and in particular the proposed facility in Monterey, CA?

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

Mr. PANETTA. I yield to the chairman of the committee.

Mr. BROWN. The gentleman is correct. While current law prohibits the Department from closing or relocating a weather office prior to fulfilling the certification requirements, it does not restrict the Department from proceeding with actions necessary to implement the modernization plan. The additional restrictions in H.R. 2130 prohibit the removal of radar systems unless certification is provided. The committee expects that the Department will continue to undertake all actions necessary to facilitate the modernization of the National Weather Service including the design and construction of new weather offices such as the proposed facility in Monterey, CA.

Mr. PANETTA. Mr. Chairman, I thank the gentleman for yielding time to clarify this matter and for his diligent work on this important initiative.

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

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

Mr. McMILLEN of Maryland. Mr. Chairman, I am pleased and proud to rise in support of H.R. 2130, a bill to provide a multiyear author-

ization for the National Oceanic and Atmospheric Administration [NOAA].

As chair of the Chesapeake Bay Caucus here in the House, I am most interested in an amendment being offered by the chairman of the full committee, Mr. JONES, to help reduce the amount of nonpoint pollution being generated from recreational boaters. I have a special sensitivity to this dilemma, as it is a particularly prevalent problem in the Chesapeake. Mr. JONES' amendment, modeled after H.R. 1297, requires coastal States to determine if they have adequate marine pump-out stations where boaters can empty their septic tanks at on-shore locations. In the event that these States are not properly equipped, the bill provides funds for the construction of these pump-out stations. The amendment stipulates that these pumpout stations would be primarily paid for by funds drawn from a small fraction of the sport fish restoration trust fund. Since this fund is running well in the black, this seems to be a rather prudent and sound use of these funds. For all of these reasons, I urge the passage of this intelligent amendment, as well as passage of the the bill as a whole, H.R. 2130.

Mr. HUGHES. Mr. Chairman, I rise today in support of the National Oceanic and Atmospheric Administration Authorization bill. The bill authorizes a total appropriation of $1.68 billion for fiscal year 1992 and $1.74 billion for fiscal year 1993. Important programs funded through NOAA include the National Ocean Service, National Marine Fisheries Service, the Oceanic and Atmospheric Research Programs, the National Environmental and Satellite, Data and Information Service, and the National Weather Service.

The modernization of the Weather Service and the development of the next generation radar system [Nexrad] holds much promise for improved weather service. However, I would encourage an independent study of the range capabilities of the new system and a comparison between the new technology and the old with respect to the quantity and quality of weather information, forecasts, warnings, and their dissemination for every affected area prior to implementing the new system.

Accordingly, I am very pleased that the authorization language includes a provision requiring the Commerce Department to certify, prior to closing any Weather Service field offices, that closure will not degrade Weather Services, and that the Commerce Department must submit an annual plan for modernization of the Weather Service.

NOAA programs are of immense importance to New Jersey's coastal economy and the health of New Jersey's marine ecosystem. Some of the areas in which NOAA has been involved in New Jersey include oyster disease research, pollution control studies, and coastal zone management.

I am very pleased that the bill authorizes a total of $10 million for a national shellfish indicator study to conduct research on shellfish pathogens in the Nation's shellfish producing regions. The oyster industry used to be worth $90 million annually, but has fallen to 75–90 percent of that value due to decimation of populations by parasitic diseases. NOAA programs are essential in revitalizing the oyster industry and reversing the concomitant economic decline.

The National Undersea Research Program and the Coastal Zone Management Program are crucial in addressing the effects of pollution in the marine environment. The national Undersea Research Program studies the effects of ocean dumping, while coastal zone management addresses coastal nonpoint pollution control. Pollution in the marine environment seriously degrades water quality and adversely impacts recreational and commercial use of our coastal and ocean waters. Therefore, I strongly support the authorization of these programs.

The budget reflects NOAA's strong commitment to marine science and to the preservation and protection of the coastal, ocean, and great lakes environments and their associated living marine resources and I urge my colleagues' support for its authorization.

Mr. RIGGS. Mr. Chairman, I rise today in strong support of the National Oceanic and Atmospheric Administration Authorization Act of 1991. One of the vitally important functions of NOAA is the National Weather Service. The National Weather Service provides vital weather information along the rugged and stormy coast of the Pacific Northwest. This region of the country is often shrouded by fog, swept by rain, wind, and high seas. Moreover the fishing season for the Pacific coast dungeness crab occurs during the winter months when the weather is most unpredictable. The information provided by the National Weather Service results in real savings: Not only the savings of energy and time for the mariners on the northern coast of California, but the saving of their very lives.

The legislation before us today contains particular language to continue the modernization and restructuring of the Weather Service in northern California. This bill will allow the Weather Service to modernize and upgrade their facility with a location that will put the Service right in the Eureka Harbor, next to the maritime community that they serve. The location will be in a direct microwave line of sight with the Weather Service's existing radar location in the hills nearby. Most importantly in this time of budget uncertainty, the approach in this bill will provide the Weather Service with an inexpensive site at the same time as the needs of the Humboldt Bay Harbor Recreation and Conservation District are being met.

I would like to thank the committee for their work, and particularly for the inclusion of this particular provision that is very important to the constituents of my district.

Mr. STUDDS. Mr. Chairman, I would like to make a point of clarification with respect to the NOAA fisheries programs in this bill. Programs at NOAA's National Marine Fisheries Service are authorized under a number of different statutes. This bill reauthorizes only those programs at the Fisheries Service that are authorized under the NOAA Marine Fisheries Program Act. Therefore, any authorization limits established by this bill apply solely to those programs. Fisheries programs authorized under any other laws are not contained in this bill and likewise are not subject to the authorization limits established by this bill.

Mr. DAVIS. Mr. Speaker, I voice my strong support for the measure before the House today.

The NOAA Authorization Act of 1991 restores a coastal emphasis to NOAA programs, including funding for the Coastal Zone Management Act, the National Sea Grant College Program, and NOAA fleet modernization. It also emphasizes congressional interest in seeing that existing statutes are fully authorized before new initiatives are pursued. These positions have already been endorsed through the appropriations process for this year, although not quite as enthusiastically as members of the Merchant Marine and Fisheries Committee would have had it.

Chairman HERTEL should be thanked for his leadership and support in seeing that our fourth coast is given attention by NOAA by authorizing an $11 million zebra mussel research and control program, providing funds for Great Lakes shoreline maps, legislating the Cooperative Institute for Limnology and Ecosystems Research, and providing adequate funding for the Great Lake Environmental Research Laboratory. I would like to see NOAA's presence along our fourth coast even stronger, and look forward to the designation of the Thunder Bay National Marine Sanctuary in Alpena, MI, and the creation of a Great Lakes Undersea Research Program.

It is through the efforts of Chairman HERTEL and full committee chairman, WALTER JONES, that we are here today, with many of the objections raised over provisions in the bill settled. NOAA is one of the primary interests of the Merchant Marine and Fisheries Committee. Let's send it to the Senate with resounding support.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong support of this bill and urge its adoption by the House. This legislation has been carefully worked out by members of our committee and the Committee on Science, Space, and Technology. I believe it is a good compromise and should be supported.

I wish to direct the House's attention to two particular sections of the bill that is before us today. Section 202 deals with research agreements. It authorizes the Secretary of Commerce to enter into agreements with, and provide financial assistance to, various entities for the purpose of conducting marine research. This provision reinstates authority that has in the past been used by the Secretary to conduct cooperative research with regional fishery management councils, among others. It also makes clear the Secretary's authority to enter into cooperative agreements with marine fisheries commissions.

I want to emphasize that the term "cooperative" is extremely important in carrying out research. The committee expects the National Marine Fisheries Service to work with the regional fishery management councils and marine fisheries commissions in designing and implementing research programs of the sort provided for under this section. We do not expect the Director of the National Marine Fisheries Service to be following his own agenda or to dictate what sort of research will be conducted. This language is designed to provide a mechanism whereby the executive branch and other entities can work together in carrying out research. Thus, for example, if a regional fishery management council identifies particular research that must be done in order to effectively manage a fishery, we do not expect the National Marine Fisheries Service to ignore that request.

I also wish to call the House's attention to section 802(b), regarding the acquisition of office space for the National Marine Fisheries Service. This section requires the Secretary of Commerce to acquire space from the Administrator of General Services on Near Island in Kodiak, Alaska. The Committee on Merchant Marine and Fisheries, in considering this section, noted that the University of Alaska has established a major fisheries research facility on Near Island and that it is in the best interest of the Federal Government that NOAA collocate with this facility.

I want to emphasize the importance of acquiring space for the National Marine Fisheries Service in Kodiak as soon as possible. Currently, the Service houses its personnel in two buildings—one of which has severe asbestos and electrical problems and is due to be condemned, and the other is a World War II vintage quonset hut located at the end of a steep hill. Both of these facilities are unsafe for the Federal workers who use them and do not provide sufficient space to carry out the scientific research that is needed to manage the fisheries in our 200-mile zone off Alaska. By collocating with the University of Alaska facility, the National Marine Fisheries Service will be able to take advantage of the research facilities which already exist. This will provide a considerable benefit to taxpayers. In addition, the city of Kodiak and the Kodiak Island Borough have both indicated a desire to work with NOAA and the General Services Administration to provide facilities on a low-cost basis. I believe that this sort of cooperation between local entities and the Federal Government should be applauded, especially when we are protecting the welfare of Federal workers and providing savings to taxpayers.

Again, Mr. Chairman, I believe that this bill as written by our two committees is an excellent one and should be approved. I urge all Members to support H.R. 2130.

Mr. RAHALL. Mr. Chairman, I rise today in support of H.R. 2130, the NOAA reauthorization for fiscal year 1992 and fiscal year 1993. Two provisions in this bill will ensure that areas like my district will continue to receive the most accurate and reliable weather information possible. I also strongly support the Perkins amendment to this bill which will prohibit the National Weather Service from turning off any of the local radars without first providing assurance that there will not be a degradation in service. This is an important amendment because it makes sure that people who depend on local radars will continue to receive the weather service which they have come to expect.

As you may know, the National Weather Service has plans to modernize its services in order to take advantage of advances in technology. This plan includes closing 142 of its offices nationwide. The new proposed technology certainly has many outstanding characteristics. Next generation radar system, Nexrad, is a state-of-the-art Doppler radar system which is intended to replace the outdated radar systems currently in use in many communities. However, this technology is not without liabilities. Liabilities which must be taken into acccont before areas such as my district are forced to suffer a degradation in weather service.

The National Weather Service is required by law to certify that there be no degradation in service to the area before a weather station may be closed. The two provisions, sections 403 and 404 of this bill, which I urge support for, help to clarify how that certification will be accomplished.

The first provision requires that the Secretary of Commerce provide personnel for 2 years to each area currently receiving public institution liaison and community preparedness services from a Weather Service Office, a Weather Service Meteorological Observatory, or an Agricultural Weather Service Center. The number of personnel provided to each such area would have to be sufficient to prevent any degradation in the level of public institution liaison and community preparedness services to the affected area.

The second provision tightens the requirements for certification of nondegradation of weather services. It also enhances congressional oversight of the process and ensures strict compliance by the administration.

Mr. Chairman, I cannot exaggerate the importance of these two provisions to my district. Under the current NWS plan, two weather stations in my district, at Beckley and Huntington, will be closed. This could have a disastrous effect on the weather service provided to certain areas of southern West Virginia. A liaison officer to monitor the performance of the equipment and to keep a well trained eye on weather emergencies is the least that the people of this area can ask.

I would like to point out that in my correspondence with the Weather Service over this issue, the service does not expect its new system to be flawless. As a matter of fact, they tell me that in implementing a multilayered approach, they will rely heavily on cooperative weather observers.

This reliance on volunteer observers is an admission that the new system will not work without some sort of human involvement. While the Weather Service admits that quality service will not be available without human participation, why are they not committed to the need for professionally trained observers?

The Weather Service has even proposed that they will depend on reports from the State police as a means of providing accurate weather information. This is outrageous. I know that in West Virginia, when dangerous weather conditions prevail, the primary responsibility of the State police is saving lives. They do not have time to call up the National Weather Service.

I have to question the Weather Service's commitment to quality forecasting. They seem more concerned with saving money at the expense of accurate and dependable dissemination of precise weather conditions, forecasts, and warnings.

Furthermore, the mountainous topography which typifies southern West Virginia makes weather forecasting very difficult. Conditions can and do vary greatly from one side of a mountain range to another and weather emergencies, such as flash flooding are all too common in our deep river valleys.

Under the current plan the weather station which will serve my district is in Charleston. This station is almost 100 miles from the edges of my district. However, independent studies show that the Nexrad system's capabilities are fair to poor at 100–150 miles. My worry is that these areas will be subjected to subpar service because the new equipment will not be accurate at such a range.

I am also concerned that the information used to certify Nexrad has been gleaned from a handful of sites, none of which bear much similarity to my district. As I have said, the mountainous topography of this area provides unique circumstances and conditions. I want to be able to assure the people of my district that any new system will be able to report and disseminate accurately, consistently, and with high dependability precise weather conditions, warnings and forecasts for all points of my district.

Mr. Chairman, I urge your support for these provisions which aim to ensure that all areas of this country will continue to receive the same level of service, if not improved service, which they receive now. I believe this aim is important. I believe the lives that may be saved are important too. Let's not sacrifice service for technology. Let's save these weather stations for a rainy day.

Mr. KANJORSKI. Mr. Chairman, I rise in strong support of H.R. 2130, the National Oceanic and Atmospheric Administration Authorization Act of 1991, and the amendments which Representative CHRIS PERKINS is offering to section 403 and section 404 of the bill.

Mr. PERKINS included section 403 and section 404 in the bill to help ensure that the National Weather Service's modernization program does not result in a degradation of weather service to any community which would lose a weather station under the plan.

The Weather Service's goal to modernize their forecasting capabilities is certainly admirable. While I do not oppose the concept of modernization, I do have some concerns about the Weather Service's implementation plan which involves the closing of 142 weather stations across the country, including the station in Avoca, PA, which is in my congressional district, and replacing them with regional facilities utilizing the next generation weather radar (Nexrad).

Nexrad employs impressive technology; however, I believe it would be ill-advise to replace weather stations with this system until it can be conclusively demonstrated that it is completely reliable. In this regard, I feel the consolidation planned by the Weather Service may be too ambitious and premature.

Section 404 will strengthen the process under which the Secretary of Commerce is required by existing law to certify nondegradation of service to areas losing facilities. This section provides that certification be based upon site-specific operational demonstrations of Nexrad.

Currently, the Weather Service is conducting tests of Nexrad in Oklahoma, Colorado, Kansas, Florida, and Virginia. I am concerned that these test sites may not provide a sufficient basis to conclusively judge how this system will perform in every area across the country, especially in those locations with a history of rapidly changing weather patterns. Site-specific testing is the only way to determine that the new system will provide more accurate information than existing weather stations.

Section 403 would require the Secretary of Commerce to provide personnel for 2 years to each area currently receiving public institution liaison and community preparedness services. It is not presently clear that the Weather Service's consolidation plan will provide personnel who are knowledgeable of local conditions in areas which will be covered by Nexrad.

Since Nexrad will be a fully automated system, it is critical that the Weather Service maintains personnel who understand the local weather patterns in the areas that the new system would cover to verify that accurate data are being disseminated.

In addition, maintaining personnel familiar with the areas of coverage will ensure that the Weather Service gives local emergency officials, police and fire departments, and school officials appropriate notice in the event of weather emergencies.

Mr. Chairman, the weather station in Avoca provides informational and forecasting services which are vital to public safety in northeastern Pennsylvania. Before this station or any of the other 141 stations are closed, the Weather Service must guarantee that Nexrad is completely reliable and that the public will experience no loss of services under the new system.

I am hopeful that the approval of Mr. PERKIN's amendments and the passage of H.R. 2130 will affirm that the Weather Service's modernization plan will truly provide communities across the country with the improved weather service which it seeks to accomplish.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of H.R. 3704, as modified by the amendments printed in section 2 of House Resolution 278, is considered as an original bill for the purpose of amendment and is considered as read.

The text of H.R. 3704, as modified, is as follows:

H.R. 3704

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Oceanic and Atmospheric Administration Authorization Act of 1991".

TITLE I—NATIONAL OCEAN SERVICE

SEC. 101. MAPPING, CHARTING, AND GEODESY.

There are authorized to be appropriated to the Secretary of Commerce (hereinafter in this Act referred to as the "Secretary") for carrying out mapping, charting, and geodesy activities of the National Oceanic and Atmospheric Administration (including geodetic data collection and analysis) under the Act entitled "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes", approved August 6, 1947 (33 U.S.C. 883a et seq.), and any other law, $59,902,000 for fiscal year 1992 and $62,298,000 for fiscal year 1993.

SEC. 102. OBSERVATION AND ASSESSMENT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for carrying out observation and assessment activities of the National Oceanic and Atmospheric Administration under the Act entitled "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes", approved August 6, 1947 (33 U.S.C. 883a et seq.), and any other law, $71,094,000 for fiscal year 1992 and $73,938,000 for fiscal year 1993.

(b) LONG ISLAND SOUND CIRCULATION MODEL.—No monies appropriated under the authority of this Act shall be used to conduct analyses of samples collected under the National Status and Trends Program until the Policy Committee of the Long Island Sound Study certifies that the National Oceanic and Atmospheric Administration has completed the water circulation model for Long Island Sound.

(c) CIRCULATION MODEL FUNDING.—Of the sums authorized under subsection (a) for fiscal year 1992, $600,000 shall be available for completion of the water circulation model for Long Island sound and $400,000 shall be available for National Status and Trends Program stations in Long Island Sound.

SEC. 103. OCEAN AND COASTAL MANAGEMENT.

There are authorized to be appropriated to the Secretary for carrying out ocean and coastal management activities of the National Oceanic and Atmospheric Administration under title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1431 et seq.), the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.), and any other law, $75,722,000 for fiscal year 1992 and $78,751,000 for fiscal year 1993.

TITLE II—NATIONAL MARINE FISHERIES SERVICE

SEC. 201. FISHERIES PROGRAM ACT AMENDMENTS.

The National Oceanic and Atmospheric Administration Marine Fisheries Program Authorization Act (Public Law 98-210) is amended—

(1) in section 2(a) in the first sentence by striking "$26,500,000" and all that follows through the end of that sentence and inserting "$53,600,000 for fiscal year 1992 and $55,744,000 for fiscal year 1993";

(2) in section 3(a) in the first sentence by striking "$35,000,000" and all that follows through the end of that sentence and inserting "$31,000,000 for fiscal year 1992 and $32,240,000 for fiscal year 1993"; and

(3) in section 4(a) in the first sentence by striking "$10,000,000" and all that follows through the end of that sentence and inserting "$20,000,000 for fiscal year 1992 and $20,800,000 for fiscal year 1993".

SEC. 202. RESEARCH AGREEMENTS.

The Secretary is authorized to enter into agreements with, and provide financial assistance to, States, marine fisheries commissions, regional fishery management councils, and academic institutions for the purpose of conducting research on marine mammals, endangered species, and fisheries conservation and management, including—

(1) biological research on the status of stocks of fish, the impact of pollution on fish, the impact of wetland and estuarine degradation, and other matters bearing upon the abundance and availability of fish;

(2) economic and social research on the impacts of fishery management measures;

(3) conservation engineering research; and

(4) information management research.

SEC. 203. STUDY ON EFFECTS OF DOLPHIN FEEDING.

(a) STUDY.—The Secretary shall conduct a study in the eastern Gulf of Mexico on the effects of feeding of noncaptive dolphins by human beings. The study conducted pursuant to this section shall be designed to detect any behavior or diet modification resulting from this feeding and to identify the effects, if any, of these modifications on the health and well-being of the dolphins.

(b) EXTERNAL REVIEW.—In design and conduct of the study required under subsection (a), the Secretary shall consult with the National Academy of Sciences and the Marine Mammal Commission.

(c) REPORT.—Within 18 months after the date of the enactment of this Act, the Secretary shall submit to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted pursuant to subsection (a).

SEC. 204. NATIONAL SHELLFISH INDICATOR STUDY.

(a) ESTABLISHMENT.—There is established within the National Oceanic and Atmospheric Administration the National Shellfish Indicator Study Project to conduct research relating to pathogenic indicators of contamination of shellfish growing areas.

(b) COOPERATIVE AGREEMENT.—The project established under subsection (a) shall be conducted in accordance with the cooperative agreement between the National Oceanic and Atmospheric Administration and the Louisiana Universities Marine Consortium as in effect on October 1, 1990.

(c) RELEASE OF 1991 FUNDS.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall release funds appropriated in Public Law 101-515 for fiscal year 1991 for use for shellfish water standards research, as detailed in House Report 101-909.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Of the sums authorized under section 201 of this Act, there are authorized to be appropriated to the Secretary $5,000,000 for fiscal year 1992 and $5,200,000 for fiscal year 1993 for carrying out the project established under subsection (a) of this section.

(2) LIMITATION.—Of amounts appropriated pursuant to this section, not more than five percent of that amount may be used by the National Oceanic and Atmospheric Administration to administer the project authorized under this section.

SEC. 205. UNITED STATES GULF OF MEXICO AND SOUTH ATLANTIC SHRIMP FISHERY STUDY.

(a) STUDY.—(1) The Secretary shall conduct a comprehensive economic study to provide baseline information to guide policy decisions on the future of the United States Gulf of Mexico and South Atlantic shrimp fishery. Funds shall only be expended under the terms of paragraph (2) of this section.

(2) The study shall—

(A) gather information as to the extent to which governmental and economic factors have affected or may affect the United States Gulf of Mexico and South Atlantic shrimp fishery;

(B) attempt to expand available historical data through survey contacts and cooperation with the industry; and

(C) incorporate the results of the studies on the United States Gulf of Mexico and South Atlantic shrimp fishery that are underway or completed on the date this section is effective.

(b) REPORT.—The Secretary shall submit a report to Congress detailing the results of this study no later than October 1, 1993.

(c) AUTHORIZATION.—There is authorized to be appropriated to carry out the provisions of this section $1,000,000 for fiscal year 1992 and $1,040,000 for fiscal year 1993. Of this amount, not more than $500,000 for fiscal year 1992 and $520,000 for fiscal year 1993 shall be used to fund research in the States bordering the Gulf of Mexico.

TITLE III—OCEANIC AND ATMOSPHERIC RESEARCH

SEC. 301. CLIMATE AND AIR QUALITY RESEARCH.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for carrying out climate and air quality research duties of the National Oceanic and Atmospheric Administration, including for interannual and seasonal climate research, long-term climate and air quality research, and the National Climate Program, $95,563,000 for fiscal year 1992 and $99,386,000 for fiscal year 1993.

(b) REGIONAL CLIMATE CENTERS.—Of the sums authorized under subsection (a), $3,700,000 for fiscal year 1992 and $3,848,000 for fiscal year 1993 are authorized to be appropriated for the activities of the Regional Climate Centers.

SEC. 302. ATMOSPHERIC PROGRAMS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for carrying out atmospheric research duties of the National Oceanic and Atmospheric Administration $37,007,000 for fiscal year 1992 and $38,487,000 for fiscal year 1993, including for research for developing improved prediction capabilities for atmospheric processes, and solar-terrestrial services and research.

(b) STORM PROGRAM.—Of the sums authorized under subsection (a), $3,000,000 for fiscal year 1992 and $3,120,000 for fiscal year 1993 is authorized to be appropriated for the Stormscale Operational and Research Meteorology (STORM) program.

SEC. 303. CLIMATE SERVICES SYSTEM MODERNIZATION.

(a) IMPLEMENTATION PLAN.—The Secretary shall direct the Office of the Chief Scientist of the National Oceanic and Atmospheric Administration to prepare and submit to the Congress, not later than one year after the date of the enactment of this Act, a plan for the implementation of a nationwide climate services system and applied climatology program. Such plan shall include detailed requirements and schedules for the improvement of—

(1) the timeliness of climate services,

(2) the spatial coverage of weather observational networks,

(3) the quality control of climate data,

(4) access to climate data,

(5) the use of climate data,

(6) the coordination of Regional Climate Centers with Federal climate centers, and

(7) private sector participation in providing climate services.

(b) FUNDING.—Of the sums authorized under section 301(a), $200,000 are authorized to be appropriated for fiscal year 1992 for the purposes of implementing subsection (a) of this section.

SEC. 304. OCEAN AND GREAT LAKES RESEARCH.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for carrying out ocean and Great Lakes research activities of the National Oceanic and Atmospheric Administration under the Act entitled "An Act to define the function and duties of the Coast and Geodetic Survey, and for other purposes", approved August 6, 1947 (33 U.S.C. 883a et seq.), the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Bureau to the Department of Agriculture", approved October 1, 1890 (15 U.S.C. 311 et seq.), the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.), and any other law involving those activities, $87,697,000 for fiscal year 1992 and $91,205,000 for fiscal year 1993.

(b) COOPERATIVE INSTITUTE FOR LIMNOLOGY AND ECOSYSTEMS RESEARCH.—In addition to amounts authorized under subsection (a), there are authorized to be appropriated to the Office of Oceanic and Atmospheric Research of the National Oceanic and Atmospheric Administration $250,000 for fiscal year 1992 and $260,000 for fiscal year 1993, for use by the Cooperative Institute for Limnology and Ecosystems Research (established in partnership with the State of Michigan and the Great Lakes Environmental Research Laboratory) for—

(1) research conducted by the Institute;

(2) development of the Institute; and

(3) for preparation of a five-year plan for research and development.

(c) LARGE LAKES RESEARCH.—

(1) IN GENERAL.—In addition to amounts authorized under subsections (a) and (b), there are authorized to be appropriated to the Secretary for use by the Office of Oceanic and Atmospheric Research $2,000,000 for fiscal year 1992 and $2,080,000 for fiscal year 1993 for use for preparing a plan for large lakes research.

(2) USE.—Amounts appropriated under this subsection may be used for—

(A) preparation of a five-year plan designating large lake study sites, research activities, and anticipated research products; and

(B) collection of physical, chemical, and biological data required for preparing that plan.

(3) COORDINATION.—Activities conducted with amounts appropriated under this subsection shall be coordinated through the Great Lakes Environmental Research Laboratory, working in association with the Cooperative Institute for Limnology and Ecosystems Research and the National Undersea Research Program.

TITLE IV—NATIONAL WEATHER SERVICE

SEC. 401. OPERATIONS AND RESEARCH.

(a) There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the operations and research duties of the National Weather Service, $313,174,000 for fiscal year 1992 and $325,701,000 for fiscal year 1993. Such duties include meteorological, hydrological, and oceanographic public warnings and forecasts, as well as applied research in support of such warnings and forecasts, but do not include duties described in section 402.

(b)(1) The Secretary shall direct the Office of the Chief Scientist of the National Oceanic and Atmospheric Administration to establish an advisory committee of tropical cyclone research experts to make recommendations for Atlantic tropical cyclone research activities and Atlantic tropical cyclone reconnaissance procedures.

(2) The Secretary, working jointly with other agencies as appropriate and utilizing the expertise of the advisory committee established under paragraph (1), shall establish a 5-year program for collecting operational and reconnaissance data, conducting research, and analyzing data on Atlantic tropical cyclones to assist the forecast and warning program and increase the understanding of the causes and behavior of Atlantic tropical cyclones.

(3) Within 120 days after the date of enactment of this Act, the Secretary shall develop and submit to the Congress a management plan for the program established under paragraph (2) which shall include organizational structure, goals, major tasks, and funding profiles for the five year duration of the program.

(c) Of the sums authorized under subsection (a) of this section, $250,000 for fiscal year 1992 and $260,000 for fiscal year 1993 is authorized to be appropriated for the purposes of implementing subsection (b) of this section.

SEC. 402. SYSTEMS ACQUISITION.

(a) There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the public warning and forecast systems duties of the National Weather Service, $209,725,000 for fiscal year 1992 and $218,114,000 for fiscal year 1993. Such duties include the development, acquisition, and implementation of major public warning and forecast systems.

(b)(1) There are authorized to be appropriated to the Secretary for all fiscal years beginning after September 30, 1992, an aggregate of $196,956,000, to remain available until expended, to complete the acquisition and deployment of the Next Generation Weather Radar system, and to cover all associated activities (including program management and operations and maintenance through September 30, 1996).

(2) Except as provided in paragraph (3), none of the funds appropriated under paragraph (1) may be obligated until the Secretary certifies to the Congress that—

(A) the radars meet the technical performance specifications included in the system contract as in effect on October 1, 1990;

(B) the system contract is viable, and the Secretary does not foresee any circumstances which would make its fulfillment impossible;

(C) the system software is functional;

(D) the system can be fully deployed, sited, and operational without requiring further appropriations beyond amounts authorized under paragraph (1); and

(E) the Secretary does not foresee any further delays in the system deployment and operation schedule.

(3) If the Secretary does not make a complete certification described in paragraph (2), funds appropriated under paragraph (1) may become available for obligation 30 days after the Secretary submits to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report which describes—

(A) the circumstances which prevent the certification under paragraph (2) from being complete;

(B) remedial actions undertaken or to be undertaken with respect to such circumstances;

(C) the effects of such circumstances on the deployment and operation schedule and radar coverage; and

(D) a justification for proceeding with the program, if appropriate.

(c)(1) There are authorized to be appropriated to the Secretary for all fiscal years beginning after September 30, 1992, an aggregate of $51,668,000, to remain available until expended, to complete the acquisition and deployment of the Automated Surface Observing Systems, and to cover all associated activities (including program management and operations and maintenance through September 30, 1996).

(2) Except as provided in paragraph (3), none of the funds appropriated under paragraph (1) may be obligated until the Secretary certifies to the Congress that—

(A) the systems meet the technical performance specifications included in the system contract as in effect on April 1, 1991;

(B) the systems can be fully deployed, sited, and operational without requiring fur-

ther appropriations beyond amounts authorized under paragraph (1); and

(C) the Secretary does not foresee any further delays in the systems deployment and operation schedule.

(3) If the Secretary does not make a complete certification described in paragraph (2), funds appropriated under paragraph (1) may become available for obligation 30 days after the Secretary submits to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report which describes—

(A) the circumstances which prevent the certification under paragraph (2) from being complete;

(B) remedial actions undertaken or to be undertaken with respect to such circumstances;

(C) the effects of the circumstances on the systems deployment and operation schedule and systems coverage; and

(D) a justification for proceeding with the program, if appropriate.

SEC. 403. PUBLIC INSTITUTION LIAISON AND COMMUNITY PREPAREDNESS.

In order to maintain liaison with public institutions, and to assist in community preparedness, the Secretary shall provide at least one National Weather Service liaison officer for each area receiving such public institution liaison and community preparedness services, as of the date of enactment of this Act, from a Weather Service Office (WSO), a Weather Service Meteorological Observatory (WSMO), or an Agricultural Weather Service Center (AWSC). Such liaison officer shall be provided for at least two years after the WSO, WSMO, or AWSC is closed, consolidated, automated, or relocated. The Secretary shall provide such areas with sufficient personnel to ensure that the modernization and associated restructuring of the National Weather Service do not result in a degradation in the level of public institution liaison and community preparedness services offered to such areas.

SEC. 404. WEATHER RADAR REMOVAL OR DEACTIVATION.

(a) As part of its review of the National Weather Service's procedure for making certifications described in section 408(b) of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1989, the National Academy of Sciences shall identify those affected areas for which there is a significant doubt that the Secretary will be able to make such certification. Within 180 days following a certification for an area identified by the National Academy of Sciences, the Comptroller General of the United States shall submit a report reviewing such certification to the Committee on Commerce, Science, and Transportation of the Senate and the Committee of Science, Space, and Technology of the House of Representatives.

(b) Section 408(a) of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1989 is amended by inserting "or remove any National Weather Service radar (except for the purposes of upgrading such radar on-site)" after "Service Forecast Office".

(c) Section 408(b) of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1989 is amended—

(1) by inserting "or remove any National Weather Service radar (except for the purposes of upgrading such radar on-site) after any such office";

(2) by amending paragraph (3) to read as follows:

"(3) evidence, based on a site-specific operational demonstration of modernized National Weather Service operations, including the Next Generation Weather Radar, for each office to be closed, consolidated, automated, or relocated, or each National Weather Service radar to be removed (except for the purposes of upgrading such radar on-site), which supports the conclusion that no degradation in services will result from such action."; and

(3) by inserting after paragraph (3) the following: "A certification under this subsection shall be initially prepared by the meteorologist-in-charge at the office to be closed, consolidated, automated, or relocated, or the National Weather Service radar to be removed (except for the purposes of upgrading such radar on-site), and the Secretary shall identify and explain any substantive differences between the certification as prepared by the meteorologist-in-charge and as submitted to the committees under this subsection.".

TITLE V—NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

SEC. 501. SATELLITE OBSERVING SYSTEMS.

(a) There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its satellite observing systems duties $367,359,000 for fiscal year 1992 and $382,053,000 for fiscal year 1993. Such duties include spacecraft procurement, launch, and associated ground station system changes involving polar orbiting and geostationary environmental satellites and land remote sensing satellites, as well as the operation of such satellites.

(b) Of the sums authorized under subsection (a) of this section, $17,200,000 for fiscal year 1992 are authorized to be appropriated for the operation of the Landsat satellite system.

(c) Of the sums authorized under subsection (a) of this section, $5,000,000 for fiscal year 1992 and $5,200,000 for fiscal year 1993 are authorized to be appropriated for the procurement of long-lead parts necessary for the construction of Landsat 7.

(d)(1) There are authorized to be appropriated to the Secretary for all fiscal years beginning after September 30, 1992, an aggregate of $735,133,000, to remain available until expended, to complete the procurement of—

(A) Geostationary Operational Environmental Satellites I, J, K, L, and M; and

(B) the launching and supporting ground systems of such satellites.

(2) Except as provided in paragraph (3), none of the funds appropriated under paragraph (1) may be obligated until the Secretary certifies to the Congress that—

(A) the satellite instruments meet the technical performance specifications included in the satellite contract as in effect on October 1, 1990;

(B) the procurement activities described in paragraph (1) can be completed without requiring further appropriations beyond amounts authorized under paragraph (1); and

(C) the Secretary does not foresee any gaps in two-satellite service operations resulting from nonperformance of any contract for the procurement activities described in paragraph (1).

(3) If the Secretary does not make a complete certification described in paragraph (2), funds appropriated under paragraph (1) may become available for obligation 30 days after the Secretary submits to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report which describes—

(A) the circumstances which prevent the certification under paragraph (2) from being complete;

(B) remedial actions undertaken or to be undertaken with respect to such circumstances;

(C) the effects of such circumstances on the launch schedule and satellite coverage; and

(D) a justification for proceeding with the program, if appropriate.

(e)(1) There are authorized to be appropriated to the Secretary for all fiscal years beginning after September 30, 1992, an aggregate of $272,758,000, to remain available until expended, to complete the procurement of—

(A) Polar Orbiting Environmental Satellites I, J, K, L, and M; and

(B) the launching and supporting ground systems of such satellites.

(2) Except as provided in paragraph (3), none of the funds appropriated under paragraph (1) may be obligated until the Secretary certifies to the Congress that—

(A) the satellite instruments meet the technical performance specifications included in the satellite contract as in effect on October 1, 1990;

(B) the procurement activities described in paragraph (1) can be completed without requiring further appropriations beyond amounts authorized under paragraph (1); and

(C) the Secretary does not foresee any gaps in two-satellite service operations resulting from nonperformance of any contract for the procurement activities described in paragraph (1).

(3) If the Secretary does not make a complete certification described in paragraph (2), funds appropriated under paragraph (1) may become available for obligation 30 days after the Secretary submits to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report which describes—

(A) the circumstances which prevent the certification under paragraph (2) from being complete;

(B) remedial actions undertaken or to be undertaken with respect to such circumstances;

(C) the effects of such circumstances on the launch schedule and satellite coverage; and

(D) a justification for proceeding with the program, if appropriate.

SEC. 502. ENVIRONMENTAL DATA MANAGEMENT.

There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to fund those duties relating to data and information services, $33,812,000 for fiscal year 1992 and $35,164,000 for fiscal year 1993. Such duties include climate data services, ocean data services, geophysical data services, and environmental assessment and information services.

SEC. 503. TRANSFER OF ARCHIVING RESPONSIBILITY FOR LAND REMOTE-SENSING DATA.

(a) FINDINGS.—The Congress finds that—

(1) section 602 of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4272) directs the Secretary of Commerce to provide for the archiving of land remote-sensing data for historical, scientific, and technical purposes, including long-term global environmental monitoring;

(2) the Secretary of Commerce currently provides for the archiving of Landsat data at the Department of the Interior's EROS Data

Center, which is consistent with the requirement of such section 602(g) to use existing Federal Government facilities to the maximum extent practicable in carrying out this archiving responsibility;

(3) the Landsat data collected since 1972 are an important global data set for monitoring and assessing land resources and global change;

(4) the Secretary of the Interior maintains archives of aerial photography, digital cartographic data, and other Earth science data at the EROS Data Center that also are important data sets for monitoring and assessing land resources and global change;

(5) it is appropriate to transfer authority for section 602 of the Land Remote-Sensing Commercialization Act of 1984 to the Secretary of the Interior; and

(6) the Secretary of the Interior should explore ways to facilitate the use of archiving data for research purposes consistent with other provisions of such Act.

(b) AMENDMENTS.—The Land Remote-Sensing Commercialization Act of 1984 is amended—

(1) in section 402(b)(4), by inserting "of the Interior" after "Secretary";

(2) in section 602 (b), (c), (d), (f), and (g), by inserting "of the Interior" after "Secretary" each place it appears; and

(3) by adding at the end of section 602 the following new subsection:

"(h) In carrying out the functions of this section, the Secretary of the Interior shall consult with the Secretary to ensure that archiving activities are consistent with the terms and conditions of any contract or agreement entered into under title II, III, or V of this Act and with any license issued under title IV of this Act.".

TITLE VI—BUY AMERICA PROVISIONS

SEC. 601. BUY AMERICA PROVISIONS.

(a) RESTRICTIONS ON CONTRACT AWARDS.—No contract or subcontract made with funds authorized under this Act may be awarded for the procurement of an article, material, or supply produced or manufactured in a foreign country whose government unfairly maintains in government procurement a significant and persistent pattern or practice of discrimination against United States products or services which results in identifiable harm to United States businesses, as identified by the President pursuant to subsection (g)(1)(A) of section 305 of the Trade Agreements Act of 1979 (19 U.S.C. 2515(g)(1)(A)). Any such determination shall be made in accordance with such section 305.

(b) PROHIBITION AGAINST FRAUDULENT USE OF "MADE IN AMERICA" LABELS.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or an inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, that person shall be ineligible to receive any contract or subcontract from the National Oceanic and Atmospheric Administration, pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.

(c) BUY AMERICAN REQUIREMENT.—(1) The Secretary is authorized to award to a domestic firm a contract for the purchase of goods that, under the use of competitive procedures, would be awarded to a foreign firm, if—

(A) the final product of the domestic firm will be completely assembled in the United States;

(B) when completely assembled, more than 50 percent of the final product of the domestic firm will be domestically produced; and

(C) the difference between the bids submitted by the foreign and domestic firms is not more than six percent.

(2) This subsection shall not apply to the extent to which—

(A) in the opinion of the Secretary, after taking into consideration international obligations and trade relations, such applicability would not be in the public interest;

(B) in the opinion of the Secretary, after consultation with the Secretary of Defense, compelling national security considerations require otherwise; or

(C) the President 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.

(3) This subsection shall apply only to contracts made for which—

(A) amounts are authorized by this Act to be made available; and

(B) solicitations for bids are issued after the date of enactment of this Act.

(4) The Secretary, before January 1, 1993, shall report to the Congress on contracts covered under this subsection—

(A) entered into with foreign firms pursuant to a determination made under paragraph (2) of this subsection; and

(B) awarded to domestic firms pursuant to paragraph (1) of this subsection, in fiscal years 1991 and 1992.

(5) For the purposes of this subsection—

(A) the term "domestic firm" means a business entity that is incorporated in the United States and that conducts business operations in the United States; and

(B) the term "foreign firm" means a business entity not described in subparagraph (A).

TITLE VII—TROPICAL CYCLONE RESEARCH PROGRAM

SEC. 701. SHORT TITLE.

This title may be cited as the "Tropical Cyclone Research Act of 1991".

SEC. 702. FINDINGS.

The Congress finds that—

(1) many areas of the United States, including those bordering the Atlantic Ocean and Gulf of Mexico, rely on data provided by the Department of Defense through the Air Force WC–130 weather reconnaissance aircraft to predict the intensity, speed, and direction of movement of tropical cyclones, including hurricanes and tropical storms;

(2) these same areas also rely on data collected by the Department of Commerce through the National Oceanic and Atmospheric Administration's satellite, radar, aircraft, and buoy technologies to predict tropical cyclone behavior and to conduct research on improving forecasts and warnings;

(3) satellites, including the Geostationary Operational Environmental Satellites, are an important source of tropical cyclone information, but they cannot provide the same quality of information as is supplied by weather reconnaissance aircraft;

(4) there is currently only one Geostationary Operational Environmental Satellite positioned over the United States and the loss of its ability to collect data would severely restrict tropical cyclone information gathering; and

(5) a vigorous research program in tropical cyclone behavior and forecasting is important if the accuracy of prediction of tropical cyclones is to be significantly improved.

SEC. 703. ESTABLISHMENT OF PROGRAM.

The Secretary of Defense and the Secretary of Commerce shall establish a five-year joint program which expands the plan established in section 401(b) for collecting operational and reconnaissance data, conducting research, and analyzing data on tropical cyclones to assist the forecast and warning program and increase the understanding of the causes and behavior of tropical cyclones.

SEC. 704. RESPONSIBILITIES.

(a) The Secretary of Defense shall have the responsibility for maintaining, flying, and funding tropical cyclone reconnaissance aircraft to accomplish the program established under section 401(b)(2) and to transfer the data to the Secretary of Commerce, unless a joint agreement is reached, with the approval of both the transfer of such responsibility to an appropriate Federal agency or department.

(b) The Secretary of Commerce shall have the responsibility of funding and carrying out data gathering and research by remote sensing, ground sensing, and other technologies necessary to accomplish the program established under section 703.

SEC. 705. MANAGEMENT PLANS.

(a) The Secretary of Defense and the Secretary of Commerce shall jointly develop, and, within 120 days after the date of enactment of this Act, submit to the Congress, a management plan for the program established under section 703 and section 401(b), which shall include organizational structure, goals, major tasks, and funding profiles for the five-year duration of the program.

(b) The Secretary of Defense and the Secretary of Commerce shall jointly develop, and, within four years after the date of enactment of this Act, submit to the Congress, a management plan providing for continued tropical cyclone surveillance and reconnaissance which will adequately protect the citizens of the coastal areas of the United States.

(c) The management plan and program shall provide for a minimum of the same level and quality of protection as the current tropical cyclone surveillance and reconnaissance program. The management plan and program shall in no way allow any reduction in the level, quality, timeliness, sustainability and area served, including the Hawaiian Islands, of both the existing principal and backup severe storm reconnaissance and tracking systems.

TITLE VIII—PROGRAM SUPPORT

SEC. 801. ADMINISTRATION AND SERVICES.

There are authorized to be appropriated to the Secretary for carrying out executive direction and administrative activities of the National Oceanic and Atmospheric Administration (including management, administrative support, provision of retired pay of National Oceanic and Atmospheric Administration commissioned officers, and policy development) under the Act entitled "An Act to clarify the status and benefits of commissioned officers of the National Oceanic and Atmospheric Administration, and for other purposes", approved December 31, 1970 (33 U.S.C. 857–1 et seq.), and any other law involving those activities, not more than $72,837,000 for fiscal year 1992 and $75,750,000 for fiscal year 1993.

SEC. 802. FACILITIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for acquisition, construction, maintenance, and operation of facilities of the National Oceanic and Atmospheric Ad-

ministration under any law involving those activities, $10,502,000 for fiscal year 1992 and $10,922,000 for fiscal year 1993.

(b) ACQUISITION OF SPACE.—The Secretary shall acquire space from the Administrator of General Services on Near Island in Kodiak, Alaska, that meets the long-term space needs of the National Oceanic and Atmospheric Administration, if the maximum annual cost of leasing the building in which the space is located is not more than $1,000,000.

SEC. 803. MARINE SERVICES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for carrying out marine services activities of the National Oceanic and Atmospheric Administration (including ship operations, maintenance, and support) under the Act entitled "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes", approved August 6, 1947 (33 U.S.C. 883a et seq.), and any other law involving those activities, $68,872,000 for fiscal year 1992 and $71,627,000 for fiscal year 1993.

(b) VESSEL ALBATROSS IV.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to sums authorized in subsection (a), there are authorized to be appropriated to the Secretary $1,500,000 for fiscal year 1992 and $1,560,000 for fiscal year 1993 for the reactivation and operation of the research vessel ALBATROSS IV.

(2) REACTIVATION.—If on the date of the enactment of this Act the research vessel ALBATROSS IV is not in active service, the Secretary, subject to the availability of appropriations under this subsection, shall reactivate that vessel.

(c) PROHIBITION OF VESSEL DEACTIVATION.—Unless necessary for safety reasons, the Secretary shall not deactivate any research vessel of the National Oceanic and Atmospheric Administration, including the ALBATROSS IV (if active), until an equivalent replacement vessel is operational.

(d) RESTRICTION ON CONSTRUCTION OR REPAIR OF VESSELS IN FOREIGN SHIPYARDS.—

(1) CONSTRUCTION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no vessel to be constructed for the National Oceanic and Atmospheric Administration, and no major component of the hull or superstructure of such a vessel, may be constructed in a foreign shipyard.

(B) EXCEPTIONS.—Notwithstanding any other provision of this Act, the President may authorize the construction of a vessel for the National Oceanic and Atmospheric Administration (including procurement of articles, materials, or supplies) in a foreign shipyard if the President determines that it is in the national security interest of the United States to do so. The President shall transmit notice to the Congress of that determination, and no contract may be made pursuant to the exception authorized until the end of the 30-day period beginning on the date the notice of the determination is received by the Congress.

(2) VESSELS HOMEPORTED IN UNITED STATES.—

(A) IN GENERAL.—A vessel of the National Oceanic and Atmospheric Administration the homeport of which is in the United States may not be overhauled, repaired, or maintained in a shipyard outside the United States.

(B) LIMITATION.—Subparagraph (A) and section 601 do not apply in the case of voyage repairs.

(e) INTEROPERABILITY.—The Secretary shall consult with the Oceanographer of the Navy regarding appropriate measures that should be taken to ensure that vessels of the National Oceanic and Atmospheric Administration are interoperable with vessels of the Department of the Navy, including with respect to operation, maintenance, and repair of those vessels.

SEC. 804. NOAA FLEET MODERNIZATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized by section 803, there are authorized to be appropriated to the Secretary for modernization of the National Oceanic and Atmospheric Administration fleet $50,000,000 for fiscal year 1992 and $52,000,000 for fiscal year 1993.

(b) USE OF AMOUNTS APPROPRIATED.—Amounts appropriated pursuant to this section shall be used for—

(1) service life extensions and critical maintenance;

(2) the replacement of fisheries research vessels and the design of new oceanographic vessels; and

(3) instrument upgrades and purchase of equipment for research vessels.

(c) PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Congress a detailed fleet replacement and modernization plan, including a schedule of anticipated modernizations, acquisitions of vessels, acquisitions of scientific instruments, hiring of additional personnel, and annual funding requirements for carrying out the plan.

(d) CONTRACT AUTHORITY.—

(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4), and notwithstanding section 1341 of title 31, United States Code, and section 3732 of the Revised Statutes of the United States (41 U.S.C. 11), the Secretary may acquire vessels of the National Oceanic and Atmospheric Administration fleet by purchase, lease, lease-purchase, or otherwise, under one or more multiyear contracts.

(2) SUBMISSION OF PLAN.—The Secretary may not enter into any contract pursuant to this subsection before the date of the submission to the Congress of a plan pursuant to subsection (c).

(3) REQUIRED FINDINGS.—The Secretary may not enter into a contract pursuant to this subsection unless the Secretary finds with respect to that contract that—

(A) there is a reasonable expectation that throughout the contemplated contract period the Secretary will request from the Congress funding for the contract at the level required to avoid contract termination, and

(B) the use of the contract will promote the best interests of the United States by encouraging competition and promoting economic efficiency in the operation of the National Oceanic and Atmospheric Administration fleet.

(4) REQUIRED CONTRACT PROVISIONS.—The Secretary may not enter into a contract pursuant to this subsection unless the contract includes—

(A) a provision under which the obligation of the United States to make payments under the contract for any fiscal year is subject to the availability of appropriations provided in advance for those payments;

(B) a provision which specifies the term of effectiveness of the contract; and

(C) appropriate provisions under which in case of any termination of the contract before the end of the term specified pursuant to subparagraph (B), the United States shall only be liable for the lesser of—

(i) an amount specified in the contract for such a termination; or

(ii) amounts which—

(I) were appropriated before the date of the termination, for the performance of the contract or for procurement of the type of acquisition covered by the contract; and

(II) are unobligated on the date of the termination.

SEC. 805. AIRCRAFT SERVICES.

There are authorized to be appropriated to the Secretary for carrying out aircraft services activities of the National Oceanic and Atmospheric Administration (including aircraft operations, maintenance, and support) under the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Bureau to the Department of Agriculture", approved October 1, 1890 (15 U.S.C. 311 et seq.), and under any other law involving those activities, $9,365,000 for fiscal year 1992 and $10,336,000 for fiscal year 1993.

TITLE IX—MISCELLANEOUS PROVISIONS

SEC. 901. NOTICE OF REPROGRAMMING, REORGANIZATION, OR NEW INITIATIVE.

(a) NOTICE OF REPROGRAMMING.—The Secretary shall provide notice to the Committees on Merchant Marine and Fisheries, Science, Space, and Technology, and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate not less than 30 days before reprogramming funds available for a program, project, or activity of the National Oceanic and Atmospheric Administration in an amount greater than the lesser of—

(1) $500,000;

(2) ten percent of the total funding of any program, project, or activity to which the funds are reprogrammed; or

(3) five percent of the total funding of any program, project, or activity from which the funds are reprogrammed.

(b) NOTICE OF REORGANIZATION.—The Secretary shall provide notice to the Committees on Merchant Marine and Fisheries, Science, Space, and Technology, and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate not later than 30 days before any major reorganization of any program, project, or activity of the National Oceanic and Atmospheric Administration.

(c) NOTICE OF NEW PROGRAM.—

(1) NOTICE.—Not later than the date of submission to the Congress of the President's budget request for each fiscal year, the Secretary shall provide notice to the Committees on Merchant Marine and Fisheries, Science, Space, and Technology, and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, of any new program, project, or activity of the National Oceanic and Atmospheric Administration for which the Secretary is requesting funding for that fiscal year and for which funds have not previously been appropriated, unless that program, project, or activity is specifically authorized by law.

(2) CONTENTS OF NOTICE.—A notice under paragraph (1) shall include for each program, project, or activity that is the subject of the notice—

(A) a detailed description;

(B) a statement of the purpose; and

(C) an accounting of proposed expenditures.

(3) RELATIONSHIP TO OTHER REQUIREMENT.—Notice under this subsection shall be in addition to, and shall be provided separately from, any information provided in the President's budget request.

SEC. 902. AUDIT OF DAMAGE ASSESSMENT AND RESTORATION ACTIVITIES.

(a) AUDIT REQUIREMENT.—As soon as practicable after the end of each fiscal year, the Comptroller General shall submit to the Congress, for that fiscal year, an audit of—

(1) natural resource damage assessment and restoration activities of the National Oceanic and Atmospheric Administration conducted pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), title I of the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1431 et seq.); and

(2) the Damage Assessment and Restoration Revolving Fund established under Public Law 101–515.

(b) AUDIT CONTENTS.—Each audit under this section shall include for the period covered by the audit—

(1) a statement of all funds appropriated or transferred to the National Oceanic and Atmospheric Administration for damage assessment and restoration referred to in subsection (a)(1), including—

(A) amounts appropriated directly to the Operations, Research, and Facilities Account, and

(B) amounts transferred to that account from the fund referred to in subsection (a)(2);

(2) a statement of amounts reprogrammed for that damage assessment and restoration from other programs, projects, or activities of the National Oceanic and Atmospheric Administration;

(3) an accounting of expenditures for damage assessment and restoration; including an accounting of repayments made, if any, to other programs, projects, or activities from which amounts have been reprogrammed to carry out damage assessment or restoration;

(4) a statement of all deposits into and transfers from the fund referred to in subsection (a)(2); and

(5) any additional information requested in a timely fashion by the Committee on Merchant Marine and Fisheries of the House of Representatives or the Committee on Commerce, Science, and Transportation of the Senate.

(c) COORDINATION WITH OTHER AUDITS.—The Comptroller General shall coordinate the audits conducted under this section with any audits conducted under the Chief Financial Officers Act of 1990 (Public Law 101–576).

SEC. 903. REPORT ON TWO-YEAR BUDGET CYCLE.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Congress a report containing—

(1) the Secretary's views on the advantages and disadvantages of operating the National Oceanic and Atmospheric Administration on a two-year budget cycle; and

(2) a description of any impediments (statutory or otherwise) to converting the operations of the National Oceanic and Atmospheric Administration to a two-year budget cycle beginning in fiscal year 1994.

SEC. 904. PRICE FREEZE ON CHARTS AND OTHER PRODUCTS OF NOAA.

Notwithstanding section 1307 of title 44, United States Code, the price of nautical charts or other nautical products produced or published by the National Oceanic and Atmospheric Administration and sold after the date of the enactment of this Act shall not exceed the price of that type of chart or product on the date of enactment of this Act adjusted for inflation.

SEC. 905. REPORT ON SATELLITE OCEANOGRAPHY.

(a) IN GENERAL.—The Committee on Earth and Environmental Sciences of the Federal Coordinating Council for Science, Engineering, and Technology (hereinafter in this section referred to as the "Committee"), in consultation with Federal, academic, and commercial users of remotely sensed data, shall consider and develop detailed findings and recommendations regarding—

(1) the most urgent current needs of oceanographic researchers within the Federal Government, the academic community, and the private sector, for remote sensing capabilities and remotely sensed data, including findings regarding the present inadequacies in these capabilities and data; and

(2) the major goals of satellite oceanography for the next ten years.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Committee shall submit to the Congress a report which describes the findings and recommendations of the Committee. The report shall include recommendations for, or a description of actions being taken toward—

(1) correcting inadequacies in remote sensing capabilities;

(2) improving availability of remotely sensed data; and

(3) achieving the major goals of satellite oceanography developed pursuant to subsection (a)(2).

SEC. 906. REPORT ON SATELLITE CAPABILITIES FOR FISHERIES ENFORCEMENT.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act, the Secretary, in consultation with the heads of other Federal agencies, shall prepare and submit to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report describing how current and planned satellite capabilities of the Federal Government can aid in the enforcement of Federal fisheries laws and international fisheries conservation programs.

(b) REPORT CONTENTS.—The report under subsection (a) shall include consideration of—

(1) active, transponder-based systems and passive, vessel signature-based technologies capable of localizing or identifying individual vessels without the use of vessel-carried transmitters;

(2) the resolution, coverage periods, and all-weather effectiveness of each technology and the real-time data delivery capacity of the various systems;

(3) a description of the technological requirements (including data processing and transfer procedures) and institutional requirements necessary to transfer satellite data to end users for management and enforcement purposes; and

(4) the status of foreign civil satellites and the feasibility of their application to international vessel location and monitoring.

SEC. 907. COOPERATIVE INSTITUTE OF FISHERIES OCEANOGRAPHY.

(a) ESTABLISHMENT.—There is established within the National Oceanic and Atmospheric Administration a Cooperative Institute of Fisheries Oceanography (hereinafter in this section referred to as the "Institute"), in partnership with Duke University and the Consolidated University of North Carolina.

(b) AUTHORIZATION.—There are authorized to be appropriated to the Secretary $525,000 for fiscal year 1992 and $546,000 for fiscal year 1993, to remain available until expended, for use for activities of the Institute.

(c) USE OF AMOUNTS APPROPRIATED.—Amounts appropriated pursuant to subsection (b) may be used for—

(1) administration of the Institute;

(2) research conducted by the Institute; and

(3) preparation of a five-year plan for research and for development of the Institute.

(d) REPORT.—Within one year after the date of the enactment of this Act, the Institute shall submit to the Congress and the Under Secretary of Commerce for Oceans and Atmosphere the plan developed pursuant to subsection (c)(3).

SEC. 908. ACQUISITION OF SPACE.

The Secretary shall acquire space from the Administrator of General Services in the area of Newport News-Norfolk, Virginia, for use for consolidating and meeting the long-term space needs of the National Oceanic and Atmospheric Administration in a cost effective manner. In order to acquire this space, the Administrator of General Services may, with the Secretary's consent, exchange real property owned by the Department of Commerce for other real property, including improvements to that property, in that area.

SEC. 909. NOAA FINANCIAL ASSISTANCE.

(a) PREPARATION OF FINANCIAL ASSISTANCE POLICY MANUAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall complete preparation of and make publicly available a manual which describes the requirements with which recipients of financial assistance administered by the National Oceanic and Atmospheric Administration must comply.

(b) FINANCIAL ASSISTANCE REVIEW BOARD.—After the date of the enactment of this Act, financial assistance administered by the National Oceanic and Atmospheric Administration shall not be subject to review by the board known as the Financial Assistance Review Board.

(c) NONDISCRETIONARY ASSISTANCE PROGRAMS.—Not later than 14 days after the date on which the Secretary receives an application for financial assistance provided under a nondiscretionary assistance program administered by the National Oceanic and Atmospheric Administration, the Secretary shall indicate in writing to the applicant whether or not the application is complete and, if not complete, shall specify the additional material that the applicant must provide to complete the application. Not later than 90 days after the date on which the Secretary receives all information necessary for a complete application, the Secretary shall—

(1) process and approve or disapprove the application; or

(2) submit to the applicant, the Committee on Merchant Marine and Fisheries of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate—

(A) an explanation of the reasons the application cannot be approved or disapproved within that 90-day period; and

(B) a projected schedule for completing review of the application.

(d) EXEMPTION.—Notwithstanding any other provision of law, financial assistance provided under a program for which the recipient of such financial assistance is specified by statute to be, or has customarily been, a State or an interstate fishery commission (including such financial assistance provided under the Cooperative Fisheries Statistics Program administered by the National Marine Fisheries Service, the Interjurisdictional Fisheries Act (16 U.S.C. 4102 et seq.), or the Anadromous Fish Conservation Act (16 U.S.C. 757a et seq.)) may be

provided by the Secretary to that recipient on a sole-source basis.

(e) DEFINITIONS.—In this section—

(1) the term "interstate fishery commission" means

(A) the commission established by the Atlantic States Marine Fisheries Compact, as consented to and approved by Public Law 77–539 (56 Stat. 267);

(B) the commission established by the Pacific Marine Fisheries Compact, as consented to and approved by Public Law 80–232 (61 Stat. 419); and

(C) the commission established by the Gulf States Marine Fisheries Compact, as consented to and approved by Public Law 81–66 (63 Stat. 70); and

(2) the term "nondiscretionary assistance program" means any program for providing financial assistance—

(A) under which the amount of funding for, and the intended recipient of, for the financial assistance is specified by statute, including programs of financial assistance—

(i) for Regional Fishery Management Councils under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); and

(ii) for Columbia River fish hatcheries under the Act of May 11, 1938, commonly referred to as the "Mitchell Act" (16 U.S.C. 755 et seq.);

(B) the recipients of which have customarily been a State or a State Marine Fishery Commission, including financial assistance under the Cooperative Fisheries Statistics Program administered by the National Marine Fisheries Service;

(C) under the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4102 et seq.); or

(D) under the Anadromous Fish Conservation Act (16 U.S.C. 757a et seq.).

SEC. 910. AQUATIC NUISANCE PREVENTION AND CONTROL PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $11,000,000 for fiscal year 1992 and $11,440,000 for fiscal year 1993 for use in implementing the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (Public Law 101–646).

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit a report to the Congress on progress toward establishing a nonindigenous aquatic nuisance prevention and control program within the National Oceanic and Atmospheric Administration and projected funding for such a program for the following five fiscal years.

SEC. 911. RESTRICTION ON USE OF FUNDS.

Amounts appropriated pursuant to this Act shall not be used for activities authorized separately under the Deep Seabed Hard Minerals Resources Act (30 U.S.C. 1401 et seq.).

SEC. 912. REPEAL OF NATIONAL OCEAN POLLUTION PLANNING ACT OF 1978.

The National Ocean Pollution Planning Act of 1978 (33 U.S.C. 1701–1709) is repealed.

SEC. 913. MARINE EDUCATION GRANT.

GRANT AUTHORIZED.—The Secretary may provide a grant of $304,000 to an institution to develop and promote innovative post-secondary education and research in the field of seafood business management and vessel operations.

SEC. 914. CHESAPEAKE BAY ESTUARINE RESOURCES OFFICE.

(a) ESTABLISHMENT.—(1) The Secretary shall establish, within the National Oceanic and Atmospheric Administration, an office to be known as the Chesapeake Bay Estuarine Resources Office (hereinafter in this section referred to as the "Office").

(2) The Office shall be headed by a Director who shall be appointed by the Secretary, in consultation with the Chesapeake Bay Executive Council. Any individual appointed as Director shall have knowledge and experience in research or resource management efforts in the Chesapeake Bay.

(3) The Director may appoint such additional personnel for the Office as the Director determines necessary to carry out this section.

(b) FUNCTIONS.—The Office, in consultation with the Chesapeake Bay Executive Council, shall—

(1) provide technical assistance to the Secretary, to other Federal departments and agencies, and to State and local government agencies in—

(A) assessing the processes that shape the Chesapeake Bay system and affect its living resources;

(B) identifying technical and management alternatives for the restoration and protection of living resources and the habitats they depend upon; and

(C) monitoring the implementation and effectiveness of management plans;

(2) develop and implement a strategy for the National Oceanic and Atmospheric Administration that integrates the science, research, monitoring, data collection, regulatory, and management responsibilities of the Secretary in such a manner as to assist the cooperative, intergovernmental Chesapeake Bay Program to meet the commitments of the Chesapeake Bay Agreement;

(3) coordinate the programs and activities of the various organizations within the National Oceanic and Atmospheric Administration and the Chesapeake Bay Regional Sea Grant Programs (including programs and activities in coastal and estuarine research, monitoring, and assessment; fisheries research and stock assessments; data management; remote sensing; coastal management; and habitat conservation);

(4) coordinate the activities of the National Oceanic and Atmospheric Administration with the activities of the Environmental Protection Agency and other Federal, State, and local agencies;

(5) establish an effective mechanism which shall ensure that projects have undergone appropriate peer review and provide other appropriate means to determine that projects have acceptable scientific and technical merit for the purpose of achieving maximum utilization of available funds and resources to benefit the Chesapeake Bay area;

(6) remain cognizant of ongoing research, monitoring, and management projects and assist in the dissemination of the results and findings of those projects; and

(7) submit a biennial report to the Congress and the Secretary with respect to the activities of the Office and on the progress made in protecting and restoring the living resources and habitat of the Chesapeake Bay.

(c) BUDGET LINE ITEM.—The Secretary shall submit, for inclusion in the President's annual budget to the Congress, as a separate budget line item, a funding request from the Administrator for the Office.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 2 of the National Oceanic and Atmospheric Administration Marine Fisheries Program Act (Public Law 98–210), as amended by section 201, is further amended by adding at the end the following new subsection:

"(d) Of the sums authorized under subsection (a), there are authorized to be appropriated $2,500,000 for fiscal year 1992 and $2,600,000 for fiscal year 1993 to enable the National Oceanic and Atmospheric Administration to establish the Chesapeake Bay Estuarine Resources Office under section 914 of the National Oceanic and Atmospheric Administration Authorization Act of 1991. No more than 20 percent of the amount appropriated under the authorization in this subsection shall be used for administrative purposes.".

(e) CHESAPEAKE EXECUTIVE COUNCIL.—For purposes of this section, "Chesapeake Executive Council" means the representatives from the Commonwealth of Virginia, the State of Maryland, the Commonwealth of Pennsylvania, the Environmental Protection Agency, the District of Columbia, and the Chesapeake Bay Commission, who are signatories to the Chesapeake Bay Agreement, and any future signatories to that Agreement.

SEC. 915. NOAA OIL AND HAZARDOUS SUBSTANCE SPILL COST REIMBURSEMENT.

(a) TREATMENT OF AMOUNTS RECEIVED AS REIMBURSEMENT OF EXPENSES.—Notwithstanding any other provision of law, amounts received by the United States as reimbursement of expenses related to oil or hazardous substance spill response activities, or natural resource damage assessment, restoration, rehabilitation, replacement, or acquisition activities, conducted (or to be conducted) by the National Oceanic and Atmospheric Administration—

(1) shall be deposited into the Fund;

(2) shall be available, without fiscal year limitation and without apportionment, for use in accordance with the law under which the activities are conducted; and

(3) shall not be considered to be an augmentation of appropriations.

(b) APPLICATION.—Subsection (a) shall apply to amounts described in subsection (a) that are received—

(1) after the date of the enactment of this Act; or

(2) with respect to the oil spill associated with the grounding of the EXXON VALDEZ.

(c) DEFINITIONS.—For purposes of this section—

(1) the term "Fund" means the Damage Assessment and Restoration Revolving Fund of the National Oceanic and Atmospheric Administration referred to in title I of Public Law 101–515 under the heading "National Oceanic and Atmospheric Administration" (104 Stat. 2105); and

(2) the term "expenses" includes incremental and base salaries, ships, aircraft, and associated indirect costs, except the term does not include base salaries and benefits of National Oceanic and Atmospheric Administration Support Coordinators.

SEC. 916. PROPERTY IN EUREKA, CALIFORNIA.

Notwithstanding any other law, any property and improvements to that property located on Woodley Island in the city of Eureka, California, that are—

(1) acquired by the Secretary from Humbolt Bay Harbor Recreation and Conservation District, California, for use as a weather forecasting office, and

(2) determined by the Secretary to be excess property,

shall revert to that district.

The CHAIRMAN. No amendment to the substitute is in order except those amendments printed in House Report 102–313. Said amendments shall be considered in the order and manner specified in said report and shall be considered as read. Debate time specified for each amendment shall be equally divided and controlled by the proponent

of the amendment and a member opposed thereto. Said amendments shall not be subject to amendment.

Where House Report 102-313 specifies consideration of amendments en bloc, said amendments shall be so considered and shall not be subject to a demand for a division of the question.

It is in order at any time for the chairman of the Committee on Merchant Marine and Fisheries, or his designee, to offer amendments en bloc consisting of amendments, and modifications in the text of any amendments which are germane thereto, printed in House Report 102-313. The amendments en bloc, except for any modifications, shall be considered as read and shall be debatable for 30 minutes, with 15 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, and 15 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology.

The original proponents of the amendments en bloc shall have permission to insert statements in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc. Said amendments en bloc shall not be subject to amendment or to a demand for a division of the question.

The Chair will announce the number of the amendment made in order by the rule in order to give notice to the Committee of the Whole as to the order of recognition.

It is now in order to consider amendment No. 1 printed in House Report 102-313.

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AMENDMENT OFFERED BY MR. RHODES, AS MODIFIED

Mr. RHODES. Mr. Chairman, I offer an amendment, as modified. The modifications are germane under the rule, and I ask unanimous consent that the amendment as modified be considered under the rule.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment, as modified.

The Clerk read, as follows:

Amendment as modified offered by Mr. RHODES:

Page 2, line 4, insert "(a)" before "There are authorized".

Page 2, after line 13, insert the following new subsection:

(b)(1) The National Oceanic and Atmospheric Administration shall undertake to study the history of NOAA's contracting of commercial activities for mapping, charting and geodesy activities to the extent they have been procured from private enterprise through ordinary business channels.

(2) The National Oceanic and Atmospheric Administration shall, within 180 days after the date of the enactment of this Act, submit to the Congress a report on the results of the study undertaken under paragraph (1).

(3) In conducting the study authorized under paragraph (1) of this section, the Secretary shall document the liability factors and their constraints on the feasibility of contracting services related to nautical or aeronautical charting.

(4) The report submitted under paragraph (2) shall include a plan that, to the maximum extent practicable, reduces Government competition with the private sector and increases the use of contracts awarded to private firms by the Secretary or by recipients of grants, loans, and other financial assistance for commercial activities authorized under this Act. In developing such plan, the National Oceanic and Atmospheric Administration shall consult with the Administrator of the Office of Federal Procurement Policy, the Administrator of the Small Business Administration, and trade, professional and academic organizations.

(5) For purposes of this paragraph—

(A) the term "mapping, charting, and geodesy" means activities associated with measuring, locating, and preparing maps, charts, surveys, aerial photographs, satellite images, or other graphical or digital presentations depicting natural or man-made physical features, phenomena, and legal boundaries of the Earth; and

(B) the term "private firm" means a firm with professionals appropriately licensed, certified, or otherwise qualified as surveyors, geodesists, hydrographers, photogrammetrists, and cartographers, selected in accordance with the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

Mr. RHODES (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN. Under the rule, the gentleman from Arizona [Mr. RHODES] will be recognized for 5 minutes, and a Member opposed to the amendment will be recognized for 5 minutes.

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

Mr. RHODES. Mr. Chairman, since 1955, it has been the stated public policy of the United States not to compete with the private sector. Of course, I and many other Members strongly believe in that principle, that the Government should not compete with those who are engaged in business in the private sector.

Obviously this excludes services which are inherently governmental in nature and cannot be contracted. But the Federal Government should be a strong advocate for accelerating the use of Government technology by the private sector. The Government has long held that surveying and mapping are commercial rather than inherently governmental services. In fact, the National Academy of Sciences has found that private sector expertise can be of assistance, particularly to NOAA, and the Office of Management and Budget has stated that there appears to be an increasing likelihood that NOAA may be in direct competition with the private sector.

Therefore, I am offering this amendment, which basically does three things. It directs NOAA to conduct a study and a report to Congress as to NOAA's history of contracting with the private sector for commercial activities relating to mapping, charting, and geodesy activities, to the extent they have been procured from private enterprise through ordinary business channels.

The reason for this study is that there appears to be considerable disagreement as to the extent to which NOAA has in fact contracted in the past and the extent to which NOAA could do so in the future.

In conducting this study, the Secretary is also directed to document any liability concerns which may exist as a result of contracting out for mapping services to the private sector.

The report on the study also directs NOAA to prepare a plan by which NOAA can lay out its goals for the future in terms of contracting with the private sector.

I want to emphasize this amendment in no way directs NOAA to privatize its mapping activities. It simply restates the commitment of Congress to private sector involvement in mapping activities, asks NOAA to report to us as to the extent of its activities in that regard in the past, and asks NOAA to prepare a plan for the future for private sector mapping activities.

Again, I need to emphasize very strongly that there is no mandate for future private sector activities here by NOAA. We simply want to know what they have done in the past and what they realistically expect they could do in the future. We also want to know what their perception of liability problems might be in connection with private sector mapping under contract.

Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. COMBEST].

Mr. COMBEST. Mr. Chairman, as a member of the Small Business Committee, I have been very interested in this issue. I believe we should avoid having Federal agencies involved in activities that are better left to the free enterprise system.

To my colleagues who question whether the private sector can do this work, I would call to their attention, this solicitation. It is a request for proposals under the Small Business Innovation Research Program. SBIR is a Federal program that targets R&D funding to small business. In its fiscal 1992 program, NOAA is seeking small businesses to perform research in photogrammetry using aerial photographs to make maps. In this contract, NOAA is seeking small business reasearch for coastal mapping areas, shoreline maps, and measuring obstruction heights near airports.

So there is no question that NOAA recognizes that small businesses in the private sec-

tor have the capability to do some work. But as the gentleman from Arizona has noted, NOAA currently contracts only 4 percent of its $50 million surveying and mapping budget.

I would urge my colleagues to support this amendment. This will help small businesses in my district, one of which I visited Friday, and dozens of districts across the country have more opportunities to work for the Federal Government.

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

The CHAIRMAN. Is there a Member rising in opposition to the amendment?

Mr. BROWN. Mr. Chairman, let me say I rise somewhat reluctantly to oppose this amendment. I say this for several reasons.

First of all, I agree with practically everything that the gentleman has said in his opening remarks in support of the amendment with regard to the desirability of contracting out to private enterprise to the maximum extent possible any work which needs to be done by the Government and which can be done by the private sector.

I will admit that a great deal of the work being done in mapping, surveying, geodesy, is well within the competence of the private sector, and I would agree with him that to the fullest extent possible it should be contracted out to the private sector.

Mr. Chairman, my reluctance to support the amendment of the gentleman from Arizona [Mr. RHODES], however, stems from the fact not that I object to a report by the agency, by NOAA. In fact, I will commit myself to ensuring through our normal oversight operations and hearings that they will make a report to us with regard to the extent that they are doing what the gentleman and I both want them to do.

I am concerned about the possible ambiguities that might be entered into that might occur as a result of the rather detailed provisions that the gentleman has, that in addition to the report they prepare a plan as to how their work can be accomplished by contracting with the private sector.

Mr. Chairman, I say this again because there is a revolution in mapping services taking place at the present time, a technological revolution. It has not to do so much with the mapping and surveying, but with the fact that more and more mapping is becoming a policy tool, a tool in which huge amounts of information can be put in successive layers on digitized satellite-based maps, and we do not yet fully understand the extent to which this is going to influence the future of this mapping, surveying, and geodesy field.

Mr. Chairman, I have had, as the gentleman from Arizona [Mr. RHODES] has had, and I am sure other Members have had, members of private industry come in to me and say, "We want to have a piece of the action."

Mr. Chairman, I have told them, as I am sure my good friend, the gentleman from Arizona [Mr. RHODES], has, that as far as I am concerned, they will get the maximum amount of action that it seems feasible and desirable to do while protecting the public interest. But I am not sure at this point what the nature of this rapidly evolving technological revolution is going to allow, and I do not think it is wise to require that the agency prepare a plan at this particular point.

Mr. Chairman, we have had similar objections raised by the administration, similar to mine, about other proposals that they prepare a plan on.

For example, by legislation we have required that the administration set up advanced technological institutes, and that those institutes prepare a plan, sometimes described as a roadmap, about what we would do about these rapidly evolving critical technologies. The administration has said that goes too far.

I think there is a parallel here between what the gentleman is requesting. I would ask the gentleman to consider the possible deleterious impact of what his language would do, and to work with us on the committee in seeing if we cannot satisfy his request, which is based upon a real fear on the part of the industry, and I do want to satisfy it myself, and see if we can work this problem out.

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

Mr. HERTEL. Mr. Chairman, I just wanted to add that NOAA really has made attempts before for private contracting out. When they did it for nautical charting, they had no bidders at all. When they did it for hydrographic field surveyors, there were no qualified bidders. When they did it for geodesy, there were no qualified bidders.

In some instances bidders were advised that they would be required to provide a liability bond related to losses which might be made by a successful bidder.

But they did not have any restrictions. There were no restrictions placed on the size or type of the companies allowed to bid. So I think you could work with them. It is not that they are unwilling. They have in fact tried it.

Mr. RHODES. Mr. Chairman, I yield such time as he may consume, to the gentleman from Florida [Mr. IRELAND].

Mr. IRELAND. Mr. Chairman, I rise in support of the Rhodes amendment to help curtail unfair Government competition with our Nation's 20 million small businesses.

Each year, Federal agencies spend billions of dollars duplicating the skills and investments of small enterprises. In many cases, this practice wastes taxpayers' dollars and impedes the development of innovative technologies in the private sector.

One glaring example of this is in surveying and mapping, where the Federal Government spends about $1 billion in-house each year—despite the fact that there are over 6,200 private surveying and mapping firms that can accurately and efficiently carry out these missions.

Mr. Chairman, if the problem of unfair competition is so pervasive in this industry, we have to wonder how many other small business markets are strangled by the Federal Government?

To help Congress get a handle on the problem, the amendment simply asks NOAA to tell us whether the private sector could feasibly do more of the Government's mapping and surveying work.

Mr. Chairman, this is the very least we can do for our Nation's small businesses. I strongly urge my colleagues to support the Rhodes amendment.

Mr. RHODES. Mr. Chairman, I thank Chairman BROWN and Chairman HERTEL for their comments and observations.

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They were very encouraging to me. And based upon those observations and based upon the gentleman's willingness to work with me and the rest of the committee and the concerned Members between now and the time, perhaps, that the bill goes to conference to see if we can devise some language that could be included in the conference report.

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

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

Mr. BROWN. Mr. Chairman, the gentleman is a very valuable member of both the House and the Committee on Science, Space, and Technology. I am more than happy to give him every assurance that we will work not only between now and the relatively short time in which we hope we can get this bill enacted, but I will work to get the language that would be appropriate to reassure him of our concern here. Then I will work with him in the committee to proceed in the fashion we have indicated.

Mr. JONES of North Carolina. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Arizona [Mr. RHODES]. This amendment is duplicative of the exhaustive cost-comparison analysis undergone by NOAA's office of charting and geodetic services under Office of Management and Budget circular A–76.

Under this analysis, completed in 1988, a cost-comparison is done between Government activities and equivalent services in the private sector. Some governmental activities are determined to be inherently governmental under the process and are not eligible for private sector contacting. For other activities, competitive bids are solicited. If a private sector bidder has a cost-effective bid, the bidder may be awarded a contract.

Although eligible for contracting, no bids were received to collect nautical charting data and no contracts were awarded to conduct geodetic surveys or data analysis. This was the outcome of a 3-year analysis initiated, and

ultimately approved by, OMB. NOAA currently contracts for about 15 percent of its charting activities, mostly in the production and printing of aeronautical and nautical charts. The field force of geodetic surveyors has been whittled down to about 50 people and there are approximately 25 geodetic advisers who provide technical assistance to States on maintenance of the geodetic network.

Further contracting has not been deemed necessary by OMB. Additional private sector contracting without increasing the budget of this program would jeopardize the minimum pool of expertise necessary for proper maintenance of the Nation's geodetic network. Quality control on this vital data for public commerce and safety is currently entrusted to some 75 individuals nationwide. Maintenance of this minimum work force is vital to ensure the integrity of the geodetic network.

Why should we be concerned with the integrity of the geodetic network? Because geodesy is the science that describes the shape of the globe. Geodesy is the science that gives us latitude and longitude for nautical and aeronautical navigation. Geodesy also provides accurate data on elevation, which is used to calibrate airplane altimeters, among other things.

This amendment is a waste of Federal dollars and a waste of manpower in a Bureau that is already down to a bare bones work force. It bypasses the A–76 process and, more importantly, could lead to a significant decrease in public's safety. I urge my colleagues to reject this amendment.

Mr. RHODES. Mr. Chairman, based upon that exchange between the gentleman and myself, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The amendment, as modified, is withdrawn.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 102–313.

AMENDMENT OFFERED BY MR. HERTEL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HERTEL:

Page 4, line 14, strike "$31,000,000" and insert in lieu thereof "$31,903,000".

Page 4, line 15, strike "$32,240,000" and insert in lieu thereof "$33,087,000".

Page 9, line 13, strike "$37,007,000" and insert in lieu thereof "$44,087,000".

Page 9, line 14, strike "$38,487,000" and insert in lieu thereof "$45,850,000".

Page 11, line 9, strike "$87,697,000" and insert in lieu thereof "$88,395,000".

Page 11, line 10, strike "$91,205,000" and insert in lieu thereof "$91,930,000".

Page 48, lines 21 through 24, strike "There is established" and all that follows through "as the 'Institute')" and insert in lieu thereof "In recognition of the memorandum of understanding of March 2, 1989, regarding the Cooperative Institute of Fisheries Oceanography (hereinafter in this section referred to as the 'Institute'), the Institute is established within the National Oceanic and Atmospheric Administration".

Page 50, lines 13 through 17, amend subsection (b) to read as follows:

(b) FINANCIAL ASSISTANCE REVIEW BOARD.—Any financial assistance administered by the National Oceanic and Atmospheric Administration which is submitted to the Financial Assistance Review Board for review shall, if such review is not completed within 90 days after such submittal, be considered to have been cleared by such Board.

Page 60, after line 25, insert the following new section:

SEC. 917. TOTAL AUTHORIZATION LEVELS.

Notwithstanding any other provision of this Act, the following amounts are authorized to be appropriated to the Secretary of Commerce for carrying out this Act:

(1) For fiscal year 1992, a total of not more than $1,632,824,000.

(2) For fiscal year 1993, a total of not more than $1,698,136,000, which may be adjusted to reflect inflation occurring over the course of fiscal year 1992.

The CHAIRMAN. Under the rule, the gentleman from Michigan [Mr. HERTEL] will be recognized for 5 minutes. The Chair notices that the gentleman from Pennsylvania [Mr. WALKER] is also noted as a cosponsor of this amendment; is that correct?

Mr. WALKER. Mr. Chairman, that is correct.

The CHAIRMAN. The gentleman from Michigan [Mr. HERTEL] has 5 minutes then to allocate as he sees fit, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Michigan [Mr. HERTEL].

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

The amendment I am offering represents a consensus designed to alleviate any concerns that might remain on either side of the aisle among Members on both the Science, Space, and Technology Committee and the Merchant Marine and Fisheries Committee. In the interest of limited time for debate on the House floor, Members have in good faith negotiated and agreed to offer this en bloc consensus amendment, in lieu of further delay on the NOAA authorization and extended debate and votes on several amendments.

Allow me to briefly summarize the amendment I am offering and then I will seek the accord of the gentleman from Pennsylvania [Mr. WALKER], who is the ranking member on the Science, Space, and Technology Committee.

H.R. 2130 makes recommendations for NOAA wet programs—those related to ocean, coastal, and Great Lakes resources—as well as for dry programs—those related to weather, atmospheric research and satellite monitoring within the jurisdiction of the Science, Space, and Technology Committee.

The funding levels included in the bill for each program and activity represent the recommendations of the authorizing committees based on firm priorities and commitments based on extensive hearings and deliberations. The amendment does not change those recommended priorities for fiscal years 1992 and 1993 in any way.

The amendment does provide a total authorization level for the programs authorized in H.R. 2130, based on the fiscal year 1992 appropriations level already enacted or the President's fiscal 1992 budget request for the programs—whichever is greater. The first part of our amendment makes conforming changes in the text of the bill to accommodate this agreement.

Given that Congress has already approved the appropriations for fiscal year 1992, the significance of the total authorization of $1,632,824,000 as a total for the bill in fiscal year 1992, is that it serves as the base for a recommended authorization total for fiscal year 1993.

For fiscal year 1993, the recommended total for those NOAA programs authorized in H.R. 2130 is $1,698,136,000. This total represents a four-percent increase above the 1992 base, with a proviso that this amount may be adjusted for inflation. Programs of the National Marine Fisheries Service authorized under other legislation are not included in this total, nor are other NOAA programs that are not specifically authorized in this bill.

The total authorization level does not eliminate flexibility in fiscal year 1993 by restricting the line items on specific programs and activities from achieving their full recommended level, nor does it prohibit funding for new programs or initiatives.

The amendment addresses concern about outright elimination of the Financial Assistance Review Board recommended by the Merchant Marine and Fisheries Committee, because of the undue delay and backlogs in grant reviews. The consensus agreement restores the Review Board, but requires that their review be limited to 90 days, before NOAA's recommendations become final.

The amendment clarifies that "in recognition of the memorandum of understanding of March 2, 1989," the Cooperative Institute of Fisheries Oceanography is formally established and will be able to continue the notable research and fisheries development activities it already has underway.

In all, many of these matters are fine points of principle and concern that through the cooperation and diligence of members on both committees of jurisdiction we have been able to resolve and save the time of the House in an accurate, forceful manner.

I am pleased to offer this amendment and urge that it be adopted by the House.

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

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

Mr. WALKER. Mr. Chairman, this amendment is the result of a good faith effort on the part of Chairman HERTEL to resolve our differences and address many of my colleagues' main concerns with this legislation.

Under this negotiated compromise, Chairman HERTEL and I are proposing and endorsing a very novel concept—a total funding limit for the programs and activities covered by this bill.

Even though all the individual authorizations in H.R. 3704 add up to almost $1.7 billion, this language only allows the appropriators to spend $1.63 billion. Such a budget deficit control mechanism in an authorization is unprecedented, I think.

The cap is in the ballpark—within about $50 million—of the $1.58 billion in 1992 funding for the parts of NOAA in H.R. 3704.

The 1993 cap is then 4 percent over that in real terms, which will hold next year's spending to a single figure increase. That is a very healthy fiscal development.

The Hertel-Walker amendment also clarifies that the authorization of a NOAA Fisheries Oceanography Institute in H.R. 3704 is merely the codification of existing Department policy.

Finally, this amendment ensures that public funds are obligated in a financially sound manner by reversing the bill language and still requiring that NOAA grants go through central Commerce Department oversight. NOAA financial assistance would now have to be approved or disapproved by the Financial Assistance Review Board in 90 days.

With the passage of this amendment, the administration's opposition to this legislation is addressed on three main points: Excessive appropriations authorizations; pork barrel earmarking; and infringement on the Secretary's right and obligation to prevent waste, fraud, and abuse.

In closing I'd just like to recognize and thank the Republican chairman of the Environment Subcommittee, DON RITTER, for all of his help on this amendment. His support was key in making it possible.

Mr. HERTEL. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from Virginia [Mr. BATEMAN] for their assistance so that we could arrive at this compromise. I think it basically clarifies what was done in both committees earlier.

I thank their staffs. Finally, while we have been complaining about the Reagan administration for 8 years hurting NOAA programs by cutting them, I think we have to say that the Bush administration has done a better job of increasing the funding, and it is reflected in this bill and it is reflected in this amendment also.

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

The CHAIRMAN. If no Member rises in opposition to the amendment, the question is on the amendment offered by the gentleman from Michigan [Mr. HERTEL].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 3, printed in House Report 102-313.

AMENDMENT OFFERED BY MR TAUZIN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TAUZIN: Page 6, line 8, through page 7, line 11, amend section 204 to read as follows:

SEC. 204. NATIONAL MOLLUSCAN SHELLFISH INDICATOR STUDY.

(a) ESTABLISHMENT OF A PROJECT.—The Secretary, in cooperation with the Secretary of Health and Human Services, shall establish and administer a 5-year molluscan shellfish indicator research project to develop a system of classification of shellfish growing waters based on the latest technological advancements in microbiology and epidemiological methods. In establishing such project, the Secretary shall develop a project plan which shall at a minimum provide for—

(1) an environmental assessment of the commercial molluscan shellfish growing areas in the United States, including evaluation of the relationships between indicators of fecal contamination and human enteric pathogens;

(2) the evaluation of such relationships with respect to potential health hazards associated with human consumption of molluscan shellfish;

(3) a comparison of the current microbiological methods used for evaluating indicator bacteria and human enteric pathogens in shellfish growing waters with new technological methods designed for this purpose;

(4) the design of epidemiological studies to relate microbiological data, sanitary survey data, and human molluscan shellfish consumption data to actual hazards to health associated with such consumption; and

(5) recommendations for revising Federal molluscan shellfish standards and improving the capabilities of Federal and State agencies to effectively manage and ensure the safety of molluscan shellfish.

(b) COORDINATION WITH EXISTING PROJECT.—The Secretary shall—

(1) coordinate the program established under subsection (a) with the Shellfish Water Standards Project currently being conducted by the Secretary; and

(2) re-establish the agreement with the Louisiana Universities Marine Consortium under the terms of the previous agreement with the National Oceanic and Atmospheric Administration designated by award number NA90AA-H-FD234 and the terms directed in Conference Report 102-233 for Public Law 102-140.

(c) CONTRACT AUTHORITY.—Subject to the availability of appropriations, the Secretary is authorized to enter into contracts and agreements with States, universities, and private entities to carry out the program established under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Of the sums authorized under section 201 of this Act, there are authorized to be appropriated to the Secretary $5,000,000 for fiscal year 1992 and $5,200,000 for fiscal year 1993 for carrying out the project established under subsection (a) of this section.

(2) LIMITATION.—Of amounts appropriated pursuant to this section, not more than 5 percent of the amount may be used by the National Oceanic and Atmospheric Administration to administer the project authorized under this section.

(e) DEFINITION.—For the purposes of this section, the term "molluscan shellfish" means any species of oyster, clam, or mussel which is harvested for human consumption.

The CHAIRMAN. Under the rule, the gentleman from Louisiana [Mr. TAUZIN] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. TAUZIN].

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

Mr. Chairman, today I rise to offer an amendment to section 204 of H.R. 2130, the National Oceanic and Atmospheric Administration Authorization Act. My amendment will expand on the language I offered at the Merchant Marine and Fisheries Committee markup earlier this year.

This amendment is to establish the national molluscan shellfish indicator study, giving the current project much needed direction from Congress. This amendment will improve the outdated standards for ensuring the safety of molluscan shellfish to the consumer.

For several years, the oyster industry in Louisiana and many other States has been requesting support and action from the National Marine Fisheries Service and the Food and Drug Administration to update and improve the standards used for indicating fecal coliform contamination in shellfish and their growing waters.

Last year, the House of Representatives passed a seafood inspection bill with similar language recognizing the need to establish this project. For the past 4 years Congress has appropriated a total of $4 million for this study through the National Marine Fisheries Service under the shellfish water standards project. This project is a five phase proposal which was prepared by some of the top scientists and universities in the Nation. It has been coordinated and managed by the Louisiana universities marine consortium and lead by a well qualified professor, Dr. Marilyn Kilgen from my alma mater, Nicholls State University.

Unfortunately, this worthy project has seen numerous needless delays that this authorizing language would eliminate. This amendment will authorize and establish this vital project.

I ask for the support of this amendment by the House so we can provide safer seafood to the consumer.

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

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

Mr. BATEMAN. Mr. Chairman, I rise in support of the gentleman's amendment and commend him for bringing it to the House.

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

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

Mr. HERTEL. Mr. Chairman, I am not in opposition to the amendment. We also commend the gentleman for his amendment and support the amendment.

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

The CHAIRMAN. If there is no Member standing in opposition to the amendment, the question is on the amendment offered by the gentleman from Louisiana [Mr. TAUZIN].

The amendment was agreed to.

□ 1700

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 102–313.

Mr. WALKER. Mr. Chairman, I ask unanimous consent that the Member offering amendment No. 4 be permitted to offer this amendment at a later time. He has been called to the floor but has not yet arrived. I do not think we want to prevent him from offering the amendment.

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

There was no objection.

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 102–313.

AMENDMENTS EN BLOC OFFERED BY MR. PERKINS

Mr. PERKINS. Mr. Chairman, I offer amendments en bloc.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Mr. PERKINS: Page 18, lines 8 through 10, strike "such public institution liaison and community preparedness services, as of the date of enactment of this Act," and insert in lieu thereof ", as of the date of enactment of this Act, such public institution liaison and community preparedness services".

Page 19, amend line 21 to read as follows: upgrading such radar on-site)" after "any such office";

Page 20, line 11, strike "at" and insert in lieu thereof "of".

The CHAIRMAN. Under the rule, the gentleman from Kentucky [Mr. PERKINS] will be recognized for 5 minutes, and a Member in opposition will be recognized for 5 minutes.

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

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

Mr. Chairman, amendment 5 reverses two phrases in section 403 to make the intent of the language clearer. The intent is that the Secretary only has to provide liaison officers to those areas currently receiving public institution liaison and community preparedness services from the office to be closed. I hope that this amendment makes it clear to the administration that the bill would not extend such services to areas which do not already receive them.

Amendment 5 also corrects a punctuation error in section 404(c)(1). It also replaces a less correct word with a more correct one in section 404(c)(3).

Mr. Chairman, I am glad to yield for any questions.

If no Member seeks time in opposition, Mr. Chairman, I yield back the balance of my time.

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of Mr. PERKINS' amendment which would guarantee a continuity of local services during the National Weather Service's [NWS] planned modernization.

As you know, Weather Service Offices [WSO] and Agricultural Weather Service Centers [AWSC] provide critical weather forecasts for farmers across the country. These local offices have the expertise to forecast micro climates that can have devastating effects on citrus and avocado growers. With accurate forecasts, much of the potential damage to citrus and avocado groves can be prevented during short-term freezes.

In my district, numerous growers depend on the Santa Maria WSO for vital fruit frost warnings. This amendment ensures that growers in the 19th District will not experience an interruption of this important service during the NWS' modernization period.

I urge my colleagues to support this amendment.

The CHAIRMAN. Is there any Member who wishes to speak in opposition to the amendment en bloc?

If not, the question is on the amendments en bloc offered by the gentleman from Kentucky [Mr. PERKINS].

The amendments en bloc were agreed to.

The CHAIRMAN. It is now in order for the Committee to return to amendment No. 4 printed in House Report 102–313.

AMENDMENT OFFERED BY MR. RIGGS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. RIGGS: Page 12, after line 21, insert the following:

SEC. 305. WEATHER BUOYS.

In addition to amounts otherwise authorized by this Act, there are authorized to be appropriated to the Secretary such sums as may be necessary for the operation and maintenance of the following weather buoys off the coast of California:

(1) Buoy number 46011, Santa Maria Basin.
(2) Buoy number 46012, Santa Cruz.
(3) Buoy number 46013, Bodega Bay.
(4) Buoy number 46014, Pont Arena.
(5) Buoy number 46022, Eel River.
(6) Buoy number 46025, Catalina Island.
(7) Buoy number 46027, St. Georges Reef.
(8) Buoy number 46028, Cape San Martin.
(9) Buoy number 46030, Blounts Reefs.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. RIGGS] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

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

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

Mr. Chairman, I rise today to offer an amendment to H.R. 2130, the National Oceanic and Atmospheric Administration [NOAA] Authorization Act of 1991.

My amendment would provide authorization for NOAA to begin funding nine marine weather buoys along the California coastline that were previously funded by the Minerals Management Service Agency in the Department of the Interior.

These buoys provide critical ocean navigation, and weather condition information to the U.S. Navy, National Weather Service, U.S. Coast Guard, commercial and recreational vessels, and thousands of fishermen who are my constituents in the First Congressional District of California.

These buoys are the only devices capable of providing, current, round-the-clock information on surface wind direction, swell, water temperature, and wave height.

They also provide critical data to the U.S. Coast Guard and the Navy during search and rescue operations over the California and north coast.

The scientific community uses the data from the buoys in the research of wind and coastal circulation patterns.

The buoys were originally deployed by the Mineral Management Service under a 10-year program to assess weather data in connection with outer continental shelf leasing possibilities, the program has now been discontinued, in part because of consistent congressional opposition to any further leasing or drilling activities off the California coast, and the buoys are threatened with removal for budgetary reasons.

My amendment will authorize NOAA to continue to maintain and operate these nine weather buoys vital to mariner safety on the California coastline.

Mr. Chairman, I would like to thank the bipartisan leadership of the full committee and the subcommittee for accepting my amendment, and also my colleague from California Congressman PANETTA for all of his work, and all the Members from California, Oregon, and Washington who have supported these buoys in the past, and also thank the leadership of the Merchant Marine and Fisheries for their support of this amendment.

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

The CHAIRMAN. Is there a Member who rises in opposition to the amendment?

The Chair recognizes the gentleman from Michigan [Mr. HERTEL] for 5 minutes.

Mr. HERTEL. Mr. Chairman, I really want to commend the gentleman for his initiative in this area. I think it is a very good idea. The committee accepts the amendment.

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

Mr. LAGOMARSINO. Mr. Chairman, I rise in strong support of my colleague's amendment to transfer authority for the upkeep of nine coastal weather buoys from the Minerals Management Service [MMS] to the National Oceanic and Atmospheric Administration [NOAA]. Earlier this year, the MMS cut off all funding for these buoys, because they were no longer necessary for its OCS leasing activities.

Although the MMS no longer needs them, the safety of thousands of commercial fishermen, pleasure boaters, and others directly depends on the real-time data collected by these buoys. Without the buoys, hundreds of small craft will be caught in extremely dangerous waters every year. The California coast is dangerous, and I can assure you that lives will be placed in jeopardy unless these buoys remain in place.

When funding expired earlier this year, several of my California colleagues and I—with the help of Chairman SMITH—succeeded in obtaining funds for NOAA to operate and maintain the buoys for fiscal year 1992. This amendment would permanently transfer authority for the buoys to NOAA.

Mr. Chairman, many of my constituents depend on these buoys every day. I urge my colleagues to keep California waters safe and vote for the amendment.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. RIGGS].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 102-313.

AMENDMENT OFFERED BY MR. PERKINS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PERKINS. Page 19, lines 13 through 15, strike "remove any National Weather Service radar (except for the purposes of upgrading such radar on-site" and insert in lieu thereof "deactivate any National Weather Service radar (except temporarily for the purpose of upgrading or maintaining such radar on-site or temporarily as necessary to run tests of the NEXRAD system".

Page 19, lines 19 through 21, strike "remove any National Weather Service radar (except for the purposes of upgrading such radar on-site" and insert in lieu thereof "deactivate any National Weather Service radar (except temporarily for the purpose of upgrading or maintaining such radar on-site or temporarily as necessary to run tests of the NEXRAD system".

Page 20, lines 4 and 5, strike "removed (except for the purposes of upgrading such radar on-site" and insert in lieu thereof "deactivated (except temporarily for the purpose of upgrading or maintaining such radar on-site or temporarily as necessary to run tests of the NEXRAD system".

The CHAIRMAN. Under the rule, the gentleman from Kentucky [Mr. PERKINS] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

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

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

Mr. Chairman, the amendment would prevent the Secretary from removing Weather Service radars without certification, but it does not block the Secretary from turning them off forever while leaving them in place. This amendment would keep the Secretary from doing so until the Secretary can prove that turning off the radars would not threaten the public safety. This ban is also narrow enough that it would not hamper normal Weather Service operations, including the modernization program.

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

The CHAIRMAN. Does any Member rise in opposition to the amendment?

Mr. WALKER. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. WALKER. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, this is not only not a good idea, this is a very bad idea. It is going to cost the taxpayer in additional costs on weather modernization about $320 million, and we are going to get absolutely nothing out of the spending.

We are literally talking about putting American lives at risk by delaying for several years the scheduled installation of the new Doppler radar technology capable of increasing severe weather warning for catastrophes such as tornadoes from 2 minutes to 20 minutes. In other words, instead of the 2-minute warning that we now get, we could get a 20-minute warning, and some of these new radars are going to be put at risk by this amendment.

There are going to be 14 areas of the country that will never receive improved weather coverage as a result of this amendment.

There are very transparent, parochial reasons for what the gentleman is doing, but he is placing his desire to guarantee the existence of a specific weather operation in his district into perpetuity over what is in the best interests of all of our constituents; namely, their safety.

What we have happening here is that this amendment would prevent the Secretary from even turning off old, obsolete radars as the new Nexrad radars become operational. As a consequence, both systems would have to be run at the same time covering the same area. This duplication of effort will be costly, adding up to $50 million of unbudgeted expense every year and, therefore, would delay modernization by making that much less available for installation.

Additionally, at the 145 sites where the Nexrad and the existing radar are in close proximity to each other, say within 100 yards, the Nexrad cannot be commissioned and used operationally unless the existing radar is deactivated because of radio frequency interference problems. Since one of the prerequisites for the required certification is that all the new technologies, including the new radar, be commissioned on a case-by-case basis, the restriction against deactivating the old radars makes certification impossible. Therefore, these 14 areas would never have the new and improved Doppler radars. They would include New York, Texas, Florida, Pennsylvania, Mississippi, Louisiana, Tennessee, Alabama, Vermont, Kansas, Montana, and Oregon. They are never going to get the new weather technology.

This is all totally unjustified and will cause President Bush to veto this whole package after we have worked out a lot of things about it. It is unfortunate, because we removed, as I say, some of the administration objections.

This will add a new objection that will just cancel out the whole thing.

I think that with Nexrad we are moving in a direction of having improved weather technology. It would be a shame to have that improvement destroyed by what the gentleman from Kentucky is proposing.

Mr. PERKINS. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. MCCLOSKEY. Mr. Chairman, I rise today in support of the language in sections 403 and 404 of legislation to reauthorize the National Oceanic and Atmospheric Administration [NOAA] and in support of the Perkins amendment to section 404 of the bill.

The National Weather Service [NWS] maintains that deploying the new Doppler-based next-generation-weather-radar system, more commonly know as Nexrad, will bring about increased effectiveness and accuracy. Nexrad is one of the cornerstones of the NWS modernization plan and is superior to any weather radar systems currently used by the NWS.

However, as is the case with all forms of electromagnetic energy, the intensity of Nexrad's radar decays over distance. The NWS contends that Nexrad has a range of 125 miles. But this figure is disputed, and in some areas of the country which are not currently slated to receive the new Nexrad system, but which instead lie within the fringe areas between planned Nexrad sites, serious questions remain concerning the actual accurate range of the new radar system.

Under the NWS modernization plan, the NWS office now located in Evansville, IN, is one of 142 NWS facilities which will close with coverage to be provided by distant Nexrad stations. Southwestern Indiana and the Evans-

ville area are commonly know as tornado alley. Indiana itself, which is now slated to lose all but one of the four NWS offices currently located there, ranks first among all States in the frequency of tornado related deaths per unit area.

The three worst tornado outbreaks of the past century have occurred in Indiana, and as recently as June 4, 1990, southwestern Indiana suffered an outbreak which included more than 50 tornadoes in one night, killing eight people and causing millions of dollars in damage. Yet under the current NWS modernization plan, Evansville area public will be asked to rely on weather advisories from other Nexrad facilities deployed 92 and 100 miles away respectively.

The NWS continues to maintain that Nexrad will perform up to expectations, and indeed it may. But that is precisely why the language in sections 403 and 404 of the NOAA reauthorization bill should be supported, and why the language in the Perkins amendment also should be added to that portion of the bill.

The public in Evansville, IN, and all other areas of the country currently slated to lose their existing NWS offices should not be put at any additional or unnecessary risk. No existing NWS office should be permitted to close until it can be conclusively proven that the NWS modernization plan will not lead to any reduction in the current levels of services. No degradation of public safety should be allowed to occur.

I therefore urge all my colleagues in the House to support sections 403 and 404 and the Perkins amendment to section 404 to prohibit the turning off of existing systems prior to certifying that doing so would not lead to a degradation of services.

□ 1710

Mr. WALKER. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. HOPKINS].

Mr. HOPKINS. Mr. Chairman, I rise in support of the gentleman from Kentucky's amendment.

Since the announcement 3 years ago that the National Weather Service's plans to modernize its efforts and consolidate facilities across the Nation including closure of the Lexington, KY office, I have worked to insure that the accurate and timely weather forecasting we have been provided in central Kentucky would not be diminished in any way.

I have received full assurances from the Administrator of the National Weather Service and the Secretary of Commerce that its work will be enhanced rather than downgraded by the new approach. And after reviewing information provided by them, I have high expectations that the new technology modernization program will provide my constituents with services and information far surpassing that now being generated by the antiquated, 1950's technology.

Still, I believe this amendment is prudent and necessary. It insures that the integrity of the current services is protected and will remain operational until such time as the Weather Service is able to certify the effectiveness of the new technology in Kentucky and throughout the Nation.

In Kentucky, we intend to take whatever measure is necessary to insure that our constituents are safe rather than sorry and that no gaps exist in the new network that would leave any part of our State or any other State more vulnerable to bad weather.

I urge my colleagues to join me in supporting the Perkins amendment.

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

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

I just would like to say that the Perkins amendment does not in any way affect whether or not a weather office is going to close. That is a separate determination and it is made hand in hand with the modernization plan. The technology will be upgraded and then offices will be closed, but only after certification has been made that the new radar is functioning according to the particular public law. That certification will have to state that no degradation of services will result in the affected area.

Now, I am really familiar with this, because in my own district there is a potential that our weather station would close with this next generation of radar. But we have to do what is best for the whole country and for our own areas if Nexrad, the next-generation weather radar performs at a far better rate, and that is what it is all about here.

The GAO would also have to review the certifications for the marginal sites and the old radar could not be removed until the process was complete.

Now, that is quite a bit. What this language says is that you cannot deactivate the radar. You are going to have to keep two systems operating with electromagnetic interference between the two. This could result in danger and have a very adverse impact on public safety.

The Director of the National Weather Service of the Department of Commerce believes that this is so and it could be dangerous, so at this stage I think we are doing the right thing in going forward with the next-generation. We have safeguards, we have certification. You cannot remove it from the premises. You are going to move it aside, but at least you will not have to keep, according to the Perkins amendment, both systems operating at the same time.

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

Mrs. VUCANOVICH. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Kentucky.

The Perkins amendment would prohibit the Secretary of Commerce from permanently deactivating any weather radars without certifying that doing so would not degrade weather services, which, in turn, may result in safety threats.

In my vast home State of Nevada, the Ely and Winnemucca Weather Service Offices [WSO] have been identified for closure by the National Weather Service.

Because of the large area these WSO's serve in Nevada, I am concerned that their closure, without service certification, will jeopardize weather services and, thus, the safety of not only my constituents, but anyone who is affected by other such closures.

As H.R. 2130 currently reads, the Secretary need only seek certification if the weather radar were to be removed. Effectively, this still allows the agency to deactivate the radar without any certification that services will not be reduced.

The Perkins amendment will still allow the Secretary to proceed with the National Weather Service's modernization program, while maintaining normal operations and forecasting, and, thus, safety.

I urge my colleagues support for the Perkins amendment.

Mr. PERKINS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I rise in support of H.R. 2130, the NOAA authorization bill. In particular, I would like to address provisions in the bill related to the modernization of the National Weather Service. Our colleague, CARL PERKINS, has led the fight to encourage the Commerce Department to ensure that forecasting improves for all areas of the country and that public safety is not jeopardized during this modernization. I commend Mr. PERKINS for his efforts and support his endeavors.

More specifically, I support section 403, public institution liaison and community preparedness section. This section requires that the Secretary of Commerce provide at least one National Weather Service liaison officer to each area currently receiving public institution and community preparedness liaison. This personnel is to be provided for at least 2 years to ensure that there is no degradation in the level of public institution liaison and community preparedness services to the affected area. It is imperative that a local liaison person is retained during this time of transition. Weather can be varied within a State thus making it necessary for a local person to be in place at the current Weather Service Office rather than a regional person. The community relies on the human element to accurately relay the advent of a weather crisis such as floods, tornados or hurricanes.

The modernization of the Weather Service directly affects the Ninth District of Ohio. The Toledo Weather Station Office is due to be closed as a result of the modernization plan. While I believe that the upgrading of our weather forecasting and radar systems is nec-

essary, I also believe all efforts must be made to ensure that no areas of the country of the country suffer a degradation of services. Toledo is due to receive the automated surface observing system [ASOS] as part of the reorganization. It is not clear at this point whether this system will be accompanied by a real live person. It concerns me that there may be no one available locally to interpret weather data collected at the Cleveland Weather Forecast Office which will have jurisdiction over the Toledo area. Local warning radar and local forecasts would all originate out of Cleveland for northwest Ohio coverage.

It is essential that there be a timely transmittal of weather information, in particular, due to the increase in traffic at the Toledo Express Airport. The increase in traffic is due to the addition of the Burlington Air Express cargo hub which adds 30 flights 5 days per week—at night. Accurate weather forecasting is an important ingredient for any type of transportation service. Bad weather is one of the few consequences that can shut down a transportation system within minutes.

The airport director at Toledo Express Airport has also voiced his concern that a human presence at a Weather Service Office is vital. As Toledo's Airport director, Jim McCue, must rely on personnel at the Weather Service Office so that he can make decisions as to whether he should close the airport. Furthermore, if snow is predicted by Weather Service personnel, the airport crew can be on alert and money can be saved in personnel costs by keeping the crew at the airport rather than sending the airport crew home.

Mr. Chairman, let me reiterate my support for sections 403 and 404 as well as the Perkins amendments which provide necessary oversight to ensure that all areas of the country are provided with accurate weather service.

Mr. PERKINS. Mr. Chairman, I yield 1 minutes to the gentleman from Michigan [Mr. CAMP].

Mr. CAMP. Mr. Chairman, today I rise to oppose efforts by the National Weather Service to remove almost 150 vital weather stations throughout the United States. As we consider authorization legislation for the National Oceanic and Atmospheric Administration, we have the opportunity to save our stations.

In my district the Houghton Lake Weather Station in Houghton Lake MI, has provided the public with up to the minute accurate weather information since 1964. It has provided the public with the safety and assurance of weather preparation for both beautiful sunny days and violent storms.

Mid-Michigan needs the current radar services of a 24-hour National Weather Service Office. We need the 24-hour assurance of accurate and timely weather information not only for our safety, but also for our economy. Our schools need the weather station, our farmers and our businesses need the weather station and the thousands of tourists who visit our beautiful northern Michigan beaches and ski resorts need the weather station radar services.

Mr. Chairman, we cannot afford to take the chance. Our safety depends on keeping the weather station radar operators. I urge our colleagues to support the Perkins amendment.

Mr. PERKINS. Mr. Chairman, I yield our remaining minute to the distinguished gentleman from Iowa [Mr. NAGLE].

Mr. NAGLE. Mr. Chairman, let us lay this straight out in front of us. All we are attempting to do by the Perkins amendment is to insure before a new system starts that it works and that meanwhile we do not leave the rest of the country bare.

This amendment also provides sufficient exemptions to the deactivization program that it would not hamper the normal weather service operations, including the modernization program.

This amendment would not require the Weather Service to keep less effective radars in operation for years and years on end after the Weather Service has tested the Nexrad system in any area.

Section 404 as modified by this amendment would make deviation of radar an event requiring certification independent of any certification required for the closure, consolidation, automation or relocation of a Weather Service office. Before permanently turning off such radars, the Secretary of Commerce would only have to certify that deactivating the existing radars would not lead to degradation of weather service for the area.

For those of us who live in portions of this country where the weather can turn violent very suddenly, the maintenance of an existing system before turning to a new system is absolutely essential.

Mr. WALKER. Mr. Chairman, I yield myself the remaining 30 seconds.

Mr. Chairman, this does not affect weather stations in any way. This is a technology amendment. What this amendment says is that you cannot even turn off old radars once the new radars come on line and are totally certified and are safer. This is a Luddite amendment. This says no new technology. It says all your offices will remain open anyway. This does not affect weather stations in any way whatsoever. The whole certification process with regard to weather stations would have to go forward.

So this is a technology amendment. It ought to be turned down, because it will destroy the ability to get a safer, better weather system.

Mr. LEHMAN of California. Mr. Chairman, I want to commend my colleague, Congressman PERKINS, for his efforts to preserve the degree of services which the National Weather Service offices have provided in the past.

Under the plan by the National Weather Service to modernize the system, 142 Weather Service offices [WSO's], Weather Service meteorological observatories [WSMO's], and agricultural weather service centers [AWSC's] across the country would be eliminated. These include the Stockton Weather Service Station and the Agricultural Forecast Center in Clovis, both in my California district. The plan calls for these stations to be replaced or upgraded by 115 weather forecast offices equipped with the new Nexrad radar.

While I certainly agree that the new radar system will be a long-needed innovation in technology, it can not replace the degree of timely and accurate reporting that local weather service stations can offer. Advanced warnings of tornados, floods, and electrical storms have been valuable in saving lives and protecting property. In my district, the Agricultural Center has been irreplaceable in providing frost and freeze warnings and evaluating specific zone forecasts that a more regional system may not achieve.

To prevent overconsolidation and ensure that forecasting improves for all parts of the country, including the hills and valleys, and that these forecasts can be disseminated as well as before, Congressman PERKINS has included language in this measure which I urge my colleagues to support.

Section 403 requires the Secretary of Commerce to provide at least one NWS liaison officer to each area currently receiving public institution and community preparedness liaison from a WSO, WSMO, or AWSC. This will ensure that there will be no degradation in the conveyance of vital forecast information to the local community.

Section 404 improves the process of certifying that no degradation of services will result from the modernization plan. For instance, it requires that certifications for the next generation weather service [Nexrad] modernization plan be based on demonstrations of the system at specific sites. Because the deployment of Nexrad will double the average area of responsibility for Weather Service areas, fringe areas should be assured of the same accurate forecasts that have been provided in the past.

The amendments being offered today by Congressman PERKINS further strengthen the bill. The first is of a technical nature, merely clarifying that the provisions in the bill protecting public liaison officers at Weather Service sites only apply to those which are currently being served. The second ensures that the intent of current law not to allow a degradation of services cannot be circumvented by simply turning off old Weather Service radar systems without removing them.

In the past, the administration budget has continually targeted all agricultural forecast centers and fire weather programs for elimination. Every year, Congress has resisted these attempts. While current law dictates that the Weather Service cannot close any station unless it can certify that the action would not diminish current services, Congress must impose sufficient oversight to insure this statute is upheld. The modernization program cannot become part of a hidden agenda to cut back on services in order to save a few dollars, only to put public safety and regional economies at risk.

The National Weather Service's planned technology modernization program does not insure that all communities that will lose their weather stations are well protected. I will continue to monitor the certification process close-

ly. In addition, the inclusion of the provisions proposed by Congressman PERKINS provide needed protections to communities in the fringe areas of the radar system. They also ensure that liaison services property remain the function of local weather offices—not regional stations. I urge my colleagues to support these needed improvements to the NOAA authorization bill.

The CHAIRMAN. Under the rule, all time for debate on amendment No. 6 has expired.

The question is on the amendment offered by the gentleman from Kentucky [Mr. PERKINS].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 102–313.

AMENDMENT OFFERED BY MR. TAUZIN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TAUZIN: Page 40, after line 10, insert the following new paragraph:

(5) VESSELS FOR BATHYMETRIC MAPPING.—

(A) IN GENERAL.—The Secretary may acquire, under a multiyear lease contract subject to the requirements of this section, not more than 2 vessels for bathymetric mapping in the Exclusive Economic Zone of the United States.

(B) AUTHORIZATION OF APPROPRIATIONS.—Of the sums authorized under this section, there are authorized to be appropriated to the Secretary—

(i) $1,000,000 for salaries and expenses of National Oceanic and Atmospheric Administration personnel assigned on board vessels acquired under this paragraph, of which not more than $500,000 may be used for personnel on each vessel; and

(ii) such other amounts as are necessary to carry out this paragraph.

The CHAIRMAN. Under the rule, the gentleman from Louisiana [Mr. TAUZIN] will be recognized for 5 minutes, and a Member in opposition will be recognized for 5 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Speaker, today I rise to offer an amendment to section 804 of H.R. 2130, the National Oceanic and Atmospheric Administration Authorization Act. My amendment will simply give NOAA the specific authority to enter into a multiyear lease contract with private industry to conduct bathymetric mapping in the United States exclusive economic zone.

Congress recently received the long overdue report from NOAA on its fleet modernization program. For years we have seen NOAA's fleet missions severely hampered by outdated vessels needing constant maintenance. Fortunately, this bill will authorize $50 million in fiscal year 1992 and $52 million in fiscal year 1993 for NOAA's fleet modernization program. In the bill, Congress also gives the Secretary of Commerce, general contract authority for the fleet replacement and modernization program which includes multiyear lease.

My amendment will provide NOAA the excellent opportunity to develop a government and industry partnership for their bathymetric mapping program. Currently, only 5 percent of the exclusive economic zone has been completed since NOAA started mapping it in 1983. Bathymetric mapping produces charts that are beneficial to various Government agencies as well as private industries.

These are some of the benefits: First, it will substantiate the United States' claim to the EEZ; second, it will assist in locating new areas of resources like oil, gas, salt, sulfur, and manganese; third, it will help the National Marine Fisheries Service and the fishing industry by identifying fishery habitats; fourth, it will support our national defense in subsurface navigation and acoustic prediction; and fifth, it can support environmental concerns like waste disposal, pollution modeling and assessment, wetlands and habitat loss, and shore migration.

As I have said this amendment will simply give NOAA the specific authority to enter into a lease contract with the private industry for bathymetric mapping. I ask for your support of this amendment.

□ 1720

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

Mr. TAUZIN. Mr. Chairman, I yield to the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. I thank the gentleman for yielding.

Mr. Chairman, I want to commend the chairman of the Coast Guard Subcommittee. This is an excellent idea. This information is very, very valuable.

I congratulate him for his initiative, and the committee accepts the amendment.

Mr. TAUZIN. I thank the chairman, and particularly I appreciate his help and good work in regard to drafting the amendment, making sure it meets with the approval of the administration.

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

The CHAIRMAN. Is there a Member rising in opposition to the amendment?

Mr. TAUZIN. Mr. Chairman, if not, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. TAUZIN].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 102–313.

AMENDMENT OFFERED BY MR. JEFFERSON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. JEFFERSON:

Page 60, after line 25, insert the following:

SEC. 917. RECRUITMENT OF MINORITIES AND WOMEN FOR NOAA SCIENCE EDUCATION ACTIVITIES.

(a) FINDINGS.—The Congress finds the following:

(1) In this decade, more than two-thirds of the new entrants to the United States labor force will be minorities and women—groups which for the most part have been historically underrepresented in the sciences.

(2) The National Science Foundation estimates that by the year 2000, the United States will face a shortfall of more than 400,000 science and engineering personnel.

(3) Given the demographics of the United States workforce, the problem of underrepresented minorities and women in the sciences and engineering could seriously compromise the industrial and technological capability of the United States, as well as its ability to compete in international marketplaces.

(4) The National Oceanic and Atmospheric Administration has made important efforts to promote education programs in the sciences for students, teachers, and other citizens.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the National Oceanic and Atmospheric Administration should continue to expand its educational programs in the sciences, and in this effort, that the National Oceanic and Atmospheric Administration should develop and promote programs that reach out to and recruit minorities and women for education in the sciences.

The CHAIRMAN. Under the rule, the gentleman from Louisiana [Mr. JEFFERSON] will be recognized for 5 minutes, and a Member in opposition will be recognized for 5 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. JEFFERSON].

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

Mr. Chairman, the underrepresentation of women and minorities in the sciences and engineering is not just a matter of equity; it is foremost a matter of competitiveness. We continue to hear that America is losing its edge in the sciences and high technology; that we are falling behind our competitors; that we are deficient in research and development.

Mr. Chairman, I submit that our competitive position worldwide depends not only on the macroeconomic policies of this Nation, but also on the capability of its work force.

And this work force is changing dramatically. Presently, more than 6 out of 10 new entrants to the U.S. labor force are women and members of a minority group. By the turn of the century, this number will be closer to 8 out of 10.

Yet these two groups have been and continue to be underrepresented in the sciences and engineering. Blacks are approximately 12 percent of the U.S. population but constitute only 2.6 percent of all employed scientists and engineers. Hispanics comprise 9 percent

of the U.S. population but represent less than 2 percent of all employed scientists and engineers. Women constitute 45 percent of the U.S. work force, yet they comprise approximately 16 percent of all scientists and engineers.

And there is more ominous news. The National Science Foundation estimates that by the year 2000, the United States will face a shortfall of more than 400,000 science and engineering personnel. Furthermore, with the increasing automation and computerization of every aspect of the workplace, we will need scientifically and technologically literate people at all levels of our work force.

Given these forecasts—that a growing proportion of our work force is underrepresented in the very fields facing a shortfall—we have an acute problem. A problem that could seriously compromise this Nation's industrial and technological capability and its ability to compete in international marketplaces.

Mr. Chairman, Congress must act now to reverse this perilous trend. We can take measures on a Government-wide basis to address the shortage of qualified scientists and engineers in our work force through the direct recruitment of women and minorities.

Numerous Federal agencies have already implemented educational and research programs that specifically target minorities and women. The National Oceanic and Atmospheric Administration, however, has been somewhat reluctant in its role as educator. While NOAA has, to its credit, recently established an Educational Affairs Division and initiated some valuable educational programs with a limited budget, its full potential in this area has yet to be realized. With NOAA's tremendous wealth of expertise and breadth of research activities in the exploration and monitoring of the oceans, Great Lakes, and atmosphere, NOAA could be a tremendous educational asset and model for our country's students.

The amendment I propose today recognizes the important progress NOAA has made in education and encourages NOAA to continue to expand its educational programs in the sciences. But most importantly, my amendment would express the sense of the Congress that NOAA develop and promote educational programs that reach out to and recruit minorities and women for education in the sciences.

These programs could be modeled after successful programs already in place at other Federal agencies, taking the form of apprenticeships, fellowships, and enrichment and mentoring programs for minorities and women.

Mr. Chairman, we must cultivate this growing segment of our work force, a segment with enormous potential to help this country grow and once again attain scientific and technological preeminence.

I urge my colleagues to vote in favor of this important measure.

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

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

Mr. HERTEL. I thank the gentleman for yielding.

Mr. Chairman, I want to commend the gentleman for all that he has done in this area but for this amendment in particular, which is one of the most important amendments we have in this bill. What the gentleman is seeking to do is really needed very much. While NOAA has made attempts to recruit more minorities, it is clear from the numbers the gentleman has cited that they have to do a lot better.

I would like to suggest, in addition to the amendment, that we work with Dr. Ballard, the man who discovered the *Titanic*, because he is very interested in bringing more young people into the sciences, and ask him how we can also reach more minority people.

Mr. Chairman, the committee accepts the amendment, and we are very proud the gentleman offered it.

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

Mr. JEFFERSON. I yield to the gentleman from California [Mr. BROWN], the chairman of the full committee.

Mr. BROWN. I thank the gentleman for yielding.

Mr. Chairman, may I compliment the gentleman also on his amendment. As he points out, many other agencies of the Federal Government are carrying on aggressive programs with respect to recruitment and they are also trying to increase the supplies through the pipeline by educational means of various sorts. I have not checked as closely as the gentleman has on what NOAA is doing, but beyond the shadow of a doubt they could be doing more, and this will encourage them to do so. I thank the gentleman.

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

Mr. JEFFERSON. I yield to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. I thank the gentleman for yielding.

Mr. Chairman, the gentleman's amendment is absolutely aimed at one of the critical problems facing American education. I am a Member of Congress from New York City. We have a tremendous demand on the part of appropriations for jobs that require some kind of technical, scientific, mathematical capability in science, math, and engineering. Insurance companies, banks, communications industry all require trained manpower.

Now, at the same time that they are desperately looking for work, we have a large minority community that cannot begin to qualify for those jobs and are unemployed. Those kids are talented, those kids have the ability. We have got to get them into science, math, and engineering, and I congratulate the gentleman for his fine amendment.

Mr. JEFFERSON. I appreciate the remarks of the gentleman from New York.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. JEFFERSON] has expired.

Is there a Member rising in opposition to the amendment?

If not, the question is on the amendment offered by the gentleman from Louisiana [Mr. JEFFERSON].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 102–313.

AMENDMENT OFFERED BY MR. JONES OF NORTH CAROLINA

Mr. JONES of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. JONES of North Carolina: At the end of the bill add the following new title:

TITLE X—MARINE SANITATION DEVICE PUMPOUT STATIONS

SEC. 1001. SHORT TITLE.

This title may be cited as the "Clean Vessel Act of 1991".

SEC. 1002. FINDINGS; PURPOSE.

(A) FINDINGS.—The Congress finds the following:

(1) The discharge of untreated sewage by vessels is prohibited under Federal law in all areas within the navigable waters of the United States.

(2) The discharge of treated sewage by vessels is prohibited under either Federal or State law in many of the United States bodies of water where recreational boaters operate.

(3) There is currently an inadequate number of pumpout stations for marine sanitation devices where recreational vessels normally operate.

(4) Sewage discharged by recreational vessels because of an inadequate number of pumpout stations is a substantial contributor to the degradation of water quality in the United States.

(b) PURPOSE.—The purpose of this title is to provide funds to coastal States for the construction, renovation, operation, and maintenance of pumpout stations for marine sanitation devices and facilities to receive wastes from portable toilets.

SEC. 1003. DETERMINATION AND PLAN REGARDING STATE MARINE SANITATION DEVICE PUMPOUT STATION NEEDS.

(a) SURVEY.—

(1) IN GENERAL.—Each coastal State shall conduct a survey to determine, using guidance issued under section 1004(b)(4), whether pumpout stations for marine sanitation devices and facilities to receive waste from portable toilets are adequate and reasonably available to meet recreational needs within the State.

(2) FUNDING.—Amounts made available to a coastal State pursuant to the amendments made by section 1004 may be used to conduct a survey under this subsection.

(b) PLAN.—Based on the survey conducted under subsection (a), each coastal State shall—

(1) develop and submit to the Administrator of the Environmental Protection Agency a plan for the construction or renovation of marine sanitation device pumpout stations and facilities to receive wastes from portable toilets, that are adequate and reasonably available to meet recreational vessel needs in the State; and

(2) submit to the Administrator with that plan a list of all such stations and facilities in the State which are operational on the date of submittal.

(c) PLAN APPROVAL.—

(1) IN GENERAL.—Not later than 60 days after a plan is submitted by a State under subsection (b), the Administrator of the Environmental Protection Agency shall approve of disapprove the plan, based on—

(A) the adequacy of the survey conducted by the State under subsection (a); and

(B) the ability of the plan to meet the construction and renovation needs identified in the survey.

(2) NOTIFICATION OF STATE; MODIFICATION.—The Administrator shall promptly notify the affected Governor of the approval or disapproval of a plan. If a plan is disapproved, the Administrator shall recommend necessary modifications and return the plan to the affected Governor.

(3) RESUBMITTAL.—Not later than 60 days after receiving a plan returned by the Administrator, the Governor shall make the appropriate changes and resubmit the plan.

(d) INDICATION OF STATIONS AND FACILITIES ON NOAA CHARTS.—

(1) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere shall indicate, on charts published by the National Oceanic and Atmospheric Administration for the use of operators of recreational vessels, the locations of pumpout stations for marine sanitation devices and facilities to receive waste from portable toilets.

(2) NOTIFICATION OF NOAA.—

(A) LISTS OF STATIONS AND FACILITIES.—The Administrator of the Environmental Protection Agency shall transmit to the Under Secretary of Commerce for Oceans and Atmosphere each list of operational stations and facilities submitted by a State under section 1003(b)(2), by not later than 30 days after the date of receipt of that list.

(B) COMPLETION OF PROJECT.—The Director of the United States Fish and Wildlife Service shall notify the Under Secretary of the location of each station or facility at which a construction or renovation project is completed by a State with amounts made available under section 8(d)(1)(B) of the Act of August 9, 1950 (popularly known as the "Dingell-Johnson Sport Fish Restoration Act"; 16 U.S.C. 777g), as amended by this Act, by not later than 30 days after the date of the completion of the project.

SEC. 1004. MARINE SANITATION DEVICE PUMPOUT STATION FUNDING.

"(a) FUNDING.—Section 8 of the Act of August 9, 1950 (16 U.S.C. 777g), popularly known as the "Dingell-Johnson Sport Fish Restoration Act", is amended by adding at the end the following new subsection:

"PUMPOUT STATIONS.—

"(1) USE OF FUNDS AUTHORIZED.—For each of the fiscal years 1992 through 1996, each coastal State shall use 5 percent of the amounts apportioned to it under section 4 to pay not more than 75 percent of the costs of—

"(A) conducting the survey and preparing the plan required by section 1003 of the Clean Vessel Act of 1991; and

"(B) constructing, renovating, operating, or maintaining pumpout stations for marine sanitation devices and facilities to receive wastes from portable toilets, in accordance with a plan approved under section 1003 of the Clean Vessel Act of 1991.

"(2) WAIVER.—The Secretary of the Interior shall, if requested by the Governor of a coastal State, waive or reduce the percentage of the State's apportionment under section 4 that is required to be used in a fiscal year in accordance with paragraph (1) by any amount which is not needed to implement the plan of the State approved under section 1003 of the Clean Vessel Act of 1991.

"(3) EDUCATIONAL PROGRAM.—Notwithstanding paragraph (1), a coastal State may use not more than 20 percent of the amounts required to be used in accordance with that paragraph to conduct a program to educate recreational boaters about the problem of sewage discharges from boats and inform them of the location of pumpout stations for marine sanitation devices.

"(4) REALLOCATION.—

"(A) IN GENERAL.—The Secretary of the Interior shall reallocate any amount that is required to be used in accordance with paragraph (1), or is authorized to be used in accordance with paragraph (3), and which is not expended or obligated by a coastal State within 2 years after it is available for expenditure, among the other coastal States for use in accordance with paragraphs (1) and (3).

"(B) MANNER OF REALLOCATION.—The Secretary of the Interior shall carry out reallocations under this paragraph in the manner described in section 4 for apportioning remaining appropriations.

"(5) DEFINITIONS.—For the purposes of the subsection—

"(A) the term 'coastal State'—

"(i) means a State of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean; the Gulf of Mexico; Long Island Sound; or one or more of the Great Lakes;

"(ii) includes Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa; and

"(iii) does not include a State for which—

"(I) the ratio of the number of recreational vessels in the State numbered under chapter 123 of title 46, United States Code, to number of miles of shoreline (as that term is defined in section 926.2(d) of title 15, Code of Federal Regulations, as in effect on January 1, 1991), is less than one; and

"(I) the Governor certifies to the Secretary of the Interior that the water quality of the State is not significantly affected by sewage discharged from recreational vessels;

"(B) the term 'marine sanitation device' includes any equipment for installation on board a vessel which is designed to receive, retain, treat, or discharge sewage, and any process to treat such sewage; and

"(C) the term 'recreational vessel' means a vessel—

"(i) manufactured for operation, or operated, primarily for pleasure; or

"(ii) leased, rented, or chartered to another for the latter's pleasure.".

(b) NOTIFICATION.—Not later than 6 months after the date of the enactment of this Act, the Director of the United States Fish and Wildlife Service, in consultation with the Administrator of the Environmental Protection Agency, shall notify in writing the fish and game, water pollution control, and coastal zone management authorities of each coastal State of the availability of the amounts under subsection (d) of section 8 of the Act of August 9, 1950 (16 U.S.C. 777g), as amended by this Act, to finance the construction, renovation, operation, and maintenance of pumpout stations for marine sanitation devices and facilities to receive wastes from portable toilets. The notification shall include—

(1) a description of the availability of amounts in the Sport Fish Restoration Account for those purposes;

(2) a projection of the apportionments to the State under that program for each of the succeeding 5 fiscal years;

(3) guidance regarding the types of pumpout facilities that may be appropriate for construction, renovation, operation, or maintenance with those funds and appropriate location of the facilities within a marina or boatyard;

(4) guidance defining what constitutes adequate and reasonably available pumpout facilities in boating areas;

(5) guidance on appropriate methods for disposal of vessel sewage from pumpout facilities;

(6) guidance on appropriate connector fittings to facilitate the sanitary and expeditious discharge of sewage from vessels;

(7) guidance on the coastal waters most likely to be affected by the discharge of sewage from vessels; and

(8) other information that the Administrator of the Environmental Protection Agency considers necessary to promote the establishment of pumpout facilities to reduce sewage discharges from vessels and to protect coastal waters.

SEC. 1005. DEFINITIONS.

For the purposes of this title—

(1) the term "coastal State" has the meaning that term has in section 8(d)(5)(A) of the Act of August 9, 1950, as amended by this Act; and

(2) the term "recreational vessel" means a vessel—

(A) manufactured for operation, or operated, primarily for pleasure; or

(B) leased, rented, or chartered to another for the latter's pleasure.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. JONES] will be recognized for 5 minutes, and a Member in opposition will also be recognized for 5 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment I am offering today is the text of H.R. 1297, the Clean Vessel Act of 1991, which passed the House under suspension of the rules on October 15. In the Senate, H.R. 1297 was referred to the Commerce Committee. In an effort to spur Senate action on H.R. 1297, I am offering this amendment to H.R. 2130.

This deals with the problem of sewage illegally discharged from recreational boats. Boaters need shoreside facilities where they can properly dispose of wastes

As my colleagues will recall, the Clean Vessel Act proposes to earmark a portion of the money coastal States receive from the sport fish restoration account, so that they can build, renovate, and maintain pumpout stations for boat toilets along their coasts.

This bill is in response to problems in North Carolina with sewage illegally

discharged from recreational boats because of a lack of pumpout stations where boaters can properly dispose of their wastes. Problems have also been identified in Chesapeake Bay, Puget Sound, Buzzards Bay, Tampa Bay, Narragansett Bay, and Delaware Bay. There are undoubtedly problems in other parts of the country, but since there has never been a comprehensive national survey, we just don't know. The Clean Vessel Act will help States find out where problems exist, and makes money available to address those problems.

The Clean Vessel Act accomplishes this by directing coastal States to conduct a survey to determine their pumpout station construction and renovation needs. Using this survey, the State must develop a plan to meet those needs. Once the plan is approved by the EPA, the State is required to use 5 percent of its sport fish restoration account moneys to implement the plan.

The 5-percent set-aside may be waived or reduced if the plan identifies no pumpout construction needs or needs which will require less money. This process will ensure that money is spent only where there are identified problems. The bill also directs NOAA to indicate the location of pumpout stations on navigational charts. Finally, the Clean Vessel Act allows States to spend a portion of the set-aside to educate the boating public about the costs and consequences of boat sewage discharges. These last two provisions are intended to ensure that the pumpout stations constructed with funds included in the bill will be used.

As I mentioned earlier, this amendment passed the House as H.R. 1297 by voice vote under suspension of the rules. It is not controversial and will provide important benefits to everyone who fishes, swims, and eats shellfish harvested in coastal waters.

I urge all Members to support it.

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

The CHAIRMAN. Is there a Member in opposition to the amendment?

If not, the question is on the amendment offered by the gentleman from North Carolina [Mr. JONES].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 102–313.

AMENDMENT OFFERED BY MR. STUDDS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. STUDDS: Page 60, after line 25, insert the following new section:

SEC. 917. MASSACHUSETTS AND CAPE COD BAY MONITORING.

There are authorized to be appropriated to the Secretary $1,000,000 for fiscal year 1992 and $1,040,000 for fiscal year 1993 for a program of biological monitoring of pollution in Massachusetts Bay and Cape Code Bay. No more than five percent of the amounts appropriated pursuant to this section shall be used by the National Oceanic and Atmospheric Administration for administrative expenses. In developing and implementing the program, the Secretary shall use to the maximum extent practicable the capabilities of nongovernmental research institutions within the region. In no case shall less than 50 percent of the amounts appropriated pursuant to this section be used through such nongovernmental research institutions. The monitoring program shall be closely integrated with other monitoring efforts in Massachusetts and Cape Cod Bays, and shall be developed and implemented in consultation with the Massachusetts Office of Coastal Zone Management.

The CHAIRMAN. Under the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 5 minutes, and a Member in opposition will be recognized for 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

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

MODIFICATION TO AMENDMENT OFFERED BY MR. STUDDS

Mr. STUDDS. Mr. Chairman, let me say first of all I ask unanimous consent to modify the amendment.

The CHAIRMAN. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment, as modified, offered by Mr. STUDDS: Page 60, after line 25, insert the following new section:

Sec. 917. MASSACHUSETTS, CAPE COD, AND CHESAPEAKE BAY MONITORING.

There is authorized to be appropriated to the Secretary $2,000,000 for fiscal year 1992 and $2,080,000 for fiscal year 1991 for a program of biological monitoring of pollution in Massachusetts, Cape Cod, and Chesapeake Bays. No more than five percent of the amounts appropriated pursuant to this section shall be used by the National Oceanic and Atmospheric Administration for administrative expenses. Of the amounts appropriated, 50 percent shall be designated for use in Massachusetts and Cape Cod Bays and 50 percent shall be designated for use in the Chesapeake Bay.

In developing and implementing the program for Massachusetts and Cape Cod Bays, the Secretary shall use to the maximum extent practicable the capabilities of non-governmental research institutions within the region, and in no case shall less than 50 percent of the funds appropriated be used in this manner. The monitoring program shall be closely integrated with other monitoring efforts in Massachusetts and Cape Cod Bays, and shall be developed and implemented in consultation with the Massachusetts Office of Coastal Zone Management.

Mr. STUDDS (during the reading). Mr. Chairman, I ask unanimous consent the amendment, as modified, be considered as read and printed in the RECORD.

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

There was no objection.

□ 1730

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

Mr. WALKER. Reserving the right to object, Mr. Chairman, and I shall not object, I just want to ask the gentleman from Massachusetts [Mr. STUDDS] one question about his amendment. It does add some funding, but that would be subject to the caps that are in the bill; is that correct?

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

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

Mr. STUDDS. Mr. Chairman, the gentleman from Pennsylvania is absolutely correct.

Mr. HOYER. Mr. Chairman, will the gentleman yield under his reservation of objection?

Mr. WALKER. Further reserving the right to object, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, the gentleman from Massachusetts [Mr. STUDDS] has told me, "not now."

Mr. WALKER. In that case, Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. STUDDS] to modify the amendment?

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts [Mr. STUDDS] is recognized for 5 minutes to explain his amendment, as modified.

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

Mr. Chairman, the purpose of my amendment is to authorize NOAA to support a badly needed biological monitoring program for Massachusetts and Cape Cod Bays.

These bays—essential to some of the most important fisheries in New England, home to endangered marine mammals, key to Massachusetts tourism—are currently threatened by major pollution problems. Tens of thousands of barrels of toxic and radioactive waste are lying on the bottom of Massachusetts Bay, some intact, some broken open.

In 1995, Boston will begin the dredging of its inner harbor, which will require the disposal of more than 3 million cubic yards of sediment—some of it contaminated. Boston is also in the process of building one of the largest sewage treatment plants in the world, which will discharge more than 1 billion gallons of effluent daily into Massachusetts Bay.

The amendment also authorizes NOAA to undertake an expanded monitoring program of precious biological resources in the Nation's largest estuary, the Chesapeake Bay.

Mr. Chairman, we cannot afford to make any mistakes with these fragile ecosystems. A comprehensive monitor-

ing program for our Nation's bays is desperately needed, and very little funding has been available to NOAA to conduct biological monitoring of pollution. My amendment would authorize up to $2 million for fiscal year 1992 and $2.08 million for fiscal year 1993, with no more than 5 percent to be used by NOAA for administrative expenses.

In the case of the Massachusetts monitoring, the amendment also directs NOAA to use the many capable marine research institutions in the region to the fullest extent possible and to direct at least 50 percent of the appropriated funds to this cooperative effort.

I believe this is a noncontroversial amendment that seeks to harness the considerable expertise of NOAA in a much-needed fashion, and I urge my colleagues to support it.

Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I want to thank my good friend and author of this amendment, the gentleman from Massachusetts, Representative STUDDS, who chairs the Subcommittee on Fisheries and Wildlife Conservation and the Environment. The chairman's amendment was a good one, but he has made it even better by extending its scope to include under its protection the Nation's largest estuary, the Chesapeake Bay.

This amendment is a critical step in focusing management efforts by developing biological monitoring programs for the Massachusetts Bay, the Cape Cod Bay, and the Chesapeake Bay. As the chairman has kindly included the Chesapeake Bay in this amendment, let me focus my comments on the importance of this study for the Chesapeake.

As we all know, major efforts by Federal, State, local, and private sectors have been made to restore the health of the Chesapeake Bay and its tributaries, such as the Patuxent, Potomac, and Anacostia Rivers. These efforts have had mixed results, with some areas of the watershed enjoying improved water quality and increased aquatic life while other areas have continued to suffer major declines.

It makes sense to know what the status of our efforts is so that future efforts can be focused in the most efficient and cost-effective manner as is possible. Toward this end, there is a need for enhanced biological monitoring to measure the kinds and amounts of fish, oysters, crabs, and other living resources that make up the food chain of the Chesapeake Bay.

This amendment would allow NOAA to study both the success stories and the problem areas to determine what efforts promise the best results. This will allow us to be able to much better target future aid and hopefully result in significant cost savings in the restoration effort.

I also want to thank the chairman of the Oceanography Subcommittee, the gentleman from Michigan, Representative DENNIS HERTEL, who has also worked closely with me and Representative STUDDS on this amendment. I also want to commend the committee for including and improving upon other programs for the Chesapeake Bay as well. I appreciate the assistance that the committee's staff has given to me on this amendment, especially Will Steele and Debbie Dawson.

I look forward to working with both chairmen in the year ahead to continue to improve the health of the Chesapeake Bay.

Mr. STUDDS. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. Mr. Chairman, I thank the gentleman from Massachusetts [Mr. STUDDS], the chairman of the Subcommittee on Fisheries and Wildlife Conservation and the Environment, and also the gentleman from Maryland [Mr. HOYER], because this is really needed in the Chesapeake Bay. NOAA has been working in this area, and we need this assistance, and we need this leadership.

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

Mr. HERTEL. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the gentleman from Michigan [Mr. HERTEL]. I know the gentleman and I have discussed his possibly having hearings down in the southern Maryland area on this issue, and I very much appreciate that.

Mr. HERTEL. Mr. Chairman, we have one in southern Maryland. We already have one in southern Virginia, also on the Chesapeake Bay.

Mr. STUDDS. Mr. Chairman, I thank the gentlemen for their leadership.

Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I thank the gentleman from Massachusetts [Mr. STUDDS] for yielding, and I want to commend him for broadening his amendment. As one who has been supporting the program to protect and enhance the water quality of the Chesapeake Bay over the past decade, I am especially pleased that he has added the Chesapeake Bay to his amendment, and I commend the gentleman from the former Massachusetts Bay Colony for his kind recognition and assistance to the earlier Virginia Colony.

Mr. STUDDS. And I commend the gentleman for his lost colony.

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

The CHAIRMAN. Is there a Member who would rise in opposition to the amendment?

If not, the question is on the amendment, as modified, offered by the gentleman from Massachusetts [Mr. STUDDS].

The amendment, as modified, was agreed to.

The CHAIRMAN. No further amendments are in order.

The question is on the amendment in the nature of a substitute, as modified, as amended.

The amendment is the nature of a substitute, as modified, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. MCNULTY] having assumed the chair, Mr. DURBIN, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 2130) to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1992, pursuant to House Resolution 278, reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HERTEL. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may have 5 legislative days to revise and extend their remarks on H.R. 2130, the bill just passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2130, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION ACT OF 1991

Mr. HERTEL. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of the bill, H.R. 2130, including corrections in spelling, punctuation, section numbering, and cross-referencing.

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

There was no objection.

HIGH-PERFORMANCE COMPUTING AND NATIONAL RESEARCH AND EDUCATION NETWORK ACT OF 1991

Mr. BROWN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 272) to provide for a coordinated Federal program to ensure continued U.S. leadership in high-performance computing, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

Mr. WALKER. Mr. Speaker, reserving the right to object, I shall not object, but I take this opportunity to allow the gentleman from California [Mr. BROWN] to explain the bill and make some additional commentary on the bill.

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

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

Mr. BROWN. Mr. Speaker, I would like to explain the amendment in the nature of a substitute that we have worked out to S. 272, the High-Performance Computing Act of 1991, as passed by the other body.

I want especially to thank the chairman of the Subcommittee on Science, Mr. BOUCHER, and the chairman of the Subcommittee on Technology and Competitiveness, Mr. VALENTINE, as well as the ranking Republican subcommittee members, Mr. PACKARD and Mr. LEWIS, respectively, for their hard work and cooperation in the development of this compromise amendment. I also want to acknowledge the cooperation and assistance of the ranking Republican member of the full committee, Mr. WALKER, in moving the legislation forward.

H.R. 656 passed the House on July 11, and the companion measure, S. 272, was passed in amended form by the other body on September 11. Discussions between the Committee on Science, Space, and Technology and the Senate Committees on Commerce, Science, and Transportation and on Energy and Natural Resources have led to the amendment now before the House. We believe this amendment will be satisfactory and acceptable to the other body.

The main provisions of H.R. 656, as passed by the House, dealing with the structure and contents of the national high-performance computing program, including Federal agency responsibilities and authorization levels, are substantially unchanged by the amendment. I am including for the RECORD a description of differences between the amendment and H.R. 656, as passed by the House.

One significant difference between the amendment and the bill, as passed by the House, is the section dealing with the buy-American provisions. While those provisions would have permitted procurements from foreign companies and were therefore not intended to violate U.S. international obligations under the General Agreement on Tariffs and Trade, the administration threatened to veto the bill. The Senate refused to include similar provisions. After long negotiations with the administration and the Senate, we reluctantly changed these provisions in the House bill in order to ensure that the remainder of the bill would pass in the other body and be signed by the President.

The negotiations with the administration have led me to believe that what is needed is not necessarily new laws or authority to deal with unfair competition, but a willingness to enforce the laws that are already on the books. Congress needs to do a better job of overseeing the administration's lax enforcement of our present trade laws.

The substitute section is intended to help in this oversight process by providing a foundation for future review by this and other committees on the implementation of the high-performance computing program, as well as trade issues relating to high technology in general. The annual reporting requirements on contracts and procurements made with foreign-owned companies and foreign education institutions will assist Congress in its oversight of the high-performance computing program. The review by the technology administration in the Department of Commerce of the United States-Japan supercomputer agreement will provide an opportunity for a different perspective—albeit from the administration—on the effects of such an agreement on Japanese and United States supercomputer manufacturers. Finally, the substitute reasserts that procurements under the program would be governed according to the terms of existing law, which directs a preference for domestic manufacturers in many situations, and which forbids procurements from nations found by the President to maintain a persistent practice of discrimination against U.S. goods or suppliers.

I want to acknowledge the assistance of the majority leader, the chairman of the Committee on Government Operations, Mr. CONYERS, and Mr. SABO in developing language in the substitute. With these tools, I can assure you that this committee will maintain close oversight over the implementation of the high-performance computing program to ensure that the program is carried out for the benefit of U.S. industry and researchers, as the administration has indicated it would be. Further, I intend to hold hearings in the next session of Congress on trade issues relating to high technology, and to review the report on the United States-Japan supercomputer agreement submitted by the Department of Commerce under this legislation.

To further assist us in the review of the supercomputer agreement, I also intend to request a study by the Government Accounting Office to review bidding procedures for procuring supercomputers, interagency processes and internal Government mechanisms for presenting and reviewing intended procurements of supercomputers, and the application of existing U.S. laws governing such procurements. Since jurisdiction over Federal procurement laws in general rests in the Government Operations Committee, I will work with the chairman of that committee, Mr. CONYERS, in framing the GAO study request, as well as with the majority leader and other Members who have been leaders on this issue.

Mr. Speaker, S. 272, as amended, is among the most important pieces of legislation that the Congress will consider this year. This bill is at the heart of the creation of an information infrastructure that will be essential for the Nation's future economic strength and competitiveness in the world.

This bill is a truly bipartisan measure. We worked closely with our Republican colleagues and also with the administration to ensure consistency between the bill and the activities associated with the high-performance computing and communications initiative, included in the President's 1992 budget request.

Mr. Speaker, I urge my colleagues to support passage of the amendment in the nature of a substitute to S. 272. This measure provides an opportunity to maintain U.S. leadership in areas which are important to the long-term well being of the Nation, and will be a major step toward providing an equitable distribution of information resources across the Nation. High-performance computing will both enhance economic competitiveness and provide a resource to stimulate the creative imaginations of the Nation's scientists and engineers.

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Mr. WALKER. Mr. Speaker, further reserving the right to object, I am happy to yield to the gentleman from North Carolina, the chairman of the subcommittee, who has been working so hard on the amendment.

Mr. VALENTINE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I rise for the purpose of expressing my appreciation to the chairman of the committee, the gentleman from California [Mr. BROWN], and the ranking member of the subcommittee, the gentleman from Florida [Mr. LEWIS], and to state that in my opinion this is one of the most important pieces of legislation that the

Congress has dealt with in the past several weeks.

Mr. Speaker, I rise in strong support of S. 272, the High Performance Computing Act of 1991. I want to acknowledge the foresight and leadership of Mr. GEORGE BROWN of California, chairman of the Committee on Science, Space, and Technology, for introducing the House version of this bill and moving the legislation forward. I also want to acknowledge the effort provided by Mr. TOM LEWIS, the ranking Republican member of the Subcommittee on Technology and Competitiveness, to ensure that this legislation had bipartisan support as it moved through the subcommittee and full committee.

The advancement of America's technological interests is crucial to our well-being. High-performance computing is a vital technology greatly affecting scientific, educational, and economic competitive interests. Advances in the current state of high-performance computing will offer scientists the needed tools to research critical problems such as global climate change, conservation of energy, and severe weather forecasting.

While the United States is still regarded as the world's leader in high-performance computing technologies, we are being challenged by foreign competitors. The need for continued rapid advancement of these technologies and the advances by Japan and other nations will increase this challenge.

Our Nation must continue to lead the way in the use and development of high-performance computing systems. We must continue to lead the way in developing and integrating advanced networks for use by researchers and educators.

We must broaden the application of high-performance computing to aid American companies in becoming more competitive both at home and abroad. The use of high-performance computing in the design, development, and manufacturing of products will permit companies to produce better quality and more reliable goods in a shorter period of time.

We must ensure America's continued leadership in this critical area. S. 272 will assist in achieving this goal by expanding the number of researchers, educators, students, and industrial users with training in, and access to, high-performance computing.

I urge my colleagues in the House to support this legislation. It is crucial to the well-being of our Nation.

Mr. WALKER. Mr. Speaker, further reserving the right to object, Chairman BROWN has invested a great deal of effort on this legislation, and I commend him for his dedication to bringing a good bill to the floor for final passage.

This consensus substitute for S. 272 perfects the Brown-Walker compromise on H.R. 656, which was passed by the House last June. The bill implements the provisions of the National High-Performance Computing Program, which was proposed by the President as part of his fiscal year 1992 budget request. It is a long-term plan for the development of an integrated high performance computing network. This bill is the product of many hours of discussion and consultation with Members on both sides of the aisle, with Members of the Senate, and with representatives of the administration, including the Office of Science and Technology Policy and the Office of the U.S. Trade Representative.

I am especially pleased that S. 272 not only emphasizes, but requires, extensive private sector involvement in the development, deployment, and operation of the National Research and Education Network. This close collaboration between Government and the computer, telecommunications, and information industries will ensure that the network meets the needs of private sectors users, serve to spur significant private investment in high-speed data networking, and minimize Federal investment in network hardware and switches, except for research and development purposes.

The bill is also fiscally responsible. The amounts authorized to be appropriated to the departments and agencies participating in the high-performance computing program for the next 5 years do not represent additional funding, but are to come out of total agency authorizations. These figures are consistent with the President's request. In this way, we will ensure that funding for the program becomes an integral part of the agencies' operations.

I urge adoption of this legislation.

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

Mr. WALKER. Further reserving the right to object, I am happy to yield to gentleman from California.

Mr. BROWN. Mr. Speaker, this is a highly significant piece of legislation, as the gentleman from Pennsylvania [Mr. WALKER] has indicated. It reflects an agreement on a Presidential initiative, and it has the support of the administration. Most of the problems between the House and the Senate have been fully worked out.

There is one area which is not completely satisfactory to a number of Members of the House, and it has to do with the issue of the "Buy America" provision which is contained in the legislation. In order to have some assurance that this bill in its final form would be acceptable to the administration, the "Buy America" language originally passed by the House has been compromised, and I want to indicate that I regret it was necessary to do that. I had hoped that some of the Members who were concerned about this would be here to speak. After final action, I will ask unanimous consent that they be allowed to revise and extend their remarks to particularly include this issue.

Mr. FORD of Michigan. Mr. Speaker, I rise in support of the House and Senate agreements on S. 272, a bill to accelerate the research and development of high-performance computing in industry, business, research and education.

High-performance computing is becoming an indispendsable tool for improving our country's research, education, economic competitiveness, and defense capabilities.

Specifically, S. 272, which passed the House on July 11 as H.R. 656, provides for a focused and coordinated Federal research program in high-performance computing throughout several Federal agencies. The bill requires the Director of the Office of Science and Technology Policy to coordinate among the various Federal agencies a national network of high-speed computers, known as the National Research and Education Network. Funds are also made available to the Federal agencies, including the Department of Education, to carry out high-speed computer research and application.

I would like to note that the Education and Labor Committee has a particular interest in the application of high-performance computing to educational institutions and to libraries. The Department of Education can help train users of high-performance computing and in developing the application of this technology to education at every level, from research institutions to the classroom itself. Moreover, libraries as centers for receiving, processing and transmitting information, are natural partners for the National Research and Education Network. National libraries like the Library of Congress have long been at the leading edge of automation and of the electronic transmission of their holdings across the country, and their participation will greatly enhance the network's capabilities.

I am pleased that the High Performance Computing Act of 1991 has moved expeditiously through the Congress, and I urge my colleagues to approve the agreements recently reached between the House and Senate on this legislation.

Mr. LEWIS of Florida. Mr. Speaker, I rise in support of the high-performance computing legislation, H.R. 656, before the House. High-performance computing is a technology that is important for the national economic prosperity and competitiveness.

The High Performance Computing Act, H.R. 656, addresses this need by establishing a 5-year multiagency program for research and development of advanced computer hardware and software and advanced computer networks.

On April 25, 1991, the Office of Science and Techology Policy released a report on 22 critical technologies. One of the those identified was high-performance computing.

The OSTP report states;

The United States no longer has a clear lead in non-defense supercomputing applications, and competition in the development of supercomputing systems is growing rapidly.

This legislation is an important step in the direction of ensuring that we develop the computer technology to allow the United States to be competitive with other nations.

Nevertheless, it is just a first step which addresses Federal computing initiatives. There is much more that should be done to ensure our long-term competitiveness.

For example, Cray Research has essentially the only private-sector research program in supercomputers.

In 1990, Cray Research controlled 90 percent of the world's supercomputer business in 1980 and Japan had none. However, by 1990

Cray's share fell to approximately 50 percent and Japan's share of the supercomputer market rose to 28 percent.

The bill before us will benefit the private sector by providing technological advances developed by the Federal agencies, that will be available to U.S. industries.

I want to thank subcommittee Chairman VALENTINE, committee Chairman BROWN, and ranking member Mr. WALKER for their hard work and leadership in moving this important legislation.

I urge my colleagues' support of the High Performance Computing Act of 1991, H.R. 656, which is before us today.

Mr. GOODLING. Mr. Speaker, the Education and Labor Committee sought sequential referral of H.R. 656, the High Performance Computing Act of 1991, when it was first reported by the Science and Technology Committee. I am pleased to note many of the changes we made to improve the bill's responsiveness to education have been retained in the substitute we are considering today. I commend my colleagues on the Science and Technology Committee and in the other body for their efforts and urge the House to pass this bill.

At the same time, I must convey my sincere concerns that the Congress and the executive branch working with the private sector and the education community treat the education applications of the National Research and Education Network [NREN] as a priority. While the promoters of this legislation tout justly its benefits for education, much work is to be done to insure these grand visions are nothing more than lipservice.

As the network is created, it is absolutely essential that the needs and special applications of classroom education be taken into account. Its designers must be sensitive to the unique needs of education in rural settings or of young pupils. While the research applications of the network are apparent, the transfer of these applications for practical use in elementary, secondary, vocational, or even postsecondary undergraduate study are not automatic.

My hope is that the Education and Labor Committee together with the Science and Technology Committee will aggressively monitor the development of the network to insure it does meet the worthy goals its sponsors have set for it.

Again, I urge my colleagues to support this legislation.

Mr. PACKARD. Mr. Speaker, passage of the High-Performance Computing Act of 1991 is key to the U.S. ability to meet the challenges of the global marketplace. It is the application of new computing technologies and the usage of computational science and engineering, which will make our economy competitive in the long run. Access to the most advanced computational tools for our aerospace, automobile, pharmaceutical, and manufacturing industries is key to keeping the U.S. competitive.

High-performance computing has proven to be a powerful tool in manufacturing process, product development, and scientific research. The coopertive, interagency initiative before us today will spur progress and innovation in high-performance computing. Enhancing the Nation's educational infrastructure through the National Research and Education Network is another high priority of this legislation. This network will link scientists, engineers, and educational institutions across the Nation through computers.

An essential element of this legislation will be utilization of the five supercomputer centers supported by the National Science Foundation. The San Diego Supercomputer Center, which currently serves over 3,000 researchers throughout the Nation, is the only National Science Foundation Supercomputing Center located west of the Mississippi. The implementation of a 3-gigabit data communications network, as identified in the high performance computing [HPC] legislation, will make the resources of this national computational science and engineering laboratory accessible to an increasing number of educators, researchers, and students throughout the Nation.

I urge my colleagues to pass this legislation.

Mr. BOUCHER. Mr. Speaker, I rise in support of the amendment in the nature of a substitute to S. 272, the High-Performance Computing Act of 1991.

I want to thank the chairman of the full committee, Mr. BROWN, for his leadership in introducing this legislation in the House and in moving it forward. I particularly want to acknowledge the able assistance of the ranking Republican member of the Subcommittee on Science, Mr. PACKARD, regarding the subcommittee's role in assisting with the development of the compromise amendment.

Federal support for research and development activities is often characterized as an investment in the future. The truth of this assertion can be shown convincingly for the case of high-performance computing. Because of advances in high-performance computing, automobile manufacturers can now crash test their products without bending any metal. Aerospace companies can design aircraft and missiles without use of wind tunnels. Astronomers can observe the dynamics of colliding galaxies from the comfort of their offices.

In short, high-performance computing is emerging as a powerful tool in science and engineering research, in product and process development, and in all aspects of manufacturing. But the true power and breadth of applicability of these technologies is only now being realized. More powerful computers and innovative software will allow the creation of elaborate models of natural processes capable of fast-forwarding climate, zooming-in on the interaction of molecules, or slowing down the physics of subatomic particles. New insights and better understanding of the natural world will emerge from the capability to look at phenomena at the right size and the right speed.

The High-Performance Computing Act will consolidate and focus national R&D activities so as to capitalize on recent advances in computers, software and networking technologies and to accelerate developments in areas with potentially high scientific or technological payoffs. An important focus of the R&D program is to tackle classes of particularly difficult problems, which are often called grand challenges. Such problems include modeling of climate to assess the consequences of human activities; analysis of the fundamental structure of materials to develop, for example, better high-temperature superconductors; and determination of the function of biologically important molecules to unlock the secrets of cell biology, and thereby, open new avenues for the cure of disease.

The legislation will also establish a high-capacity national data network to allow for the full potential of high-performance computing to be realized. The National Research and Education Network will bring every scientist and engineer as close as his personal computer to collaborations with colleagues across the country, to access to central facilities, such as supercomputers, and to access to specialized data bases, such as global climate data. Establishing the national network will involve developing a new generation of software and high-speed switches, as well as uniform protocols and standards, to facilitate the transmission of data at high rates through existing fiber optic cables and satellite links. The national network will result in an equitable distribution of scientific and information resources throughout the Nation.

Mr. Speaker, S. 272, as amended, provides for a balanced program to accelerate development of all aspects of high-performance computing. We have the opportunity with this legislation to ensure scientific and technological progress in fields of enormous importance to the future well being of society.

I am pleased to commend this bill to the House for its approval.

Mr. WALKER. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 272

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "High-Performance Computing and National Research and Education Network Act of 1991".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Advances in computer science and technology are vital to the Nation's prosperity, national and economic security, industrial production, engineering, and scientific advancement.

(2) The United States currently leads the world in the development and use of high-performance computing for national security, industrial productivity, science, and engineering, but that lead is being challenged by foreign competitors.

(3) Further research and development, expanded educational programs, improved computer research networks, and more effective technology transfer from government to industry are necessary for the United States to fully reap the benefits of high-performance computing.

(4) Several Federal agencies have ongoing high-performance computing programs, but improved interagency coordination, cooperation, and planning would enhance the effectiveness of these programs.

(5) A high-speed national research and education computer network would provide researchers and educators with access to computer and information resources and act as a

test bed for further research and development of high-speed computer networks.

(6) A 1991 report entitled "Grand Challenges: High-Performance Computing and Communications" by the Office of Science and Technology Policy, outlining a research and development strategy for high-performance computing, provides a framework for a multi-agency high-performance computing program. Such a program would provide American researchers and educators with the computer and information resources they need, and demonstrate how advanced computers, high-speed networks, and electronic data bases can improve the national information infrastructure for use by all Americans.

SEC. 3. PURPOSE.

The purpose of this Act is to help ensure the continued leadership of the United States in high-performance computing and its applications by requiring that the United States Government—

(1) increase Federal support for research, development, and application of high-performance computing in order to—

(A) expand the number of researchers, educators, and students with training in high-performance computing and access to high-performance computing resources;

(B) establish a high-speed national research and education computer network;

(C) promote the further development of an information infrastructure of data bases, services, access mechanisms, and research facilities which are available for use through such a national network;

(D) stimulate research on software technology;

(E) promote the more rapid development and wider distribution of computer software tools and applications software;

(F) accelerate the development of computer systems and subsystems;

(G) provide for the application of high-performance computing to fundamental problems in science and engineering, with broad economic and scientific impact;

(H) invest in basic research and education; and

(I) promote greater collaboration among government, Federal laboratories, industry, and universities;

(2) authorize a high-speed national research and education computer network; and

(3) improve the interagency planning and coordination of Federal research and development on high-performance computing and maximize the effectiveness of the Federal Government's high-performance computing efforts.

TITLE I—HIGH-PERFORMANCE COMPUTING AND THE NATIONAL RESEARCH AND EDUCATION NETWORK

SEC. 101. HIGH-PERFORMANCE COMPUTING.

(a)(1) The President shall establish and, through the Director of the Office of Science and Technology Policy (hereinafter referred to as the "Director"), coordinate a National High-Performance Computing Program (hereinafter referred to as the "Program").

(2) The Program shall—

(A) establish the goals and priorities for Federal high-performance computing research, development, networking, and other activities; and

(B) provide for interagency coordination of Federal high-performance computing research, development, networking, and other activities undertaken pursuant to the Program.

(3) The Program shall provide for—

(A) oversight of the operation and evolution of the National Research and Education Network (as described under section 102 and referred to in this Act at the "Network") and the establishment of policies for the management of and access to the Network;

(B) efforts to increase software availability, productivity, capability, portability, and reliability;

(C) improved dissemination of Federal agency data and electronic information;

(D) acceleration of the development of high-performance computer systems, subsystems, and associated software;

(E) the technical support and research and development of high-performance computer software and hardware needed to address Grand Challenges;

(F) educating and training additional undergraduate and graduate students in software engineering, computer science, library and information science, and computational science; and

(G) the security requirements and policies necessary to protect Federal research computer networks and information resources accessible through Federal research computer networks.

(4) The President, through the Director, shall submit to the Congress an annual report along with the President's annual budget request, describing the implementation of the Program. The annual report shall—

(A) describe the goals and priorities of the Program, and analyze the progress made toward achieving those goals and priorities; and

(B) describe for each agency and department participating in the Program the levels of Federal funding for the fiscal year during which such report is submitted and the levels proposed for the fiscal year with respect to which the budget submission applies, for Program activities, including education, research, hardware and software development, and support for the establishment of the Network.

(5) The Director shall be provided, in a timely fashion, with an opportunity to review and comment on the budget estimate of each agency and department participating in the Program and shall identify in each annual budget submitted to the Congress under section 1105 of title 31, United States Code, those items in each agency's or department's annual budget which are elements of the Program.

(b) The President shall establish an advisory committee on high-performance computing consisting of prominent representatives from industry and academia who are specially qualified to provide the Director with advice and information on high-performance computing. The advisory committee shall provide the Director with an independent assessment of—

(1) progress made in implementing the Program;

(2) the need to revise the Program;

(3) the balance between the components of the Program; and

(4) whether the research and development undertaken pursuant to the Program is helping to maintain United States leadership in computing technology.

(c) Each Federal agency and department participating in the Program shall, as part of its annual request for appropriations to the Office of Management and Budget, submit a report to the Office of Management and Budget identifying each element of its high-performance computing activities, which—

(1) contributes directly to the Program or benefits from the Program; and

(2) states the portion of its request for appropriations that is allocated to each such element.

(d) As used in this section, the term "Grand Challenge" means a fundamental problem in science and engineering, with broad economic and scientific impact, whose solution will require the application of high-performance computing resources.

SEC. 102. NATIONAL RESEARCH AND EDUCATION NETWORK.

(a) As part of the Program established by section 101, the National Science Foundation, the Department of Defense, the Department of Energy, the Department of Commerce, the National Aeronautics and Space Administration, and other agencies participating in the Program shall support the establishment of a national multi-gigabit-per-second research and education computer network by 1996, to be known as the National Research and Education Network, to link research and educational institutions, government, and industry, in every State. Federal agencies shall work with State and local agencies, libraries, educational institutions and organizations, private network service providers, and others in order to ensure that researchers, educators, and students have access to the Network. To the extent that the private sector, state and local governments, and other Federal agencies do not connect colleges, universities, and libraries to the Network, the National Science Foundation shall have primary responsibility for connecting colleges, universities, and libraries to the Network.

(b) The Network is to provide users with appropriate access to supercomputers, electronic information resources, other research facilities, and libraries, and at the same time act as a test bed for further research and development of high-speed computer networks and demonstrate how advanced computers, high-speed computer networks, and data bases can improve the national information infrastructure.

(c) The Network shall—

(1) be developed in close cooperation with the computer, telecommunications, and information industries;

(2) be designed, developed, and operated in collaboration with potential users in government, industry, and the education community;

(3) link existing Federal and non-Federal computer networks, to the extent appropriate, in a way that allows autonomy within each component network;

(4) be designed, developed, and operated in a manner which fosters and maintains competition and private sector investment in high-speed data networking within the telecommunications industry;

(5) be designed, developed, and operated in a manner which promotes research and development leading to development of commercial data communications and telecommunications standards; and

(6) be developed by purchasing standard commercial transmission and network services from vendors whenever feasible, and by contracting for customized services when not feasible.

(d) To encourage use of the Network by commercial information service providers, where technically feasible, the Network shall be managed to cooperate with the needs of commercial sector users to develop accounting mechanisms which allow, where appropriate, users or groups of users to be charged for their usage of copyrighted materials available over the Network. The Network shall be designed and operated so as to

ensure the continued application of laws that provide network and information resources security measures, including those that protect copyright and other intellectual property rights, and those that control access to data bases and protect national security.

(e) The Department of Defense, through the Defense Advanced Research Projects Agency, shall support research and development of advanced fiber optics technology, switches, and protocols needed to develop the Network.

(f) In addition to other agency activities associated with the establishment of the Network—

(1) the National Institute of Standards and Technology shall develop and propose a common set of standards and guidelines to provide interoperability, common user interfaces to systems, and security for the Network; and

(2) all Federal agencies and departments funding research are authorized to allow recipients of Federal research grants to use grant monies to pay for computer networking expenses.

(g) Within one year after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall report to the Congress on—

(1) effective mechanisms for providing operating funds for the maintenance and use of the Network, including user fees, industry support, and continued Federal investment;

(2) the future operation and evolution of the Network;

(3) how commercial information service providers could be charged for access to the Network, and how Network users could be charged for such commercial information services;

(4) the technological feasibility of allowing commercial information service providers to use the Network and other federally-funded research networks;

(5) how to protect the copyrights of material distributed over the Network; and

(6) appropriate policies to ensure the security of resources available on the Network and to protect the privacy of users of networks.

(h) The Director shall assist the President in coordinating the activities of appropriate agencies and departments to promote the development of information services that could be provided over the Network. These services may include the provision of directories of the users and services on computer networks, data bases of unclassified Federal scientific data, training of users of data bases and computer networks, access to commercial information services for users of the Network, and technology to support computer-based collaboration that allows researchers and educators around the Nation to share information and instrumentation. The information services accessible over the Network shall be provided in accordance with applicable law. Appropriate protection shall be provided for copyright and other intellectual property rights of information providers and Network users, including appropriate mechanisms for fair remuneration of copyright holders for availability of and access to their works over the Network.

TITLE II—AGENCY ACTIVITIES

SEC. 201. NATIONAL SCIENCE FOUNDATION ACTIVITIES.

(a) The National Science Foundation shall provide computing and networking infrastructure support for all science and engineering disciplines, and shall support basic research and human resource development in computer science, computational science and engineering, library and information sciences, and computer engineering. The National Science Foundation shall provide funding to help researchers access supercomputers. Prior to deployment of the Network, the National Science Foundation shall maintain, expand, and upgrade its existing computer networks.

(b)(1) There are authorized to be appropriated to the National Science Foundation for the purposes of this Act, $46,000,000 for fiscal year 1992, $88,000,000 for fiscal year 1993, $145,000,000 for fiscal year 1994, $172,000,000 for fiscal year 1995, and $199,000,000 for fiscal year 1996.

(2) Of the amounts authorized to be appropriated under paragraph (1), there are authorized for activities in support of the Network, in accordance with the purposes of section 102, $15,000,000 for fiscal year 1992, $25,000,000 for fiscal year 1993, $55,000,000 for fiscal year 1994, $50,000,000 for fiscal year 1995, and $50,000,000 for fiscal year 1996.

(3) The amounts authorized to be appropriated under this subsection are in addition to any amounts that may be authorized to be appropriated under other laws.

SEC. 202. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION ACTIVITIES.

(a) The National Aeronautics and Space Administration shall continue to conduct basic and applied research in high-performance computing, particularly in the field of computational science, with emphasis on aeronautics and the processing of remote sensing and space science data.

(b)(1) There are authorized to be appropriated to the National Aeronautics and Space Administration for the purposes of this Act $22,000,000 for fiscal year 1992, $45,000,000 for fiscal year 1993, $67,000,000 for fiscal year 1994, $89,000,000 for fiscal year 1995, and $115,000,000 for fiscal year 1996.

(2) The amounts authorized to be appropriated under this subsection are in addition to any amounts that are authorized to be appropriated under other laws.

SEC. 203. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACTIVITIES.

(a) The National Institute of Standards and Technology shall develop and propose standards and guidelines, and develop measurement techniques and test methods, for the interoperability of high-performance computers in networks and for common user interfaces to systems. In addition, the National Institute of Standards and Technology shall be responsible for developing benchmark tests and standards for high-performance computers and software. Pursuant to the Computer Security Act of 1987 (Public Law 100-235; 101 Stat. 1724), the National Institute of Standards and Technology shall continue to be responsible for developing and proposing standards and guidelines needed to assure the cost-effective security and privacy of sensitive information in Federal computer systems.

(b)(1) There are authorized to be appropriated to the National Institute of Standards and Technology for the purposes of this Act $3,000,000 for fiscal year 1992, $4,000,000 for fiscal year 1993, $6,000,000 for fiscal year 1994, $8,000,000 for fiscal year 1995, and $10,000,000 for fiscal year 1996.

(2) The amounts authorized to be appropriated under this subsection are in addition to any amounts that are authorized to be appropriated under other laws.

SEC. 204. DEPARTMENT OF ENERGY ACTIVITIES.

(a) The Secretary of Energy shall—

(1) perform research and development on, and systems evaluations of, high-performance computing and communications systems;

(2) conduct computational research with emphasis on energy applications;

(3) support basic research, education, and human resources in computational science; and

(4) provide for networking infrastructure support for energy-related mission activities.

(b) The Secretary of Energy shall establish two High-Performance Computing Research and Development Collaborative Consortia by soliciting and selecting proposals, and is authorized to establish as many more as may be needed. Each Collaborative Consortium shall—

(1) conduct research directed at scientific and technical problems whose solutions require the application of high-performance computing and communications resources;

(2) promote the testing and uses of new types of high-performance computing and related software and equipment;

(3) serve as a vehicle for computing vendors to test new ideas and technology in a sophisticated computing environment; and

(4) be led by a Department of Energy national laboratory, and include participants from Federal agencies and departments, researchers, private industry, educational institutions, and others as the Secretary of Energy may deem appropriate.

(c) The results of such research and development shall be transferred to the private sector and others in accordance with applicable law.

(d) Within one year after the date of enactment of this Act and every year thereafter, the Secretary of Energy shall transmit to the Senate and House of Representatives a report on activities taken to carry out this Act.

(e) For fiscal years 1992, 1993, 1994, 1995, and 1996 there are authorized to be appropriated such funds as may be necessary to carry out the activities authorized by this section.

SEC. 205. STUDY ON IMPACT OF FEDERAL PROCUREMENT REGULATIONS.

(a) The Secretary of Commerce shall conduct a study to—

(1) evaluate the impact of Federal procurement regulations which require that contractors providing software to the Federal Government share the rights to proprietary software development tools that the contractors used to develop the software; and

(2) determine whether such regulations discourage development of improved software development tools and techniques.

(b) The Secretary shall, within one year after the date of enactment of this Act, report to the Congress regarding the results of the study conducted under subsection (a).

SEC. 206. MISCELLANEOUS PROVISIONS.

(a) Except to the extent that the appropriate Federal agency or department head determines applicable, the provisions of this Act shall not apply to—

(1) programs or activities regarding computer systems that process classified information; or

(2) computer systems the function, operation, or use of which are those delineated in paragraphs (1) through (5) of section 2315(a) of title 10, United States Code.

(b) Federal agencies and departments, and their grantees and contractors, may acquire prototype and early production models of new high-performance computer and communications systems and subsystems, including software and related products and services, to stimulate hardware and software development.

MOTION OFFERED BY MR. BROWN

Mr. BROWN. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. BROWN moves to strike all after the enacting clause of the Senate bill, S. 272, and to insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "High-Performance Computing Act of 1991".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Advances in computer science and technology are vital to the Nation's prosperity, national and economic security, industrial production, engineering, and scientific advancement.

(2) The United States currently leads the world in the development and use of high-performance computing for national security, industrial productivity, science, and engineering, but that lead is being challenged by foreign competitors.

(3) Further research and development, expanded educational programs, improved computer research networks, and more effective technology transfer from government to industry are necessary for the United States to reap fully the benefits of high-performance computing.

(4) A high-capacity and high-speed national research and education computer network would provide researchers and educators with access to computer and information resources and act as a test bed for further research and development of high-capacity and high-speed computer networks.

(5) Several Federal agencies have ongoing high-performance computing programs, but improved long-term interagency coordination, cooperation, and planning would enhance the effectiveness of these programs.

(6) A 1991 report entitled "Grand Challenges: High-Performance Computing and Communications" by the Office of Science and Technology Policy, outlining a research and development strategy for high-performance computing, provides a framework for a multiagency high-performance computing program. Such a program would provide American researchers and educators with the computer and information resources they need, and demonstrate how advanced computers, high-capacity and high-speed networks, and electronic data bases can improve the national information infrastructure for use by all Americans.

SEC. 3. PURPOSE.

The purpose of this Act is to help ensure the continued leadership of the United States in high-performance computing and its applications by—

(1) expanding Federal support for research, development, and application of high-performance computing in order to—

(A) establish a high-capacity and high-speed National Research and Education Network;

(B) expand the number of researchers, educators, and students with training in high-performance computing and access to high-performance computing resources;

(C) promote the further development of an information infrastructure of data bases, services, access mechanisms, and research facilities available for use through the Network;

(D) stimulate research on software technology;

(E) promote the more rapid development and wider distribution of computer software tools and applications software;

(F) accelerate the development of computing systems and subsystems;

(G) provide for the application of high-performance computing to Grand Challenges;

(H) invest in basic research and education, and promote the inclusion of high-performance computing into educational institutions at all levels; and

(I) promote greater collaboration among government, Federal laboratories, industry, high-performance computing centers, and universities; and

(2) improving the interagency planning and coordination of Federal research and development on high-performance computing and maximizing the effectiveness of the Federal Government's high-performance computing efforts.

SEC. 4. DEFINITIONS.

As used in this act, the term—

(1) "Director" means the Director of the Office of Science and Technology Policy;

(2) "Grand Challenge" means a fundamental problem in science or engineering, with broad economic and scientific impact, whose solution will require the application of high-performance computing resources;

(3) "high-performance computing" means advanced computing, communications, and information technologies, including scientific workstations, supercomputer systems (including vector supercomputers and large scale parallel systems), high-capacity and high-speed networks, special purpose and experimental systems, and applications and systems software;

"Network" means a computer network referred to as the National Research and Education Network established under section 102; and

(5) "Program" means the National High-Performance Computing Program described in section 101.

TITLE I—HIGH-PERFORMANCE COMPUTING AND THE NATIONAL RESEARCH AND EDUCATION NETWORK

SEC. 101. NATIONAL HIGH-PERFORMANCE COMPUTING PROGRAM.

(a) NATIONAL HIGH-PERFORMANCE COMPUTING PROGRAM.—(1) The President shall implement a National High-Performance Computing Program, which shall—

(A) establish the goals and priorities for Federal high-performance computing research, development, networking, and other activities; and

(B) provide for interagency coordination of Federal high-performance computing research, development, networking, and other activities undertaken pursuant to the Program.

(2) The Program shall—

(A) provide for the establishment of policies for management and access to the Network;

(B) provide for oversight of the operation and evolution of the Network;

(C) promote connectivity among computer networks of Federal agencies and departments;

(D) provide for efforts to increase software availability, productivity, capability, portability, and reliability;

(E) provide for improved dissemination of Federal agency data and electronic information;

(F) provide for acceleration of the development of high-performance computing systems, subsystems, and associated software;

(G) provide for the technical support and research and development of high-performance computing software and hardware needed to address Grand Challenges;

(H) provide for educating and training additional undergraduate and graduate students in software engineering, computer science, library and information science, and computational science; and

(I) provide—

(i) for the security requirements, policies, and standards necessary to protect Federal research computer networks and information resources accessible through Federal research computer networks, including research required to establish security standards for high-performance computing systems and networks; and

(ii) that agencies and departments identified in the annual report submitted under paragraph (3)(A) shall define and implement a security plan consistent with the Program and with applicable law.

(3) The Director shall—

(A) submit to the Congress an annual report, along with the President's annual budget request, describing the implementation of the Program;

(B) provide for interagency coordination of the Program; and

(C) consult with academic, State, industry, and other appropriate groups conducting research on and using high-performance computing.

(4) The annual report submitted under paragraph (3)(A) shall—

(A) include a detailed description of the goals and priorities established by the President for the Program;

(B) set forth the relevant programs and activities, for the fiscal year with respect to which the budget submission applies, of each Federal agency and department, including—

(i) the Department of Agriculture;

(ii) The Department of Commerce;

(iii) the Department of Defense;

(iv) the Department of Education;

(v) the Department of Energy;

(vi) the Department of Health and Human Services;

(vii) the Department of the Interior;

(viii) the Environmental Protection Agency;

(ix) the National Aeronautics and Space Administration;

(x) the National Science Foundation;

(xi) such other agencies and departments as the President or the Director considers appropriate;

(C) describe the levels of Federal funding for the fiscal year during which such report is submitted, and the levels proposed for the fiscal year with respect to which the budget submission applies, for specific activities, including education, research, hardware and software development, and support for the establishment of the Network;

(D) describe the levels of Federal funding for each agency and department participating in the Program for the fiscal year during which such report is submitted, and the levels proposed for the fiscal year with respect to which the budget submission applies; and

(E) include an analysis of the progress made toward achieving the goals and priorities established for the Program.

(b) HIGH-PERFORMANCE COMPUTING ADVISORY COMMITTEE.—The President shall establish an advisory committee on high-performance computing consisting of non-Federal members, including representatives of the research, education, and library communities, network providers, and industry, who are specially qualified to provide the Director with advice and information on high-performance computing. The recommendations of the advisory committee shall be considered in reviewing and revising the Program. The advisory committee shall provide the Director with an independent assessment of—

(1) progress made in implementing the Program;

(2) the need to revise the Program;

(3) the balance between the components of the Program;

(4) whether the research and development undertaken pursuant to the Program is helping to maintain United States leadership in computing technology; and

(5) other issues identified by the Director.

(c) OFFICE OF MANAGEMENT AND BUDGET.—(1) Each Federal agency and department participating in the Program shall, as part of its annual request for appropriations to the Office of Management and Budget, submit a report to the Office of Management and Budget which—

(A) identifies each element of its high-performance computing activities which contributes directly to the Program or benefits from the Program; and

(B) states the portion of its request for appropriations that is allocated to each such element.

(2) The Office of Management and Budget shall review each such report in light of the goals, priorities, and agency and departmental responsibilities set forth in the annual report submitted under subsection (a)(3)(A), and shall include, in the President's annual budget estimate, a statement of the portion of each appropriate agency's or department's annual budget estimate relating to its activities undertaken pursuant to the Program.

SEC. 102. NATIONAL RESEARCH AND EDUCATION NETWORK.

(a) ESTABLISHMENT.—As part of the Program, the National Science Foundation, the Department of Defense, the Department of Energy, the Department of Commerce, the National Aeronautics and Space Administration, and other agencies participating in the Program shall support the establishment of the National Research and Education Network, portions of which shall, to the extent technically feasible, be capable of transmitting data at one gigabit per second or greater by 1996. The Network shall provide for the linkage of research institutions and educational institutions, government, and industry in every State.

(b) ACCESS.—Federal agencies and departments shall work with private network service providers, State and local agencies, libraries, educational institutions and organizations, and others, as appropriate, in order to ensure that the researchers, educators, and students have access, as appropriate, to the Network. The Network is to provide users with appropriate access to high-performance computing systems, electronic information resources, other research facilities, and libraries. The Network shall provide access, to the extent practicable, to electronic information resources maintained by libraries, research facilities, publishers, and affiliated organizations.

(c) NETWORK CHARACTERISTICS.—The Network shall—

(1) be developed and deployed with the computer, telecommunications, and information industries;

(2) be designed, developed, and operated in collaboration with potential users in government, industry, and research institutions and educational institutions;

(3) be designed, developed, and operated in a manner which fosters and maintains competition and private sector investment in high-speed data networking within the telecommunications industry;

(4) be designed, developed, and operated in a manner which promotes research and development leading to development of commercial data communications and telecommunications standards, whose development will encourage the establishment of privately operated high-speed commercial networks;

(5) be designed and operated so as to ensure the continued application of laws that provide network and information resources security measures, including those that protect copyright and other intellectual property rights, and those that control access to data bases and protect national security;

(6) have accounting mechanisms which allow users or groups of users to be charged for their usage of copyrighted materials available over the Network and, where appropriate and technically feasible, for their usage of the Network;

(7) ensure that interoperability of Federal and non-Federal computer networks, to the extent appropriate, in a way that allows autonomy for each component network;

(8) be developed by purchasing standard commercial transmission and network services from vendors whenever feasible, and by contracting for customized services when not feasible, in order to minimize Federal investment in network hardware;

(9) support research and development of networking software and hardware; and

(10) serve as a test bed for further research and development of high-capacity and high-speed computing networks and demonstrate how advanced computers, high-capacity and high-speed computing networks, and data bases can improve the national information infrastructure.

(d) DEFENSE ADVANCED RESEARCH PROJECTS AGENCY RESPONSIBILITY.—As part of the Program, the Department of Defense, through the Defense Advanced Research Projects Agency, shall support research and development of advanced fiber optics technology, switches, and protocols needed to develop the Network.

(e) INFORMATION SERVICES.—The Director shall assist the President in coordinating the activities of appropriate agencies and departments to promote the development of information services that could be provided over the Network. These services may include the provision of directories of the users and services on computer networks, data bases of unclassified Federal scientific data, training of users of data bases and computer networks, access to commercial information services for users of the Network, and technology to support computer-based collaboration that allows researchers and educators around the Nation to share information and instrumentation.

(f) USE OF GRANT FUNDS.—All Federal agencies and departments are authorized to allow recipients of Federal research grants to use grant moneys to pay for computer networking expenses.

(g) REPORT TO CONGRESS.—Within one year after the date of enactment of this Act, the Director shall report to the Congress on—

(1) effective mechanisms for providing operating funds for the maintenance and use of the Network, including user fees, industry support, and continued Federal investment;

(2) the future operation and evolution of the Network;

(3) how commercial information service providers could be charged for access to the Network, and how Network users could be charged for such commercial information services;

(4) the technological feasibility of allowing commercial information service providers to use the Network and other federally funded research networks;

(5) how to protect the copyrights of material distributed over the Network; and

(6) appropriate policies to ensure that security of resources available on the Network and to protect the privacy of users of networks.

TITLE II—AGENCY ACTIVITIES

SEC. 201. NATIONAL SCIENCE FOUNDATION ACTIVITIES.

(a) GENERAL RESPONSIBILITIES.—As part of the Program described in title I—

(1) the National Science Foundation shall provide computing and networking infrastructure support for all science and engineering disciplines, and support basic research and human resource development in all aspects of high-performance computing and advanced high-speed computer networking;

(2) to the extent that colleges, universities, and libraries cannot connect to the Network with the assistance of the private sector, the National Science Foundation shall have primary responsibility for assisting colleges, universities, and libraries to connect to the Network;

(3) the National Science Foundation shall serve as the primary source of information on access to and use of the Network; and

(4) the National Science Foundation shall upgrade the National Science Foundation funded network, assist regional networks to upgrade their capabilities, and provide other Federal departments and agencies the opportunity to connect to the National Science Foundation funded network.

(b) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the National Science Foundation for the purposes of the Program $213,000,000 for fiscal year 1992; $262,000,000 for fiscal year 1993; $305,000,000 for fiscal year 1994; $354,000,000 for fiscal year 1995; and $413,000,000 for fiscal year 1996.

SEC. 202. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION ACTIVITIES.

(a) GENERAL RESPONSIBILITIES.—As part of the Program described in title I, the National Aeronautics and Space Administration shall conduct basic and applied research in high-performance computing, particularly in the field of computational science, with emphasis on aerospace sciences, earth and space sciences, and remote exploration and experimentation.

(b) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the National Aeronautics and Space Administration for the purposes of the Program $72,000,000 for fiscal year 1992; $107,000,000 for fiscal year 1993; $134,000,000 for fiscal year 1994; $151,000,000 for fiscal year 1995; and $145,000,000 for fiscal year 1996.

SEC. 203. DEPARTMENT OF ENERGY ACTIVITIES.

(a) GENERAL RESPONSIBILITIES.—As part of the Program described in title I, the Secretary of Energy shall—

(1) perform research and development on, and systems evaluations of, high-performance computing and communications systems;

(2) conduct computational research with emphasis on energy applications;

(3) support basic research, education, and human resources in computational science; and

(4) provide for networking infrastructure support for energy-related mission activities.

(b) COLLABORATIVE CONSORTIA.—In accordance with the Program, the Secretary of Energy shall establish High-Performance Com-

puting Research and Development Collaborative Consortia by soliciting and selecting proposals. Each Collaborative Consortium shall—

(1) conduct research directed at scientific and technical problems whose solutions require the application of high-performance computing and communications resources;

(2) promote the testing and uses of new types of high-performance computing and related software and equipment;

(3) serve as a vehicle for participating vendors of high-performance computing systems to test new ideas and technology in a sophisticated computing environment; and

(4) be led by a Department of Energy national laboratory, and include participants from Federal agencies and departments, researchers, private industry, educational institutions, and others as the Secretary of Energy may deem appropriate.

(c) TECHNOLOGY TRANSFER.—The results of research and development carried out under this section shall be transferred to the private sector and others in accordance with applicable law.

(d) ANNUAL REPORTS TO CONGRESS.—Within one year after the date of enactment of this Act and every year thereafter, the Secretary of Energy shall transmit to the Congress a report on activities taken to carry out this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the Secretary of Energy for the purposes of the Program $93,000,000 for fiscal year 1992; $110,000,000 for fiscal year 1993; $138,000,000 for fiscal year 1994; $157,000,000 for fiscal year 1995; and $169,000,000 for fiscal year 1996.

(2) There are authorized to be appropriated to the Secretary of Energy for fiscal years 1992, 1993, 1994, 1995, and 1996, such funds as may be necessary to carry out the activities that are not part of the Program but are authorized by this section.

SEC. 204. DEPARTMENT OF COMMERCE ACTIVITIES.

(a) GENERAL RESPONSIBILITIES.—As part of the Program described in title I—

(1) the National Institute of Standards and Technology shall—

(A) conduct basic and applied measurement research needed to support various high-performance computing systems and networks;

(B) develop and propose standards and guidelines, and develop measurement techniques and test methods, for the interoperability of high-performance computing systems in networks and for common user interfaces to systems; and

(C) be responsible for developing benchmark tests and standards for high-performance computing systems and software; and

(2) the National Oceanic and Atmospheric Administration shall conduct basic and applied research in weather prediction and ocean sciences, particularly in development of new forecast models, in computational fluid dynamics, and in the incorporation of evolving computer architectures and networks into the systems that carry out agency missions.

(b) HIGH-PERFORMANCE COMPUTING AND NETWORK SECURITY.—Pursuant to the Computer Security Act of 1987 (Public Law 100-235; 101 Stat. 1724), the National Institute of Standards and Technology shall be responsible for developing and proposing standards and guidelines needed to assure the cost-effective security and privacy of sensitive information in Federal computer systems.

(c) STUDY OF IMPACT OF FEDERAL PROCUREMENT REGULATIONS.—(1) The Secretary of Commerce shall conduct a study to—

(A) evaluate the impact of Federal procurement regulations that require that contractors providing software to the Federal Government share the rights to proprietary software development tools that the contractors use to develop the software; and

(B) determine whether such regulations discourage development of improved software development tools and techniques.

(2) The Secretary of Commerce shall, within one year after the date of enactment of this Act, report to the Congress regarding the results of the study conducted under paragraph (1).

(d) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated—

(1) to the National Institute of Standards and Technology for the purposes of the Program $3,000,000 for fiscal year 1992; $4,000,000 for fiscal year 1993; $5,000,000 for fiscal year 1994; $6,000,000 for fiscal year 1995; and $7,000,000 for fiscal year 1996; and

(2) to the National Oceanic and Atmospheric Administration for the purposes of the Program $2,500,000 for fiscal year 1992; $3,000,000 for fiscal year 1993; $3,500,000 for fiscal year 1994; $4,000,000 for fiscal year 1995; and $4,500,000 for fiscal year 1996.

SEC. 205. ENVIRONMENTAL PROTECTION AGENCY ACTIVITIES.

(a) GENERAL RESPONSIBILITIES.—As part of the Program described in title I, the Environmental Protection Agency shall conduct basic and applied research directed toward the advancement and dissemination of computational techniques and software tools which form the core of ecosystem, atmospheric chemistry, and atmospheric dynamics models.

(b) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the Environmental Protection Agency for the purposes of the Program $5,000,000 for fiscal year 1992; $5,500,000 for fiscal year 1993; $6,000,000 for fiscal year 1994; $6,500,000 for fiscal year 1995; and $7,000,000 for fiscal year 1996.

SEC. 206. ROLE OF THE DEPARTMENT OF EDUCATION.

(a) GENERAL RESPONSIBILITIES.—As part of the Program described in title I, the Secretary of Education is authorized to conduct basic and applied research in computational research with an emphasis on the coordination of activities with libraries, school facilities, and education research groups with respect to the advancement and dissemination of computational science and the development, evaluation and application of software capabilities.

(b) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the Department of Education for the purposes of this section $1,500,000 for fiscal year 1992; $1,700,000 for fiscal year 1993; $1,900,000 for fiscal year 1994; $2,100,000 for fiscal year 1995; and $2,300,000 for fiscal year 1996.

SEC. 207. MISCELLANEOUS PROVISIONS

(a) NONAPPLICABILITY.—Except to the extent the appropriate Federal agency or department head determines, the provisions of this Act shall not apply to—

(1) programs or activities regarding computer systems that process classified information; or

(2) computer systems the function, operation, or use of which are those delineated in paragraphs (1) through (5) of section 2315(a) of title 10, United States Code.

(b) ACQUISITION OF PROTOTYPE AND EARLY PRODUCTION MODELS.—In accordance with Federal contracting law, Federal agencies and departments participating in the Program may acquire prototype or early production models of new high-performance computing systems and subsystems to stimulate hardware and software development. Items of computing equipment acquired under this subsection shall be considered research computers for purposes of applicable acquisition regulations.

SEC. 208. FOSTERING UNITED STATES COMPETITIVENESS IN HIGH-PERFORMANCE COMPUTING AND RELATED ACTIVITIES.

(a) FINDINGS.—The Congress finds the following:

(1) High-performance computing and associated technologies are critical to the United States economy.

(2) While the United States has led the development of high-performance computing, United States industry is facing increasing global competition.

(3) Despite existing international agreements on fair competition and nondiscrimination in government procurements, there is increasing concern that such agreements are not being honored, that more aggressive enforcement of such agreements is needed, and that additional steps may be required to ensure fair global competition, particularly in high-technology fields such as high-performance computing and associated technologies.

(4) It is appropriate for Federal agencies and departments to use the funds authorized for the Program in a manner which most effectively fosters the maintenance and development of United States leadership in high-performance computers and associated technologies in and for the benefit of the United States.

(5) It is appropriate for Federal agencies and departments to use the funds authorized for the Program in a manner, consistent with the Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.), which most effectively fosters reciprocal competitive procurement treatment by foreign governments for United States high-performance computing and associated technology products and suppliers.

(b) ANNUAL REPORT.—

(1) REPORT.—The Director shall submit an annual report to Congress that identifies—

(A) any grant, contract, cooperative agreement, or cooperative research and development agreement (as defined under section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)) made or entered into by any Federal agency or department for research and development under the Program with—

(i) any company other than a company that is either incorporated or located in the United States, and that has majority ownership by individuals who are citizens of the United States; or

(ii) any educational institution or nonprofit institution located outside the United States; and

(B) any procurement exceeding $1,000,000 by any Federal agency or department under the Program for—

(i) unmanufactured articles, materials, or supplies mined or produced outside the United States; or

(ii) manufactured articles, materials, or supplies other than those manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, under the meaning of title III of the Act of March 3, 1933 (41 U.S.C. 10a-10d; popularly

known as the Buy American Act) as amended by the Buy American Act of 1988.

(2) CONSOLIDATION OF REPORTS.—The report required by this subsection may be included with the report required by section 101(a)(3)(A).

(c) REVIEW OF SUPERCOMPUTER AGREEMENT.—

(1) REPORT.—The Under Secretary for Technology Administration of the Department of Commerce (in this subsection referred to as the "Under Secretary") shall conduct a comprehensive study of the revised "Procedures to Introduce Supercomputers" and the accompanying exchange of letters between the United States and Japan dated June 15, 1990 (commonly referred to as the "Supercomputer Agreement") to determine whether the goals and objectives of such Agreement have been met and to analyze the effects of such Agreement on United States and Japanese supercomputer manufacturers. Within 180 days after the date of enactment of this Act, the Under Secretary shall submit a report to Congress containing the results of such study.

(2) CONSULTATION.—In conducting the comprehensive study under this subsection, the Under Secretary shall consult with appropriate Federal agencies and departments and with United States manufacturers of supercomputers and other appropriate private sector entities.

(d) APPLICATION OF BUY AMERICAN ACT.—This Act does not affect the applicability of title III of the Act of March 3, 1933 (41 U.S.C. 10a–10d; popularly known as the Buy American Act), as amended by the Buy American Act of 1988, to procurements by Federal agencies and departments undertaken as a part of the Program.

Mr. BROWN (during the reading). Mr. Speaker, I ask unanimous consent that the motion and the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Without objection, the motion is agreed to.

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the title of the Senate bill is amended to read: "A bill to provide for a coordinated Federal program to ensure a continued United States leadership in high-performance computing."

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROWN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the Senate bill, S. 272.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now recognize Members for special orders without prejudice to the possibility of the resumption of legislative business for unanimous consent requests.

Mr. WALKER. Mr. Speaker, reserving the right to object——

The SPEAKER pro tempore. The Chair will state to the gentleman from Pennsylvania that the Chair was making an announcement, and a unanimous-consent request is not in order at this time.

The Chair will recognize the gentleman for 1 minute.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THE DAY

(By unanimous consent, Mr. WALKER was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, I am somewhat concerned about what is taking place here because there is an attempt to move the foreign aid appropriation bill or the authorization bill through here by a unanimous-consent procedure, and it is my understanding that typically under the patterns that are in the House at this period of time we would conduct no more legislative business.

I am very much of a mind to insist that we ought to vote on the foreign aid bill, and I would not want to see that move without some prior notification to the Members. I would be opposed to any kind of action here and I would insist on a vote on the action that might have us later on have the foreign aid authorization considered. That is the concern that I have with what is taking place.

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

Mr. WALKER. Yes, I am happy to yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, it is my understanding from talking to the majority staff that the gentleman from Florida [Mr. FASCELL] will not be coming forward with any request today. I cannot speak to what the chairman of the Committee on Foreign Affairs may ask the House to do at a later date, but certainly no such request would come today.

Mr. WALKER. I thank the gentleman for that assurance. Is that the understanding of the Chair as well?

The SPEAKER pro tempore. It is.

Mr. WALKER. I thank the Chair.

In that case, I would have no problem with this. I understand the intention here is to get the crime bill to conference. I obviously have no objection to that at all. I do want to have assurances that we would not bring up foreign aid in this time period.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER. The Chair will now proceed with special orders, without prejudice to the possibility of the resumption of legislative business for unanimous consent requests.

AMERICAN BUSINESSMEN DO NOT TRUST THE DEMOCRATS IN CONGRESS TO GET THE ECONOMY MOVING

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

Mr. DORNAN of California. Mr. Speaker, I hope all of my colleagues read the article that appeared in this morning's Wall Street Journal entitled, "Executives Blame Woes on Washington." In this informal sampling of corporate leaders around the country, the Journal found "almost universal anger with Congress, and widespread exasperation with the President."

I am just going to quickly summarize the comments and grades given by each participant.

Bernard Marcus of Home Depot, Inc., says, "I'd give Bush a C-minus and Congress a D-plus—they're both terrible."

Charles Demoney of MGM Grand Air gives the President a C, but gives Congress an F.

Henry Nozko of Acmat Corp. gives George Bush an "A-plus because I really think he is going to wake up. * * * I would grade Congress as absolutely incompetent."

John Cleary of Green Mountain Power Corp. says the President rates, "slightly above average—a seven on a scale of ten. Congress is considerably lower—maybe a three."

John Uhlmann of Uhlmann Co. is the only spoilsport, giving Bush an F-minus and Congress an F-plus simply because, "The Democrats have been forcefully putting their inept economic agenda into practice. At least Congress knows what it's consciously doing." How's that for faint praise?

Just a few more.

Glenn Schaeffer of Circus Circus Enterprises gives Bush a "gentlemen's C," and blames the economic mess on "a no-action Congress."

Samuel Butler of Cravath, Swaine & Moore gives Bush a D and adds, "Whatever I give Bush, I give Congress two grades below that."

Robert Mahoney of Diebold, Inc. gives Bush a C-minus, Congress an F.

And last, but not least, H. Laurance Fuller of Amoco Corp. gives Bush a B, and Congress a C-minus.

The results are clear, Mr. Speaker. American business does not trust the Democrats in Congress to get this economy moving again.

Mr. Speaker, I would like to submit the entire Journal article for the RECORD.

[From the Wall Street Journal, Nov. 20, 1991]

EXECUTIVES BLAME WOES ON WASHINGTON

(The economic recovery appears imperiled. The stock market is jittery. But in Washington, a sense of urgency is notably lacking. The Bush administration says it will wait until next year to push any new economic proposals. Congress focuses on a side issue, stampeding toward, then retreating from, interest-rate caps on credit cards.

(While political leaders are cautious and confused, business leaders are mainly exasperated. In an informal sampling of corporate leaders around the country, The Wall Street Journal found almost universal anger with Congress, and widespread exasperation with President Bush. Here's how some of them grade Congress and the President on the economy so far, and what steps, if any, they think the federal government should take to boost the recovery.)

BERNARD MARCUS, CHIEF EXECUTIVE, HOME DEPOT INC.

"You've heard the thing about Nero fiddling while Rome burned. Well, President Bush is fiddling while he's going to vacate the White House. The fact that he is surrounded by advisers who think the economy is in recovery is incredible."

Mr. Marcus says the recent market plunges are more accurate reflections of the state of the economy than the proclamations from the White House. "I'm Republican, and I'm very depressed by his inability to take control and be a leader in this situation. If I were president, I would hold Congress in session, and I'd say, 'I'm not letting anyone go until we find something that creates jobs. Not handouts. People want to go back to work.'"

Along with ideas like lowering the capital-gains tax and making IRAs more attractive, Mr. Marcus says the economy's problems could be addressed by lowering taxes for the middle class. "We're taxing them to death," he says. "People are worse off today than they were seven years ago.

"If something doesn't happen to create jobs in America over the next six months, Mr. Bush will join Mr. Carter as a one-term president. The Iraqi war is history. People care about feeding their families.

"I'd give Mr. Bush a C-minus and Congress a D-plus—they're both terrible."

CHARLES L. DEMONEY, CHIEF EXECUTIVE, MGM GRAND AIR

"My best grade for the president would be a C on the economy. I don't think there is a well-thought-out recovery plan" in the administration. "For the past three days, we've heard rhetoric of 'hold the line' from the administration via the vice president. They're saying, 'Everything's fine. We're just adjusting.' The populace is growing weary of this talk."

As for Congress, Mr. Demoney says, he would give it an F. "It's out of control. Legislators are looking after their own interests without seeing the big picture of turning the country around from exorbitant spending to a balanced budget. I don't think there's the leadership in Congress to direct the turnaround.

"We need to wake up the population to guide Congress to do the right thing about unemployment, replacement of lost jobs, getting real estate moving again. Credit needs to be put in the reach of more people and businesses in the country. Banks are overreacting by tightening credit. Small businesses need to at least be put in touch with borrowing again.

"We need somebody to lead an economic recovery, and I think President Bush is the one to do it. At times of crisis, he has led the world. Things like the extension of unemployment benefits are a Band-Aid. We need a game plan to take to Congress, and say, 'We need to do this.'"

The stock market "is about as confused as I am" about the economy, says Mr. Demoney. "The stock market reflects the overall malaise that's set in."

HENRY NOZKO, PRESIDENT AND CHAIRMAN, ACMAT CORP.

"I'm probably tainted because I'm a heavy supporter of Bush," says Mr. Nozko, whose company is a buildings interior contractor and construction insurance firm in New Britain, Conn. "He's not acting like the George Bush I know on the economy. Six months ago, he announced we were in a recovery. I just don't know how he could have had a, let's call it a misunderstanding, like that. I've been a CEO for 41 years. I feel this is the worst recession we've ever had, particularly in New England and particularly in construction.

"I'd give him an A-plus because I really think he's going to wake up. If he doesn't, I'd give him a D or an E.

"I would grade Congress as absolutely incompetent. Term limits—we sure as hell need those very fast in this country."

As for policy, "I suggest cuts in the Pentagon and defense, but then converting that into construction. The industry has 27% unemployment. Someone in Washington has to realize they have to pump money into that. Our infrastructure needs it. Our bridges are falling down and our roads are deteriorating.

"The stock market is trying to send a signal to President Bush. I don't think it wanted to go down 500 points. But I think it is trying to tell us the economy isn't getting better."

JOHN G. MEDLIN JR., CHIEF EXECUTIVE, WACHOVIA CORP.

"I'd give Mr. Bush a B. The president has tried to bring us toward a more solid footing on the economy, and make it more market-driven.

"His biggest fault has been compromising with the Democratic leadership on economic issues, and the budget and tax package last year. The tax increases have made the recession worse and slowed the recovery."

A "lifelong Democrat," Mr. Medlin places most of the blame for the economic woes on Congress. "They're totally inept at controlling government spending."

Mr. Medlin's advice? "I would urge the president to go for an across-the-board flat freeze on spending" and keep it frozen until the deficit shrinks. "It's going to take a radical solution. The private sector has had to cut its payroll and its expenses to be more efficient, but the federal government hasn't.

"The stock market reflects the fact that the major legislation of this Democratic leadership basically reflects an anti-business Congress and an anti-growth Congress. In the short run, if Congress will go home and stop doing bad things, the market would probably improve. But I don't think it will improve in a substantial way until the economy and corporate earnings improve."

JOHN V. CLEARY, CHIEF EXECUTIVE, GREEN MOUNTAIN POWER CORP.

President Bush's economic performance rates "slightly above average—a seven on a scale of 10," says Mr. Cleary, whose company is an electric utility in Burlington, Vt. "One of his biggest contributions is vetoing some of these spending bills.

"Congress is considerably lower—maybe a three. They seem to show constant interest in expanding the government. This credit-card fiasco is one example of that.

"I'd suggest President Bush hold the line on spending and probably reduce the government more if he could. Try to stimulate the economy, maybe by reintroducing investment tax credits.

"I think the stock market is very confused by the mixed signals from Congress. I view what happened Friday as meaning they just lack confidence, mainly with Congress."

JOHN JUSTIN, CHIEF EXECUTIVE, JUSTIN INDUSTRIES INC.

Mr. Justin says President Bush has done "fairly well" on the economy. "I'd give him a B. He's fairly well left it alone."

Congress, on the other hand, he would "grade pretty low. I'd say a D. They're just trying to get into every part of [the economy] and regulate everything. I don't think in a country this big you can do that.

"If we leave the economy alone we'd be better off. When they try to do things, like trying to limit interest rates on bank cards, then they find out if they do that there probably won't be bank cards.

"When business gets down a little, they say the government ought to do something about it," says Mr. Justin, whose company makes boots, bricks and building materials. "And when business gets too high, they say government ought to do something about it. Well, if they just leave it alone, I think it takes care of itself."

JOHN W. UHLMANN, PRESIDENT, UHLMANN CO.

I'd give Bush's performance on the economy an F-minus," says Mr. Uhlmann. "I think Bush has failed as a president. The presidency is about leadership, and Bush has failed his role.

"Bush has no principles that he believes in. He is a knee-jerk reactionary; he reacts to everything the Congress does. He has done nothing to defend the free-market system.

"I think Congress doesn't understand how the real world works. They don't even place themselves under the laws of the real world. The Democrats have been forcefully putting their inept economic agenda into practice. At least Congress knows what it's consciously doing, unlike Bush. What Congress is doing to the economy is conscious, and in line with their philosophy, and they have the added advantage that if it works they get the credit; if it doesn't, Bush takes the blame. That's why I give Congress an F-plus.

"I think it's almost too late for Bush. I really wonder if there's anything he can do. He has abandoned every principle of the Republican Party to appease the Democrats. To come up with a progrowth program, which would probably include a capital-gains tax, would go against everything he's done. He'll have to talk about reducing the role of government in the economy. He needs to listen to Jack Kemp and get him out front. I would tell Bush to fire [Budget Director Richard] Darman—if anyone worked for me who gave me such bad advice, I would fire him. Dick Darman has to go—and [Treasury Secretary Nicholas] Brady.

"The stock market is saying that there's concern about the political leadership, that they can't keep poisoning the economy.

"We're in the food business [in Kansas City, Mo.], so I think our prospects aren't negative. I do have concern about the continued mandating of policies against business."

GLENN SCHAEFFER, PRESIDENT AND CHIEF FINANCIAL OFFICER, CIRCUS CIRCUS ENTERPRISES INC.

"I'd say Bush's policy has been one of benign neglect, so I'd give him a gentleman's C. I should preface that a little by saying it's not clear to me what a president can do to turn an economy around quickly.

"It's been a no-action Congress. Congress is in a better position to change the economy, and there's been a real lack of leadership on key economic issues.

"I'd advise the president to press for a capital-gains tax cut for a specific period of time, which in the past has shown it will deliver a fair amount of revenue in a hurry. I might marry that idea with a short-term tax cut that would benefit the middle-class taxpayer. The problem we're in is that we are actually seeing a rising tax burden in the midst of a recessionary environment, which is a double whammy.

"What the market is saying about the economy in general is that it's given up on the idea that a consumer recovery is close at hand. It was wishful thinking.

"What politicians do is use moral suasion on the economy. You declare victory, then move on. It's an old political trick, but it didn't work this time.

"Just lowering interest rates isn't enough. You can't sell something to a customer who doesn't want it at any price. We need to find a way to put more money in people's pockets.

"A lot of companies planned for the archetypal 11-month recession, and held their breath as long as they could. Then later this summer, they started laying people off. That second round has had a severe effect. And retail and entertainment businesses, those that depend on discretionary spending, have felt the second round harder.

As president of Circus Circus, a casino operator in Las Vegas, Nev., he says, "In our industry, and with our company, the market always tends to overreact in one direction or another. At some point, the consumer will lose fear. He or she will have saved some money, and will not be afraid of losing his or her job, and start spending."

SAMUEL C. BUTLER, PRESIDING PARTNER, CRAVATH, SWAINE & MOORE

The economy is suffering from the incredible "debt binge" of the '80s, Mr. Butler says. He gives President Bush a D and adds, "Whatever I give Bush, I give Congress two grades below that.

"Between them there's no leadership on the economy. Nothing is a matter of principle. Everything is a matter of political expediency. I despair of the political leadership in this country." Mr. Butler says he supports a gasoline tax to be used in rebuilding the nation's infrastructure as well as for debt reduction.

As for his own business, he says, the New York law firm has become more cost-conscious and has reduced its service staff through attrition. "Our corporate department has been as slow as it has been in 30 years." But he adds that the litigation department is going strong.

ROBERT W. MAHONEY, CHIEF EXECUTIVE, DIEBOLD INC.

Mr. Mahoney gives President Bush a C-minus on the economy. But he slaps Congress with an F, because "they're so wrapped up in party politics that they haven't focused on what they need to do."

Mr. Mahoney suggests that Mr. Bush seek bipartisan support for a package to slash federal employment, including the military, by 35%. "I know all these bureaucracies serve a function. But don't you think we could do the same thing with 35% fewer people?"

Mr. Mahoney also wants Mr. Bush to cut corporate taxes, cut the capital-gains tax to 10% below an individual's regular tax rate, and provide economic incentives for entrepreneurs to open shop in inner cities, where unemployment is highest.

The stock market, Mr. Mahoney says, is accurately saying, "We don't see a clear light at the end of the tunnel of this recession in 1992, unless the government takes a pro-active role to drive this economy."

H. LAURANCE FULLER, CHIEF EXECUTIVE, AMOCO CORP.

Mr. Fuller gives President Bush a B. "I would fault the administration on the communications side" and its inability to get important economic legislation passed.

Mr. Fuller gives Congress a C-minus. "It's hard to be anything but negative." He cites a lack of leadership and long-term decision making or planning.

His advice to the president: "I wouldn't force a short-term fix." He adds: "I don't think playing around with taxes is an option we can afford at this time. I don't think we should have knee-jerk reactions" to the slump. "There's evidence we're coming out of the recession."

Still, he is disappointed that there seems to be little long-term economic planning. "I don't see a longer-term program that will encourage long-term investment and savings."

He says the stock market is valuing the economy and the oil industry accurately. "The oil industry is in a difficult time, particularly in the U.S. There's the uncertainty of natural gas and oil prices and large spending on environmentalism. In the long range, investments in the oil business will pay off very nicely."

PERSONAL EXPLANATION

Mr. LEWIS of Georgia. Mr. Speaker, today I missed rollcall votes 410 and 411. I was delivering a speech in 116 The O'Neil Annex. I later learned that the legislative call system does not work. Had I been present I would have voted "yea" on both bills. I ask unanimous consent that my explanation be entered in the RECORD following those recorded votes.

□ 1750

RETIREMENT OF HOUSE BARBER JACK ALLEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. MONTGOMERY] is recognized for 5 minutes.

Mr. MONTGOMERY. Mr. Speaker, I rise today to salute a longtime employee of the House of Representatives who is retiring at the end of this month. His name is Jack Allen and he has served as a barber on Capitol Hill for 30 years.

He came to Washington from Curtisville, PA, where he was a standout athlete. He served in the Navy during the Korean war.

I have enjoyed Jack's friendship over the years. He is very active in church activities and prayer groups and he knows the Bible as well as anyone on Capitol Hill.

During his long career, Jack has cut the hair of George Bush, DAN QUAYLE and many, many other Members of Congress. For 5 years during the Nixon administration, he was also a parttime barber at the White House.

Jack will be spending part of his time in retirement in Florida. We will miss him but I know all who know Jack Allen join with me in wishing him the best.

PACIFIC YEW ACT OF 1991

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. STUDDS] is recognized for 5 minutes.

Mr. STUDDS. Mr. Speaker, I am today introducing legislation to help save the lives of cancer patients by ensuring that the Forest Service and the Bureau of Land Management take the necessary steps to end the prolifigate waste of the Pacific yew tree in the old growth forests of the Pacific Northwest. The bark of the Pacific yew has been found to contain vital anticancer properties, but the tree itself has historically been considered a worthless trash tree and virtually ignored by the agenices in favor of higher value species. This bill will direct the Forest Service and the Bureau of Land Management to develop and implement sound management guidelines for the Pacific yew to provide for the efficient harvest and utilization of yew resources, while also ensuring the continued survival of the species for future use.

Each year, over 12,000 women die of ovarian cancer, and another 45,000 die of breast cancer. The anticancer drug, taxol, derived from the bark of the Pacific yew, has shown very promising results in combating these and other cancers in clinical trials and is considered by the National Cancer Institute to be one of the most important cancer drugs discovered in the past decade.

The Pacific yew, however, is a finite and dwindling resource. It currently requires the bark from three 100-year-old trees to provide enough taxol to treat just one patient. The oldest and most valuable Pacific yew trees are now found primarily in old growth forests on public lands in the Northwest. Yet, our public land stewards—the Forest Service and the Bureau of Land Management—have been slow to recognize the importance of this species and implement appropriate management guidelines.

Until a few years ago, the Pacific yew was considered to be worthless and was routinely burned in slash piles after timber clearcutting. While both agencies have since issued management guidance for the yew, these guidelines are largely inadequate and ignored. According to the environmental defense fund, current Federal policy allows the wasting of up to 60 to 75 percent of the yew trees found in commercial timber harvests areas. Further, only three national forests in the northwest are trying to properly utilize Pacific yew resources. Additionally, the agency authorized system for harvesting Pacific yew allows many opportunities for illegal harvest; in the past few weeks several Federal indictments have been issued in Oregon and Washington against collectors for illegally stealing bark from national forests and selling it on the black market.

Immediate and aggressive management of the Pacific yew is badly needed. This bill I introduce today aims to prevent the continued wasting of this life-saving resource by establishing an Interagency Yew Committee to develop a rigorous harvesting and management scheme for the Pacific yew, and by designating agency task forces to oversee its implementation. If managed correctly, there will be ample Pacific yew available within existing timber sales to meet the current demand for taxol for the next 7 years—by which time researchers hope to be able to synthesize taxol in the laboratory. If, on the other hand, the current mismanagement of Federal Pacific yew resources is allowed to continue, we will have wasted an inexcusable amount of taxol that could have saved thousands of lives, and could destroy the very species which offers such hope to millions of cancer patients.

Mr. Speaker, I also want to thank Representative RON WYDEN, the other principal sponsor of this bill, for his constructive contributions on this issue. I look forward to working with my colleagues on this important lifesaving legislation. I welcome and encourage their suggestions for it and their support of it.

EARNED INCOME TAX CREDIT SIMPLIFICATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ROSTENKOWSKI] is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, today I am introducing with other members of the Committee on Ways and Means, an important tax simplification bill—the Earned Income Tax Credit [EITC] simplification Act of 1991 H.R. 3828.

Over the course of this year I have introduced several tax simplification proposals. Each provides important simplification or rationalization of discrete portions of the Federal Tax Code. I am fully dedicated to finding measures that will reduce the uncertainty and complexity that taxpayers face as they attempt to comply with our Federal tax laws. I remain determined to do something meaningful for the average working family of America, especially low-income families. The legislation I am introducing today provides significant simplification for low-income working Americans. This bill will give these families some much needed tax simplification, that will translate into real dollars in their pockets.

In 1975, Congress created the EITC as a means of targeting some relief from the regressive social security taxes on low-income families, and also to improve work incentives among this group of neglected Americans. As originally enacted, the maximum benefit was $400. This benefit was expanded in the Tax Reform Act of 1986, to a maximum benefit of $800.

In 1990, Congress once again greatly expanded this benefit as part of a significant child care initiative. This increased benefit was intended to give all eligible families, first, an increased basic EITC benefit of $1,192 for the 1991 taxable year, increasing to $1,861 in 1994; second, for families with two or more children, a benefit of $1,235 in 1991, increasing to $2,023 in 1994; third, for families with a child under 1 year old, a supplemental benefit of $357 in 1991, increasing to about $405 in 1994; and fourth, a supplemental health insurance credit for 1991 of up to $428, increasing to about $505 in 1994. Together, these modifications expanded the EITC by $18.3 billion over 5 years, making this the largest increase in any low-income program in more than a decade.

Unfortunately, in spite of the good intentions we all shared in enacting these benefits, unintentional, and in some cases insurmountable, barriers were created between these benefits and the intended beneficiaries. It is estimated that approximately 14 million low-income families are eligible for these benefits. However, the complexity of computing these various credits may result in more than 10 million eligible families incorrectly understating the benefit to which they are entitled. The remaining 4 million families who qualify may never claim any part of the benefit. In these difficult economic times, I find these statistics very discouraging and indefensible. It is imperative that we simplify this important credit so those who qualify can receive the benefit to which they are entitled.

The EITC is a direct wage supplement that can significantly increase the income of low-income families. This is especially important today since the wages for these low-paid families have been reduced in real terms. In the midst of this critical need, these targeted benefits are largely lost in a mass of complicated and technical provisions which are the direct result of the well-intended 1990 changes. Because of the two new supplemental credits and other changes, the Internal Revenue Service [IRS] was required to develop a special schedule that an eligible family must complete along with their basic tax return to claim the EITC benefit. The computations required on this schedule would challenge the most sophisticated tax practitioner. These complexities will confound an increasing number of eligible families who will not be able to complete the necessary paperwork and will lose a very important and substantial benefit for which they are entitled.

Mr. Speaker, the bill I am introducing today will fundamentally simplify the EITC. Both the supplemental benefit for families with a child under 1-year-old and the supplemental health insurance credit added in 1990 will be repealed. The basic credit rate and the adjustment for larger families would be increased with the revenues saved by repealing these complex credit calculations so that the bill would be revenue neutral over 5 years. To receive the refundable credit, many eligible families will be able to file their tax return and in the simplest terms, merely write EITC next to the appropriate line on the return. The IRS will do the rest and calculate the family's tax credit. This will substantially increase the chances that the intended beneficiaries receive the benefits Congress has already intended for them.

I have consulted with the distinguished chairman of the Senate Finance Committee, Senator BENTSEN, about this important simplification initiative. He shares many of my concerns about the complexity of the credit. It is my understanding that he plans to introduce an EITC simplification bill of his own in the near future.

Mr. Speaker, I am proud to take this important simplification step today with other members of the Committee on Ways and Means to remove all unintentional barriers to the EITC and turn this promised benefit into a reality for the eligible 14 million families in this country.

AUTHORIZING SPECIAL ORDER TIME

Mr. GEJDENSON. Mr. Speaker, I ask unanimous consent that my name and that of the majority leader be transposed; that my name replace the majority leader's name. Further, I ask unanimous consent to address the House for 60 minutes.

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

There was no objection.

EDUCATION IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. GEJDENSON] is recognized for 60 minutes.

Mr. GEJDENSON. Mr. Speaker, I come to the well today, and hopefully to be joined by other Members from our side, to start with a discussion of where we are as a country when it comes to education.

One of the things that I think we have all seen occur in recent years is discussions where wealthy individuals, one in New York State and one in Louisiana, provided an opportunity for the young people of an inner-city school to get a college education. Suddenly in that community, where the crime rate stayed as high as it had always been and most likely had gone up, where drugs and violence continued on the rise, when the number of children living in single parent homes continued to rise as a percentage of the population, we found that suddenly in these schools the young people were doing better, and indeed many of them had the grades and did go on to get a college education.

That is not simply an isolated incident of some kind of process that energized these children, but it was an opportunity for the first time in many of these young people's lives that they had the hope of getting a college education.

Think of a child in a middle-class or lower-class family taking a look at the cost of going to one of our better universities or colleges. In my home State of Connecticut, if you are lucky enough to get into the University of Connecticut, the school that I graduated from, the costs run as much as $8,000 a year. If you are unlucky enough to have your child get into Yale or Trinity or Wesleyan, the costs are in the $20,000 range, at Connecticut College, Yale, Trinity, or Wesleyan. If you happen to have two children that are less than 4

years apart, it means the family has to make a commitment of up to $40,000 or $50,000 a year to give those young people the education that not only helps them, but helps us as a society.

The countries that the United States subsidizes with our $140 billion commitment to NATO, France, Germany, England, Japan, our commitment to the defense of these other democracies, they do far more in the way of helping their young people.

It seems to me as a nation if we are going to be able to be competitive, if we are going to be able to engage in new world trade, the trade where nations compete against nations in the area of exports and high technology, that the United States must address the need to give all of its citizens who have the ability a higher education, and not exclude young people who happen to come from middle-class families that are strapped with high mortgages and high taxes, and therefore cannot send their children to college. Worse, in recent years, we direct our young people only to those occupations that have an immediate high salary, so whether it is education or science or research, where the start is often slow, that we dissuade young people from entering those schools of education because when you graduate $80,000 or $100,000 in debt, it is very difficult to think about serving your community or serving your country, when you have the bank and the bankers waiting for your next payment.

Congressman MILLER and I, Congressman PETRI on the other side, and Senators, have joined us in a bill that would provide a much simpler, more direct way of assisting young people who want to get a college education and would also preclude the significant cost of payback through the present student loan program.

We would have a direct loan program from the Government. You would borrow the money to get a college education. Once you stopped going to college, immediately on your taxes there would be an additional charge to start repaying that loan to the Government.

This would end the multibillion problem with defaults, and it would end the system where only the very poor who are incredibly bright, or the very wealthy, can go to colleges of their choice.

I can remember speaking to the president of the University of Connecticut—to several presidents of the University of Connecticut—but particularly this present president of the University of Connecticut, where I graduated, and his fright that this school would become a haven for only wealthy kids, because the wealthy or middle-class who could no longer afford to go to Yale, and Trinity, and Connecticut College, and Wesleyan, that they would crowd out poor kids trying to get an education at the University of Connecticut.

This country is injured every time a bright and talented youngster is not able to get a college education. This country loses in trade and in excellence every time one of our young people chooses not to pursue higher education because of the cost involved.

In 1635 the Boston Latin School was established. The basic premise was that a broader segment of society needed a high school education to deal with the far more complex society that the good people of Boston lived in at that time.

In 1635 it became apparent that we needed universal high school education. It is clear today that we need universal college education. We need to be able to have a system that no matter what the economic wherewithal of an individual, that we are able to help them get a college education.

The cost is there. The program would cost $1 billion over 5 years. But by the sixth year those young people graduating college through their taxes would begin replenishing the fund, and within a short period of time, the fund would be self-sustaining.

What we need to do is make sure that we have an economy that can support the education of our young people so that we can be as competitive a nation in the future as we were in the past.

Many of our colleagues on the other side of the aisle speak of the Reagan revolution, of how the tax cuts and Mr. Laffer's efforts of the early 1980s have led to phenomenal economic growth.

The truth is that we did better in the 1970s than we did in the 1980's. While the Republicans and our friends on the other side of the aisle point to 18 million jobs created in the 1980's, in the 1970's we created 20 million new jobs. By every estimate the jobs created in the 1970's were of higher quality or better jobs that we want our friends and families to go into.

When we look at real economic growth, in the 1980's real economic growth was at 2.6 percent. In the 1970's it was at 2.7 percent.

When we look at the business environment, for all the tax cuts and what those tax cuts were supposed to give us, we find that while there was a 42-percent increase in business investment in the 1980's, without those tax cuts, without the massive deficits, we had a 47-percent increase in investment in the 1970's.

Maybe most tragic of all, while we had a phenomenal GNP growth in the 1980's, from 1982 to 1992, estimated to be $2.9 trillion, the Federal deficit grew in those same years by $3 trillion, more than three times the entire national debt that had been incurred from George Washington to the last day of Jimmy Carter's Presidency.

We need to address the real economic issues that face Americans. I, for one, believe that we must start by first bringing either our troops and the cost of those troops home from Europe and spend those dollars here to start the American economy, or we have to get our friends and allies in Europe to pay for their own defense.

It is a full half a century since the end of World War II. It is now time for these free and democratic governments in Western Europe to pay for their own defense. Western Europe represents 333 million of the richest people on the face of this planet. Their governments are stable and wealthy. The United States and its taxpayers have subsidized their defense for almost 50 years.

It is now time for them to pay for that defense. I would hope as we look at next year's budget agreement, we would have the strength in this chamber to direct the President to negotiate with our Western European allies and our friends in Japan, so they may start picking up a greater portion of those defense costs.

□ 1800

And the dollars that we get in payment for America's role in demanding the freedom of the entire world, that those dollars come back and be invested here in America, providing housing and health care for Americans, providing educational opportunity for young people, no matter what their color, no matter what their economic background is, and no matter what place in this country they live in.

We should not have a country that denies people in the South an education that people in the North might get. Universal college education ought to be available to every young person that has the intellectual ability and the willingness to get the grades to get them into that school. It will not simply be a benefit to those individuals that get the college education; it will be an investment in the future of this Nation.

We have had a decade of easy answers and the great campaigns of "read my lips" and supply-side economics need to be pushed aside. We need to face the hard realities that we squandered a decade.

We squandered a decade when the Germans and the Japanese were investing in education and infrastructure, when they were investing in the future of their nation, and we squandered it.

Now we have to take stock of where we are and find a path for the future. The future has to be led by the bulk of Americans, middle-class Americans given an opportunity for the first time to get the benefits that were only given to the top 1 percent in the 1980's.

When we return here after the Thanksgiving break, we need to address real tax relief for middle-class Americans, middle-class Americans who saw no tax relief in the 1980's, who paid the cost by higher local and State taxes as a result of the Reagan revolution.

President Reagan's tax cuts in 1981 and 1986 not only left this Nation with the largest debt each year that it has ever had but President Reagan's inspired tax cuts placed a burden on State and local governments that they have not felt in decades. Every State in this Nation, whether run by the President's own chief of staff, Governor Sununu in the past, the Republican-controlled States from California and across this Nation, or Democratically controlled States are in financial trouble these days.

Job growth is down. The unemployed feel helpless, and those that are working today are frightened by a President who seems to have as his one response the veto pen. The veto pen comes out time and time again, trying to intimidate the Congress from taking the kinds of initiatives that will lead this country forward.

In my State, the citizens were shocked to find that the President was ready to spend a half billion converting the defense industries of the Soviet Union but, when this Congress and the majority leader, the gentleman from Missouri [Mr. GEPHARDT] and particularly the gentleman from Massachusetts, NICK MAVROULES and other colleagues, the gentlewoman from Ohio [Ms. OAKAR] and the gentleman from New York [Mr. WEISS] and I worked to get several hundred dollars for American workers, get American workers to be retrained, to get American corporations to change their defense industries to nondefense industries, when we had those opportunities, we found objections in the administration, even after the President signed the Defense bill which had the $200 million to do conversion to provide economic opportunity and hope for the defense workers that have been the backbone of our strength, the administration tied the money up in the bureaucracy.

I find it hard to believe that the President of the United States, Mr. Speaker, can recognize that the Soviet Union needs to convert its defense industries into industries that are competitive and provide consumer goods, yet he stands in the way of legislation and the resources we need to convert our own defense industries from Connecticut to California, from Texas through the Midwest to the needs of American consumers to make us a more competitive nation, a nation that will be able to compete at every level internationally.

We only need to look at history. The U.S. big economic bounce came out of World War II in the technologies and abilities that we developed in that war. American defense industries are the cutting edge of technology. The technologies of those defense workers can be converted to make us competitive in a number of fields that we can be predominant in in the world. But we need to address those basic issues of the economy to make sure that we rectify the mistakes made in budgeting in the 1980's and that we move forward in a way that helps stimulate the economy in a real way.

All through the 1980's, we found that America was a creditor nation. More countries owed us money than we owed. We were the single largest creditor nation in the world.

We are now the single largest debtor nation, and we were a creditor nation to the tune of somewhere around $100 billion a year. We are now a debtor nation to almost $900 billion a year, and no one knows this more than the gentleman from California [Mr. PANETTA], chairman of the Committee on the Budget.

Mr. PANETTA. Mr. Speaker, if the gentleman will yield, I thank the gentleman for taking this special order to try to look at the state of the economy and try to bring it to the attention of the American people.

I think all Americans, all who are living day to day with the kind of economic situation that confronts this country, recognize that the state of the economy is in serious trouble, and that is something that is recognized, very frankly, I think, on both sides of the aisle in terms of the concerns about the state of the economy.

The problem, and I recognize that the President is trying to put the best face on this situation, but I also think that the time has come when we can be straight with the American people. When we can say very honestly to the American people that there are serious problems there and that they have to be confronted and that the kind of Pollyanna approach that we used to hear about in the 1980's no longer applies.

People are tired of that. They want to confront the realities because they confront them every day they go to the grocery store or they have to pay for the education bill for their children or they have to pay the mortgage payment. They confront the realities of this economy every day.

The realities are that we have some serious problems. We are looking at probably the weakest economy in the postwar era, the weakest economy in the postwar era.

Right now the recession is in a situation in which we are dealing not so much with what was defined as a short and shallow recession by those who basically were hoping for the best, and all of us were, today we are obviously dealing with a much deeper and a much longer recession than anyone had predicted.

The facts are there. The facts were there in the economic indicators that came out very recently. The facts regarding industrial production as being flat, manufacturing capacity utilization, flat; sales of new domestic autos peaked in July and have fallen by 6 million in October and 5.7 million in the first days of November.

Housing starts declined 2.2 percent. Retail sales, other than autos and building materials, have dropped in each month since July. The merchandise trade deficit indicates that in exports right now we are flat. The Federal Reserve itself reports that the economy is in a down situation, a slowdown. Per capita disposable income has been flat since June. Unemployment is something that all of us know has been high in terms of not only those who are unemployed but those who are underemployed as well.

The recession has lasted longer than anyone has expected. Some of the reasons for it are presented in the charts that I want to present to the Members and to the country.

The first relates to growth. Growth in this administration at a less than 1 percent, 0.5 percent annual rate, is slower than any other postwar era. If we look at every other President, from Truman to Eisenhower to Kennedy. Johnson, Nixon, Carter and Reagan, we have a growth situation that is 0.5 percent, the slowest in the postwar era.

Mr. GEJDENSON. Mr. Speaker, if I read those numbers correctly, what we are looking at here is that under Bush we have had one-half percent growth in these years. During the Reagan years we had a 2.9-percent growth. And in the Carter years we had a 3-percent growth, which was the largest growth since the Johnson years.

□ 1800

Mr. PANETTA. The gentleman is correct.

Mr. GEJDENSON. I am happy to yield more time to the gentleman from California.

Mr. PANETTA. The next chart relates to productivity, which is a measure of whether or not our economy is producing things, whether or not we are being productive, whether we are being competitive. Productivity is not only down, it is negative, 0.1 percent negative growth, again the lowest productivity in the postwar period.

The next chart indicates on employment that employment is growing at about a 0.5-percent annual rate, which is the worst job growth record in the history of the postwar era. Again, looking at all of the Presidents including Carter, Reagan, Bush is down.

Mr. GEJDENSON. Again, if the gentleman will yield, what the graph shows again, interestingly enough, is that the highest group in recent times was from 1976 to 1980, and presently that we are running a one-sixth of the growth that existed from 1976 to 1980.

Mr. PANETTA. The gentleman is correct.

The gentleman also is aware of the fact that the President indicated that he could produce about 30 million new jobs. Obviously all of us would hope we could produce 30 million new jobs in our economy. We need them. But as

this chart indicates, although 30 million new jobs were promised in terms of the ultimate goal, we have only seen about 1,500,000 jobs produced, far short of the goal that we are trying to seek.

Mr. GEJDENSON. If I can just reclaim my time for just 1 second from the gentleman again, I think there is an additional interesting point here. That is in the 1970's what we were faced with was a combination of the baby boomers entering the marketplace in the late 1970's and early 1980's, and women entering the marketplace and the work force in far larger numbers. So in a sense the demographics are easier for a larger economy today, and our goal should then more easily be achieved.

Mr. PANETTA. Again, the gentleman is correct. And what this indicates obviously is the serious problem about employment right now in our economy, and it relates to legislation that we again adopted today to provide additional unemployment compensation for those unemployed. We have 15 million who are either unemployed or underemployed. We know that we have a number of about 8.6 million of those who are unemployed. But what we have not calculated are those who have dropped out of the job market altogether, and those who are obviously part-time employed, and that number is about 15 million. And also on the deficit, when one looks at the deficit as an indicator, it is perhaps the worst not only in the postwar era, but in history. The deficits have increased at the fastest rate in history compared again to every President in the postwar era. They grew obviously under the Reagan administration, but they escalated dramatically during the Bush administration.

Another point I would like to make because Congress is often accused of having been the villian with regard to the increases in the deficit is a number that indicates what Presidents have asked for in appropriations between 1982 and 1991 and what Congress has appropriated, because we often hear the charge that obviously Congress is the primary villian for creating the deficit. Presidents have asked for appropriatons of $5,889,000,000,000. What Congress has appropriated is $5,830,000,000,000, $9 billion less than what Presidents have requested.

Mr. GEJDENSON. I would like to yield to the gentleman from Illinois who I think has a point on this subject.

Mr. DURBIN. Mr. Speaker, I thank the gentleman for yielding. This is a very important point, and I think that 99 percent of the people who would hear the gentleman's remarks would be surprised to hear him say that Congress has appropriated less money than the President has requested since 1982 if we add it all together.

Mr. PANETTA. The gentleman is correct.

Mr. DURBIN. So all of the comments and claims of the Republican administrations, Presidents Reagan and Bush, of their devotion to a balanced budget, to cutting spending, to eliminating waste and so forth, when it was all said and done Congress appropriated less money than was requested by the Presidents during that period of time?

Mr. PENETTA. The gentleman is correct.

Mr. DURBIN. Can I ask the gentleman if he would address the question of entitlement spending. Is that included in that appropriation figure?

Mr. PANETTA. The main culprits in terms of the deficit are really several areas. One is obviously the recession right now, which because of lost revenues we are losing somewhere between $60 billion to $70 billion in revenues at the present time.

The additional cost is the cost of the RTC, which is the savings and loan bailout which now is approaching about $122 billion.

On entitlements, entitlements have grown, and they have grown dramatically, largely because of demographics, particularly in the health care area.

Mr. DURBIN. May I interrupt? I think we get so used to the terminology here, I would ask the gentleman what does he means when he says entitlements? What is included in entitlements?

Mr. PANETTA. The entitlement programs are programs, such as the following which constitute about 46 percent of the Federal budget, and the main entitlement programs are retirement and pension programs, Social Security retirement programs, civil service retirement, military retirement. They constitute about 25 percent of the entitlement areas. That is one group of entitlements.

Second are the health care programs which now constitute in excess of 10 percent of the entitlements, both Medicare and Medicaid. About 3 percent to 4 percent are made up of programs impacting on the poor, AFDC, food stamps, SSI programs. The remaining 1 percent to 2 percent are agricultural support price programs. So those are the principal entitlement programs that we deal with, and the main increases in the entitlements are now occurring in the health care programs, both with regard to Medicaid and Medicare, largely because of demographics, but also because of the rise in health care costs.

Mr. DURBIN. If the gentleman will yield further, I believe it was reported last week that the inflation in the cost of the medical care for Americans is rising this year at three times the ordinary rate of inflation. It strikes me that this goes right to the heart of the gentleman's comments. That is the increase in entitlement spending, which is not for poor people, but primarily is for others, senior citizens and the like, and that is going to continue to increase because we are wedded to a system where our costs to the Federal Government are wedded to the cost of increases in medical care.

Mr. PANETTA. I want to show the gentleman another chart with regard to projected deficits that we are looking at because I think it makes the point the gentleman just mentioned. We are right now looking hopefully, hopefully at a reduced annual deficit level, assuming that we get past a recession, assuming that the savings and loan crisis works its way out, and assuming that we are able to still maintain fiscal discipline under the budget agreement. If we do that, we can see that the deficit begins to go down from the $362 billion we are expecting in 1992 down to hopefully about $158 billion or $156 billion. But in the remainder of the decade it dramatically escalates back up to $300 billion in deficits. The main reason for that is Medicaid outlays will probably quadruple during that period of time, and Medicare outlays will probably triple. That is the main reason we suddenly see the deficits beginning to escalate.

This all spells terrible trouble for the country, because what we hoped would be some control on the deficit looks like it again escalates in the remainder of the decade.

Mr. GEJDENSON. If I could reclaim my time again for just 1 second, could I ask the gentleman, then, what he is telling us is if we exclude medicine and we end up with just programs that affect the poor, what we are talking about is about 3 percent of the budget?

Mr. PANETTA. The gentleman is correct, 3 percent to 4 percent.

The interest, obviously, on the deficit is what is truly robbing us of the resources we need to confront these issues. The payments for 1992 on the deficit are $210 billion. They will go up to $230 billion in 1993, and at that time interest payments on the debt will be larger than everything we spend on domestic discretionary spending.

Let me say that again. In 1993 what we pay on interest on the debt will be larger than what we spend on all domestic discretionary spending.

Mr. DURBIN. If the gentleman will yield again, I hate to stop the gentleman. He is a member of the Budget Committee as am I, and we are familiar with these terms, but I want to make certain that the people listening are familiar.

□ 1820

What does the gentleman mean when he says domestic discretionary spending, that all our Federal interest payments will be greater than all the money we spend on domestic discretionary spending, what is included in that category?

Mr. PANETTA. When we talk about domestic discretionary, we are talking

about all spending other than obviously entitlement spending, which I just defined, other than defense spending, other than interest spending. We are talking about what we spend on education, on health research, on housing, on transportation, on air safety, on law enforcement, on drug enforcement, on all the remaining areas of Federal spending which are an area, very frankly, that went down somewhere around 10 or 11 percent during the 1980's, so it is that area, that area that we are now saying is a main target for focus, education, health care, AIDS research, all the areas that are important to the society, the spending on interest will exceed all that spending in 1993.

Mr. DURBIN. Mr. Speaker, if the gentleman will yield further, the gentleman is saying that the legacy of the Reagan-Bush Reagonics supply side era, all their philosophy in spending and budgeting will ultimately result in a national debt so large that the interest paid by taxpayers each year will be greater than the total amount spent on all the domestic programs the gentleman has just mentioned. In what year does that take place where the interest payments exceed all the amount which Congress or anyone can spend on these domestic programs?

Mr. PANETTA. In fiscal year 1993, which is not that far away.

Mr. DURBIN. Right around the corner.

Mr. GEJDENSON. Reclaiming my time for a moment, Mr. Speaker, I would ask the gentleman to stay with us in the Chamber and I would ask the gentleman from Kansas and the gentlewoman from Ohio if they would like to take a few moments at this point to raise what I think is a critical issue about our industrial base and our future in a critical technology.

Mr. Speaker, I yield to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding to me. I am pleased to participate in this special order this evening.

As I listened to the gentleman from California [Mr. PANETTA], the very esteemed chairman of our Budget Committee who I think is one of America's greatest natural resources, I could not help but think that the result of the enormous deficit that we have built up now because of misguided policies during the 1980's where we ended up by putting our country in a position where we seem to be bailing out everything.

The chairman just mentioned we have to bail out the savings and loan institutions. Now we are being asked to bail out the banks. Today, we had to pass another bill to bail out the American unemployed worker. I just wanted to put a very bright spotlight on another industry in our country that is in trouble on the front pages of every newspaper in America today. The headlines read, "McDonnell-Douglas Signs Taiwan Deal. Airliner Business To Be Sold to Foreign Company for $2 Billion." I wanted to spend just a couple of minutes talking about that this evening. I think it is a tragedy that one of the crown jewels in America, one of our three largest major airline manufacturing corporations has had to go offshore to find—how much money? And $2 billion from the Taiwan Aerospace Corp. that is owned by the Taiwanese Government. And why did they have to go offshore? Because they have to find cash to prop themselves up and sell off 40 percent of themselves because they cannot make it.

I think it is especially alarming to see this trend in the aerospace industry, which is so critical to our defense industrial base, and we ask ourselves, how could the administration let this happen?

Mr. Speaker, the McDonnell Douglas Corp. has offered to sell for $2 billion, 40 percent of its commercial airliner business to Taiwan Aerospace Corp., owned largely by the Taiwanese Government, imagine begging because it needs an infusion of cash to survive.

In order to remain competitive, companies are looking overseas for both capital and low-wage labor. This results in a continuing net loss of jobs in this country, often high paying jobs that are not being replaced. Our country cannot stand by and let this trend continue as one industry after another falls. It is most alarming to see this trend reach the aerospace industry, an industry where the United States has been the leader. Are we to say goodbye to the very last industry where we lead the world competitively?

McDonnell Douglas apparently feels that by selling a 40-percent share in its commercial aircraft subsidiary for $2 billion, it is the only way it can stay in the commercial aircraft business in the face of rising competition from Europe's heavily subsidized Airbus industry.

Airbus is a consortium put together by France, West Germany, the United Kingdom, and Spain and has been in business now about 21 years. Airbus provides single-point marketing and customer support for the planes that they deliver and sell. Each partner in the consortium is responsible for financing and R&D and design, and the final assembly of the planes sold by Airbus takes place in Toulouse, France. Unlike the U.S. experience, in Europe, governments, not private companies, bear more of the risks, and Airbus goes to their governments for loans and grants to fund development and production, and so far none of them have been turned down.

This government supported consortium is competing unfairly with the U.S. private sector aircraft manufacturing industry. Airbus has been subsidized by amounts equal to about $13 billion. Airbus is now the second largest aircraft manufacturer in the world, overtaking a position that McDonnell Douglas once held, with the help of this government-subsidized consortium. I would like to ask the Bush administration, is this free trade?

Airbus had orders for just 200 planes worldwide 6 years ago. Its backlog today totals 1,600 planes, worth $70 billion. In addition, Airbus' market share increased from 15 percent 15 years ago to 30 percent today, and they have essentially reversed positions with McDonnell Douglas—while McDonnell Douglas now struggles to remain in the commercial aircraft business. Airbus' market share is growing at the expense of the U.S. industry.

If the U.S. industry had access to Airbus-like subsidies, such as interest free loans, its earnings would be $770 million higher annually, which is equal to half of U.S. commercial aerospace earnings. With U.S. capital costs high, American companies have very inequitable access to financing. As it stands, the aerospace industry is one of the most leveraged industries in America.

The Government of the United States of America can do far better than stand on the sidelines while it watches its premiere industry be sold off to foreign competition aided by government subsidies. How can the Bush administration stand by while it ships thousands of jobs overseas. Isn't our economy bad enough? How many more industries do we have to sell off before this administration responds? How many more good American jobs have to be lost?

This is a competitiveness issue. The prospect of foreign ownership brings to mind other American industries that have lost their competitive edge due to the allowance of foreign control. The American television, movie, auto, computer, and electronics industries are being dominated by foreign interests and resulting in a loss of jobs here in America. Are we going to allow another vital American industry to bite the dust? We must maintain our technological lead in the aviation industry before it gets away from us.

Further, beyond the subsidy and competitiveness issues, we must also consider the risk involved in selling to a foreign country a key defense contractor that, incidently, has gained its expertise at the expense of the U.S. taxpayer through hefty defense contracts. If we do not put this Nation's economic security and competitive well-being as a high priority, we must at least consider the national security implementations.

Where is the U.S. Government when its own vital industries fight for survival? Must these companies look to friendlier governments across the sea? Is this really what is best for our country? Why must our Government stand so firmly against taking action to curb

imports of Airbus into our own very open market? Must we just helplessly watch our market share slip away to Airbus. Airbus, using Government subsidies, buys more and more of the U.S. market and more and more of the world market at the expense of American companies.

CHRYSLER CORP. LOAN GUARANTEE

There once was a time when our Government would help important U.S. industries fight unfair competition. In mid-1979, Chrysler, the 10th largest corporation in the United States and the 3d largest domestic auto manufacturer, another vital industry sector, appealed to the Federal Government for assistance in the form of either tax credits or loan guarantees in order to stave off bankruptcy. The Carter administration rejected the appeal for a tax credit, but did support a plan to grant the ailing company Federal loan guarantees of $1.5 billion subject to a series of conditions.

We must be able to protect those jobs that are at stake, both directly and indirectly, as was done in the Chrysler bailout. It was understood that there would be a tremendously negative economic effect resulting from the failure of the Nation's 10th largest corporation and its 150,000 employees. If there were no bailout, 40,000 people would have lost their jobs. Does this administration want to stand by and watch Americans lose their jobs, all in the name of not tampering with free trade?

FCC REGULATIONS

The FCC presently permits foreign ownership of only 25 percent of an airline company. Additionally, H.R. 782, introduced by Representative CLINGER would increase this percentage to 49 percent. The hearings to date show a developing consensus that the increase should be allowed because U.S. airlines need capital to grow and U.S. banks are not making that capital available.

IMPORTANCE OF THE AEROSPACE INDUSTRY

The U.S. trade deficit has been stuck at around $100 billion or more. Over the last 3 months, our trade deficit has been increasing. But the aerospace industry contributes a positive balance of $27,282. If not for the large positive trade balance in aerospace, our total trade deficit would be much larger.

The U.S. aerospace industry produces leading edge technology and high-value added export items, aiding the U.S. balance of payments and offsetting trade deficits in other industries.

The industry has a broad economic impact through purchases from 34 different manufacturing, commodity and service industries.

The aerospace industry employed 1.27 million workers in 1990, nearly 7 percent of total employment in U.S. manufacturing and 12 percent of employment in durable goods manufacturing.

Aerospace plays a key role in national security. Aerospace defense equipment made up 51 percent of the 1990 defense procurement budget.

Private company spending as a percent of sales is exceeded only by that of few other high-technology industries. Company funding plays an important role in advancing technology. Currently, a significant share of the industry's technology efforts are being devoted to 11 key technologies that have been identified as critical to U.S. aerospace future competitiveness.

Mr. GEJDENSON. Mr. Speaker, if I may reclaim my time, the gentleman from Kansas wants to enter into this discussion, but we are talking about $2 billion for what again in 5 or 6 years could be half of a $70 billion year.

Ms. KAPTUR. That is right.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Speaker, first of all, I compliment the gentlewoman for raising this issue and leading on this issue.

This all relates to the weakness of the American economy, largely resulting from very serious economic and trade decisions made by the administration in the last 10 or 12 years.

It used to be that America was the unparalleled leader in the manufacturing of airplanes. Nobody even came close. We dominated the world in commercial aircraft of all types, civil aircraft, military aircraft, general aviation, you name it.

The company the gentlewoman is talking about, McDonnell Douglas was the old Douglas Aircraft Co. which built the DC–3, the premier piston airplane ever made in the world, and this airplane company, a great company, is now on its knees begging the Taiwanese Government and the Taiwan Aerospace Corp. for $2 billion in order to stay alive. It is unbelievable.

It has happened because of economic policies of the last 10 years. It has happened because of passive trade policies. We have watched the Europeans subsidize Airbus by billions of dollars in every way possible and we have just stood by in a passive way.

I happen to come from a town that has about 40,000 aircraft workers. I look at this thing and I am thinking, wait, McDonnell Douglas today, is it Boeing tomorrow? Is it Cessna the next day? Is it Beech the next day?

I think the gentlewoman raises the point that our Government must act as some advocate for our strong industries, must push their interest in the trade picture, must fight dollar for dollar those unfair subsidies if in fact we cannot get rid of them and must do the other things in education and growth and job areas that the gentleman from Connecticut and the gentleman from California talked about.

So I just want to echo the gentlewoman's remarks and tell her how important it is for us to work together.

This is not an abstract problem. We have seen in the last 2 days one of the strongest companies in the United States, the premier piston aircraft builder in the entire world, on its knees going to the Taiwanese to have enough money to stay in business. I think it is too bad and I think we need to protect American jobs in the future from this kind of thing.

Ms. KAPTUR. Mr. Speaker, if the gentleman will yield further, I thank the gentleman for his remarks. His knowledge of export markets in this industry I think is unparalled in this Congress.

I think it is important to state that this industry, as the gentleman has mentioned, is our premier exporting industry, over $27 billion on behalf of McDonnell Douglas, Boeing, Rockwell, are sent off shore every year to help bring back dollars to the United States. If we lost these industries, America loses its cutting edge technologies and the very industries that are helping us to bring dollars back to this country.

When you think about the thousands and thousands of jobs connected to this, we just cannot give up these companies. It is absolutely unforgivable.

I thank the gentleman for yielding this time this evening. We look forward to passing tough legislation here to make it easier for companies like McDonnell Douglas to survive.

Mr. GEJDENSON. Reclaiming my time, Mr. Speaker, I just say to the gentlewoman and to the gentleman from Kansas that for those people living in communities that are not in the midst of the aircraft industry, do not think this does not affect you, because the carpets, the materials, the trays, all the parts come from across this Nation. Once they start building half that plane, the engines that come from my State suddenly start coming from elsewhere as well.

Mr. DURBIN. Mr. Speaker, if the gentleman will yield further, I would like to commend my colleague, the gentlewoman from Ohio [Ms. KAPTUR]. She has really led the Congress, the Democratic caucus and the entire House of Representatives on a lot of important trade questions, automobile parts, for example.

I think most of us in the Congress think of the gentlewoman instantly when it comes to the exportation of American automobile parts, where we are discriminated against overseas.

I think one of the root causes of the problem the gentlewoman has described this evening, where what used to be the large healthy corporations in America are now on their knees begging for foreign capital, can be laid right at the doorstep of the trade policies of President Reagan and President Bush.

A few months ago we were debating fast-track on the floor, where we were

going to enter some sort of fast-track procedure for a trade agreement with Mexico and with GATT, the European trading partners and other countries around the world.

Many of us had misgivings about the administration's call for this fast track because we have seen time and again where the Bush administration is not talking about the export and import of products, they are talking about the exportation of American jobs, where multinational corporations in the United States not only are inclined, but almost forced to locate overseas where they can find that cheap worker under this trade policy, and we are reaping that trade policy of the last 10 years in this recession today.

Mr. GEJDENSON. Reclaiming my time, Mr. Speaker, I yield to the gentleman from Illinois [Mr. RUSSO], someone who has led the fight on health care.

As we heard from the gentleman from California [Mr. PANETTA] chairman of the Budget Committee, it is the single largest cost of the government in a lot of ways, aside from interest.

I yield to the gentleman from Illinois.

□ 1830

Mr. RUSSO. Mr. Speaker, I have the perfect case for why we need to eliminate the link between employment and health insurance.

As many of you know, Midway Airlines recently declared bankruptcy. They have had to lay off 4,300 loyal employees.

Now Midway is being pushed by their creditors to terminate their health insurance plan. Why? To prevent Midway's 4,300 employees from taking advantage of the law that would allow them to continue their health plan as long as they paid for it themselves—paid for it themselves.

Thanks to a law that Congress passed a few years ago, a laid-off employee can continue their health insurance by purchasing it at group rates through their employer. But that is not what Midway's creditors want. They do not want Midway's employees to take advantage of this.

This means Midway's 4,300 employees, in addition to losing their jobs, would lose their health coverage. In addition to worrying about how to pay for the rent, they now have to figure out how to pay for medication for their diabetic child or an emergency visit to the hospital because they no longer have health insurance coverage.

This is what is wrong with employment-based health insurance. It does not matter if you are pregnant or if your children are sick or if you have been hospitalized, in the United States you can lose your health insurance overnight through no fault of your own.

The United States is the only major industrialized country in the world other than South Africa where this horrible tragedy can take place. That is why we need to abolish the link between employment and health insurance. As long as we depend on the employer to provide health insurance in America, Americans will never have true peace of mind. There will always be cases like this one.

That is why we need a single-payer national health insurance policy, the Russo bill, H.R. 1300.

Mr. Speaker, these employees have worked a lot of years to make Midway a successful airline. They spent a lot of hours in cold weather in Chicago, in Minneapolis, around the country. They put a lot of overtime hours in to make sure that this company was successful.

Through no fault of their own, they did not create the Persian Gulf war or the increase in prices of gasoline, they did not make the decision to invest $200 million in Philadelphia they did not make any of those decisions. The only decision they made was to get up in the morning and be a loyal, hard-working, dedicated employee, dedicated to making this airline the best it could be. Loyal, dedicated, hard-working. What did they get for it? What payment did they get for it? They lost their job. Was that their fault? It was not their fault.

This economy has taken its toll on people, it has taken its toll on a lot of Americans, and now it has taken its toll on the health coverage of Midway's employees.

They are not only going to lose their jobs, they are going to lose their health care coverage because the Midway creditors do not want the money to flow out of the company. They want to keep it so that they can split it up, and forget the people who are suffering as a result of this decision by greedy creditors.

Forget all of those hours of dedication to the airline to make it successful; it does not matter, folks. "You are just an irritation, and we are going to get rid of you because we want to get this airline as cheaply as we can."

That is wrong, that is not American. That is not what this country is all about. That is not the American ideal for which we all fought. That is not correct in our democracy.

Mr. Speaker, I am preparing legislation to prevent Midway Airlines from denying health care coverage to its employees. It is wrong, and it ought to stop, and we are going to do everything we can in this Congress to prevent this from happening in the future.

Mr. GEJDENSON. Mr. Speaker, before the gentleman from Illinois leaves. I would like to yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. I thank the gentleman for yielding.

Mr. Speaker, I think, tragically, it takes a case such as the gentleman just told us about with respect to Midway Airlines that we now see this continued link, that only if you are employed, in many instances only then, do you get insurance.

The question really should be, as the gentleman pointed out, with the Russo bill, with the National Health Insurance Program, whether or not you need health care. If you are sick, you should be able to get treatment. If you are pregnant, you should have a healthy pregnancy. But for too long in this country the current policy is that somehow it is related to the question of whether or not you are employed. This economy, the charts that the gentleman from California [Mr. PANETTA] just went through show the state of this economy, that it is taking its toll on many, many, many companies. Companies such as Midway, McDonnell Douglas and others. But the fact is those companies are made up of people, and they are being cast aside on the scrap heap of the leftovers of the 1980's, and yet those are the people who have families, they have children who need health care, children who were sick before the economy went into a downturn, women who were pregnant before the recession started, women who were pregnant and will give birth prior to coming out of this recession.

Yet, somehow what are we saying? We are saying if you do not have a job, you cannot have access to health care. It simply is a connection we can no longer continue to afford because it is unfair to the people like the people at Midway and other companies, companies in my district that have laid people off and then they find out, as the gentleman pointed out, that they did not do anything wrong, their jobs disappeared. They did not quit, they were not fired, the job disappeared and now they are left abandoned and, worst of all, their family has no health security at all.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Illinois.

Mr. RUSSO. Mr. Speaker, the sad thing is, as we have been pointing out through this entire debate on national health insurance, is that you are only a job or an illness away from personal bankruptcy. Not only is Midway Airlines facing bankruptcy, but, by terminating employee health insurance they are going to force a lot of individuals into personal bankruptcy as well.

Mr. GEJDENSON. Let me point out that if the Midway employee is pregnant, or at this point or any other, employee, say, of UNC at Montville, in my State, or a company in Mr. MILLER's State or other folks', but in the case of the gentleman from Illinois, if a Midway employee finds another job 2 days after they are laid off and they are pregnant or have a child with a preexisting illness, they are still finished, their house is still in jeopardy. You know, I have a constituent in my district who worked all of his life at a

bank where he thought it was a safe job. He did not make a lot of money. He was not an officer of the bank. He worked hard at the bank. His bank went bankrupt, and all of a sudden his pension is gone, his health care is gone, and now for the gentleman and his wife they want $9,000 a year in premiums. He could not do that even if he was working.

Mr. RUSSO. What is unfortunate is that these employees who dedicated themselves to the success of this airline don't matter to the creditors. The creditors only care about how much money they can get.

Mr. GEJDENSON. Reclaiming my time for the moment, the responsibility is at 1600 Pennsylvania Avenue to come up with a solution for that. The President—here in Congress we have a strong voice for health care, led by the gentleman from Illinois [Mr. RUSSO]. We have to hear from the White House. What do they say to these employees at UNC in Montville, CT, what do they say to the employees at Midway, what do they say to the thousands of people who are out of work?

Mr. Speaker, I yield to the gentleman from California.

Mr. MILLER of California. The point is what we read in the headlines yesterday, headlines of the New York Times. That is, Bush has no plans for major efforts to revive the economy. Bush has no plans for national health care, no economic plans. He said, essentially we will do nothing: "I will see you at the State of the Union." So, if you are put in this precarious position, the fact is, as the gentleman pointed out, 1600 Pennsylvania Avenue has no plans for this economy.

Just as he was late to come to realize the changes in Eastern Europe, where he was astonished, he was befuddled, he was confused by these changes, we now see that the President of the United States and his advisers are the same about the American economy.

I think we have got to understand that that is a risk. When you look at the charts that Mr. PANETTA has put up there with respect to disposable income, consumers savings, real disposable income, real GNP, this term of George Bush has been a horror story for the American worker, for the citizens of this country. And his response is, essentially, to do nothing except to provide vetos.

□ 1840

If the Congress should initiate anything, we know it will be met with a veto; veto, after veto, after veto. Safety in the workplace, the right to have notification before someone's job is taken away so they can plan for health care, they can plan for their kids' schools or how they are going to hold on to their house. If we want to give people the right to go home and take care of a sick child, we will get a veto. If we want equity in the workplace, we get a veto.

Mr. Speaker, we have got to understand that there is in fact nothing coming from the White House. And people ask, "What is the Congress doing?" The Congress is trying. The Congress is trying, but we have been met with 24 different vetoes.

Mr. Speaker, I guess that is a record the President will be proud of, but it is a record that is torpedoing the opportunity for this country to regain its economic strength because it is essentially a Herbert Hoover policy. It is a policy that somehow believes that, if he just sits in the White House, things in fact will get better, and clearly there are people running in all the time telling him, "Things are getting better."

Come to California, Mr. President, because that is not what is happening.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, I will be very brief. There are two instances that have been brought up here on the floor: The fact that McDonnell Douglas, once one of the leaders in the aerospace industry in America is now down on its knees begging the Taiwanese Government for $2 billion to stay in business. The fact that Midway Airlines, through no fault of their own are left without any health protection as they face a harsh winter and, Lord knows what, in terms of their own future points to two deficiencies. First, no national industry policy, where the Taiwanese Government can put together a policy where they start taking over industries. We crumble in their path, and we end up begging them for money. No national leadership when it comes to an industrial policy, and no national health policy when it comes to Midway employees.

Where do these national policies come from? Should it be the Congress? Some might argue that, but most would concede that in the history of the United States it has been the Presidential leadership necessary to bring the Congress together, Democrats and Republicans, behind the plan for either a national industrial policy or a national health policy.

Mr. Speaker, we do not have such a plan. What we have is a President who is consumed with his interest in foreign affairs and not focusing on the domestic agenda.

Mr. GEJDENSON. Mr. Speaker, I would be happy to yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I do not want to be interrupted, so I will just make two quick points because I know those folks have a lot on their agenda tonight.

First of all, this body originates all spending bills and all taxing bills, and those folks have had control of it for all of my lifetime but 4 years, but 4 years, and so, when they start saying that the malaise and the economic problems are to be laid at the feet of the President and 1600 Pennsylvania Avenue, that is not the case.

The second thing is; my second point: You better check tonight on the news because housing starts are up 7.3 percent, a tremendous jump, and this economy isn't dead yet. You can kill it, if you want to, by continuing this huge deficit spending, but the fact of the matter is it isn't dead yet, and the President isn't dead yet.

Mr. GEJDENSON. Mr. Speaker, I yield now to the chairman of the Committee on the Budget, the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Speaker, I thank the gentleman from Connecticut [Mr. GEJDENSON] for yielding, and I think the gentleman from Indiana [Mr. BURTON] would be interested in this. He probably does not believe it, but it is true, that the Presidential requests on appropriations from 1982 to 1991: Presidents have requested $5.839 trillion in appropriations. The Congress has provided $5.830 trillion, $9 billion less than what Presidents Reagan and Bush have requested in the appropriations bills.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Both President Reagan and President Bush have requested that this body and the other body pass a constitutional amendment to balance the budget. That would solve the problem.

Mr. PANETTA. As the gentleman knows——

Mr. BURTON of Indiana. I say, Mr. Speaker, you folks won't vote for it. You won't vote for it. You don't want to hear that.

Mr. GEJDENSON. I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. What we essentially have is President Reagan saying, "If you don't pass a constitutional amendment, I can't stop spending. I can't stop requesting it." It is sort of the Son of Sam approach: Help me before I kill again.

The fact is the President requested this, each and every one of these. Each and every one of these bills was signed by the President.

I say to the gentleman, you have a President in the White House today, has 24, a string of unbroken vetoes. He's signing appropriations bills. He must be happy with them. He's not moaning and groaning. This is a President that is proud of this veto.

The gentleman from Minnesota [Mr. WEBER] said this morning that there is a coalition for these vetoes, and yet the President, just like President Reagan before him, signed these appropriations bills.

So, I am sorry that the Republicans cannot stop requesting spending until

such time as they get a constitutional amendment. All the President would have to do; think of the politics if the President submitted to the Congress a balanced budget and the Congress rejected it. But the President will not even submit it. Not to go into law, even for the sake of discussion.

So, let us not hide behind the constitutional amendment.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. I just want a minute just to say that budget after budget the Presidents have sent up here have been DOA. They said, "Dead on arrival."

As my colleagues know, what happens is those folks say, "OK, Mr. President, we're going to give you two-thirds of what you want, and one-third is going to be the garbage that we want," and, Mr. Speaker, they force the President to either veto what he has to have or swallow the garbage.

Mr. GEJDENSON. Reclaiming my time——

Mr. BURTON of Indiana. Let me just finish.

Mr. GEJDENSON. I only have about 4 minutes left.

Mr. BURTON of Indiana. I just want to finish.

I say, you give the President the balanced budget amendment and the line-item veto, and we will solve the problem, but you——

Mr. GEJDENSON. We had a fight about that. It was called the Revolutionary War. We had a King George. The country decided they did not want a king, and what we have here is a king that seems not to be ready to pay attention to his people.

Mr. Speaker, I yield to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Speaker, there is nothing, nothing that stops this President or any other President from submitting a balanced budget in his resolution.

Now for 8 years we never got a balanced budget from Ronald Reagan, and for the last 3 years we have not gotten a balanced budget from George Bush. There is nothing that stops him from doing that, so do not go reaching out for some kind of constitutional amendment when the President has the power to submit a balanced budget.

Mr. GEJDENSON. It seems to me the last time the President did not even want to submit a budget. He wanted to make a statement about where he wanted to go.

Mr. Speaker, I yield to the gentlewoman from Missouri [Ms. HORN].

Ms. HORN. Mr. Speaker, I thank the gentleman from Connecticut [Mr. GEJDENSON], and I am going to change the subject a little bit here to get back to what we were talking about a minute ago, which is an example of the failed economic policies as is taking place with my own McDonnell Douglas world headquarters in my district in St. Louis County. It is a fine, fine company, and it has been in the aerospace business for many years. Airbus, which is really a government run, European, aerospace company, No. 2 now because they have gone out into the world markets and undercut and undersold both McDonnell Douglas and Boeing and have now brought McDonnell Douglas to the third place in terms of aerospace in world markets, and they have only done that with the assistance of their governments, with the subsidies, $4 billion of subsidies, and their governments are sitting at the negotiating table as they are undercutting our Boeing and McDonnell Douglas, totally out there on their own trying to sell in world markets, and even in our domestic markets.

Why do Taiwan and the other Pacific rim countries have all those dollars to come and buy into our aerospace industry? One reason would be the incredible trade deficits that we have had, the surpluses they have, billions of dollars, to come and buy our real estate, as well as into our companies, and what is one of the reasons why they have this incredible surplus? Because we are defending them. We are spending our treasure, as we have for 45 years, defending them——

Mr. GEJDENSON. Just reclaiming my time. I would like the gentlewoman from Missouri to finish, but we are running out of time.

Ms. HORN. Yes; well, thank you.

Mr. GEJDENSON. I yield to the gentleman from Oklahoma [Mr. INHOFE].

Mr. INHOFE. Mr. Speaker, the 30 seconds remaining will not do it. We are all having so much fun here. I think, though, that if my colleagues would be perfectly honest over on that side of the aisle, what they are saying is it is not that the President does not have a health plan, it is not that he does not have an economic plan for this country. He just does not have their plan. He does not want to socialize medicine, he does not want Government running our lives, overregulating—

Mr. GEJDENSON. Reclaiming my time, because we are out of time, I just say one thing.

They asked the President's Secretary of Health what his plan was for dealing with the health crisis that has 60 million people a year without health care. He said, "We're going to do that in the next administration."

I yield for a close to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Speaker, I thank the gentleman from Connecticut [Mr. GEJDENSON] for yielding.

The President himself has said, "Wait for my State of the Union Address. That's when I'll talk about what needs to be done in the economy."

Mr. Speaker, we think that needs to be dealt with now in a strategy of restoring confidence in the economy and in the Government, by restoring growth in our economy, by investing in education, investing in research and development and in an energy plan, restoring jobs in America, by passing the infrastructure bill, the highway bill, to produce 2 million jobs, by restoring fairness, by passing a health-care bill and a middle-income tax relief bill, and by restoring resources through continuing savings with regard to the deficit.

□ 2050

We have the opportunity to do that. It will take leadership. It will take tough choices. But if we do it, we can not only restore confidence in the economy and in the Government, we can restore confidence in ourselves.

Mr. GEJDENSON. Mr. Speaker, I thank the gentleman and I thank our colleagues on the other side of the aisle. I wish we would have had more time for exchange.

The people of this country need us to help them. The people of Ferrier Corp. in Uncasville, CT, need a government that is on their side to make sure those foreign countries accept our products, instead of having an administration that lets them close their markets to our products.

I thank the Chamber for its indulgence and I thank the gentlemen on both sides of the aisle for engaging in this debate.

EXCHANGE OF SPECIAL ORDER TIME

Mr. HASTERT. Mr. Speaker, I ask unanimous consent to exchange my special order time for this evening, 60 minutes, with that of the gentleman from Georgia [Mr. GINGRICH].

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

Ms. OAKAR. Mr. Speaker, reserving the right to object, I do not understand the implication. Some of us have time and we would like to know where the gentleman would be otherwise.

Mr. HASTERT. Mr. Speaker, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentleman from Illinois but I am reserving the right to object because some of us have some things we would like to talk about.

Mr. HASTERT. Mr. Speaker, I thank the gentlewoman for yielding. The time slot previously was exchanged with Mr. GEPHARDT. That did happen, and we extended that courtesy to the gentlewoman's side of the aisle.

The SPEAKER pro tempore. The Chair will inform the gentlewoman from Ohio that the request is to transpose the time of the gentleman from Missouri [Mr. GEPHARDT] to the gentleman from Connecticut [Mr. GEJDENSON], and not the time of the gen-

tleman from Georgia [Mr. GINGRICH] to the gentleman from Illinois [Mr. HASTERT].

Ms. OAKAR. Mr. Speaker, if I might ask the gentleman from Illinois [Mr. HASTERT], was that an agreement the Member had with both sides? If it was, I do not have a problem with it, except that regular order is nice sometimes when Members are waiting. I would appreciate it if the gentleman would try not to take the whole hour.

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.

VACATION OF SPECIAL ORDER AND REQUEST FOR SPECIAL ORDER

Mr. LIPINSKI. Mr. Speaker, I ask unanimous consent to vacate my 60-minute special order today and be recognized for a 5-minute special order.

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

There was no objection.

AMERICA'S MIDDLE-INCOME FAMILIES DESERVE ASSISTANCE IN HOMEBUYING AND IN EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. LIPINSKI] is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, today I am reintroducing legislation that I have introduced twice before to give the hard working families of America a hand. My legislation would help the middle class buy their first home and educate their children. I have tried for a number of years to help the middle class without a great deal of success. But I believe that today the social, political, and economic climate in this Nation has changed enough that my legislation has an excellent chance of becoming law.

With the heavy burden of taxes, the middle class is experiencing great financial difficulties. Families that earn between $15,000 and $95,000 a year are footing the bill for tax breaks enjoyed by the wealthiest 1 percent of the population. This is not fair, and I will not stand for it. The middle class cannot be expected to bear the burden of the wealthy while trying to support their families. We must do what we can to give the middle class a break.

Unfortunately, both home ownership and college educations are becoming less accessible for middle-class families.

During the last 10 years, our country has witnessed a decline in home ownership rates—the first such decline since the 1930's. High costs continue to limit access to home ownership for many first-time home buyers. The economic recession has done little to improve the ability of Americans to afford housing in today's depressed market, and the recovery will only perpetuate this problem. Consequently, middle-income Americans cannot afford to buy their own homes.

Education is also becoming more of a dream and less of a reality for the middle-class. With the rising costs of college, working families are struggling to pay for the higher education of their children. In the last decade, college tuition has risen four times as quickly as the disposable income of middle-class families and total college costs three times as fast. Although the Federal Government spends about $5.4 billion on Pell grants, this financial assistance predominantly reaches lower income families. The Higher Education Reauthorization Act of 1991 would not make it any easier for the middle class to pay for college. Although the income eligibility criteria for Pell grants will increase, middle-class Americans will only be ensured guaranteed student loans as a financial aid option. Clearly, the middle class is being squeezed out of the picture.

In order to help overcome these injustices, I am reintroducing my legislation to help the savings of the middle class stretch a little further so that the average American can own his own home and educate his children. My bills would amend the Internal Revenue Code to allow withdrawal from individual retirement accounts without penalty tax for use in purchasing a first home and for educational expenses. Specifically, one of my bills would allow a person to withdraw funds of up to $15,000 from an IRA without tax penalty if those funds are applied toward the purchase of a first principal residence. My other bill would allow parents to withdraw funds from IRA's of up to $2,000 per year per child to go toward the expenses of their child's college education from the time the child is born until he or she reaches the age of 19.

Today, middle-income Americans are paying more taxes but receiving less benefits. It is outrageous. I urge my colleagues to join me in cosponsoring this important legislation to help average American families get what they rightfully deserve.

ELIMINATE THE EARNINGS TEST IN SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. HASTERT] is recognized for 60 minutes.

Mr. HASTERT. Mr. Speaker, I would like to yield to the gentleman from Oklahoma [Mr. INHOFE].

Mr. INHOFE. Mr. Speaker, I thank the gentleman for yielding. I am looking forward to participating with him in a special order that I think affects not just older Americans but all Americans in a way of life, having to do with elimination of the earnings test in Social Security. However, before doing that, since we just went through a special order and did not have adequate time to respond to some of the liberals on the left, I would like to make just a couple of comments. I mentioned that many people who say that we do not have a health plan for the American people are saying that because we do not have their health plan for the American people. Those who advocate socialized medicine for the people of this country have failed to realize the cost of it, the ultimate cost to the consumer, and have not really talked to the lines and lines of people waiting for operations up in Minneapolis and other places where they have that type of system that we seem to be so anxious to emulate in this country. There they are unable to get the operations because Government makes those decisions. We are putting the lives of individuals into the hands of Government and into the area of the budget balancing amendment to the Constitution.

I think some day we need to address something in this House that very few people are aware of, and that is that all the talk about the corruption that is taking place, we need institutional reform. It is interesting that in this country 87 percent of the people today want a budget balancing amendment to the Constitution. Now, why do they want that? They want that because they know that Congress has demonstrated over and over again that it is incapable of balancing the budget. It cannot resist that insatiable appetite to spend money that they do not have and that my poor children are going to have to pay sometime in the future.

So what happened? It was not too long ago, just a few months ago, we were able to force a bill out on the floor for an open vote and we missed passing a budget balancing amendment to our Constitution, so it could go out there for the people, by seven votes. I think this is something that needs to be addressed, and all of those individuals who like to hang it on the President, that he is the guy who is responsible for deficit spending, go back and read the Constitution. It clearly says that rests on our shoulders here in the Congress.

Mr. GEJDENSON. Mr. Speaker, will the gentleman yield just for a second? I would just say a couple of things. One is that there are some things one has to adjust when we have a national single payer plan. The choices are the Government's and the people's, and so in Canada under conservative Government there has been a reduction of the availability. But every estimate that I have seen says that if we accepted a national single payer plan, not only

would we provide universal care to all Americans, long-term care and others, we would save over $200 billion a year and over the course of 10 years save enough money to reduce our national deficit.

□ 1900

As for the argument of what our role is and what the role of the President is, what I can tell you is under Democratic Presidents we have had much smaller deficits as a percentage of GNP and in actual dollars.

Mr. INHOFE. Mr. Speaker, reclaiming my time, I would suggest to the gentleman that during the years he is speaking of we had a Democrat President and we also had a Democrat-controlled Congress in both Houses. That Congress was still making those decisions. It is the Congress, clearly, and not the Presidents who are responsible for deficit spending.

Mr. Speaker, before I yield more time, we have to go back to our special order at hand. I would yield to the gentleman from Illinois [Mr. HASTERT].

Mr. Speaker, I would like to point out to the gentleman from Connecticut [Mr. GEJDENSON] just one point that I think is salient in his presentation and the presentation of the chairman of the Budget Committee. The gentleman is talking about the growth during the Carter administration and the very fine growth on the chart. However, that growth was also driven by double-digit inflation.

Mr. GEJDENSON. Adjusted for inflation.

Mr. HASTERT. But it was a very huge amount of inflation. I am not sure we want to go back to those years.

Mr. Speaker, I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I know Members want to get on to the other special order, but I would just like to set the record straight. When they talk about the problems that we are having with the economy, they need to realize that this body and the other body are responsible for this $400 billion deficit we are going to have this year. In addition to this constant spending we are doing this year, we are also circumventing the budget agreement.

The budget deficit of $400 billion this fiscal year is not really the deficit, because they are forward-funding into next year additional billions and billions of dollars, in effect digging a deep hole which we are going to have to fill next year with funds, which means we are going to start off in the hole next year when we have a budget agreement. The deficit is very likely to be over $400 billion in the next fiscal year.

Mr. Speaker, we are heading toward financial oblivion if we do not get control of our appetite for spending. They come down here with these programs and crazy ideas. I call them crazy ideas because they are going to exacerbate the problem. That is supposed to be a solution.

We do not need more programs. We need constraints on spending. We need to prioritize spending. I say the problem does not rest on this side of the aisle because we are in a distinct minority. The problem rests on that side of the aisle.

So we must not let them mislead the American people by saying that the President is responsible for these economic problems or the deficit. They are responsible. They are charged, as has been said by the gentleman from Oklahoma [Mr. INHOFE], by the Constitution with the responsibility of balancing the budget, of providing for taxes, for revenues, and for expenditures. We must not let them off the hook by making these allegations.

The President can do the job, if we will just let him in this body.

SOCIAL SECURITY AND OLDER WORKING AMERICANS

Mr. HASTERT. Mr. Speaker, the time has come to address the dire need of our country's older Americans. An opportunity has come before this Congress. Last week there was a bill passed, the Older Americans Act, in the U.S. Senate, the other body. During that proceeding there was an amendment added on by the gentleman in the other body from Arizona, Mr. MCCAIN.

Mr. Speaker, that amendment was basically the House version of the Older Americans Freedom to Work Act. What that bill does is to eliminate the earnings-test limit on Social Security.

What is the earnings-test limit on Social Security? The earnings-test limit is saying that every time a senior citizen over the age of 65 chooses to take his Social Security, but must remain in the work force to meet the payments of the day, to make ends meet, to pay the mortgage on his house, to pay the property taxes that he may have, to buy a new car, to take a vacation, to take and put that oldest child through school, once he earns over $9,730 he is penalized on his Social Security $1 for every $3 he earns.

Mr. Speaker, that puts seniors in a marginal tax bracket of 56 percent, twice the amount that we tax millionaires in this country. It is a vestige from the Depression.

Mr. Speaker, that is just not fair. It is time that we change that program, and it is time that we allow senior citizens who choose to work after the age of 65 not to be relegated to the rocking chair, but in fact to be able to lead productive lives.

Mr. Speaker, there are a lot of corporations, companies, and small businesses throughout this country that have in fact signs in their windows that say "Help Wanted." Those signs cry out to seniors who want to be productive people, who want to work, who want to carry on the trade, the job or profession that they had all the way through their working career. But a tax policy in this country called the Social Security earnings limit actually prohibits those people from carrying on and working and earning more than $9,730.

Mr. Speaker, if you look in your payroll accounts today of most people across this country, $9,730 does not go very far. If you would add on what a person may earn in Social Security, maybe $5,000, $6,000, maybe $7,000, and look at the earnings, yearly earnings of $15,000 or $16,000, that does not go very far in today's age.

So what we are saying is by removing the earnings test in Social Security, we give older Americans the opportunity to be competitive, to be productive, and to give this economy a boost that it deserves and a break to senior citizens that certainly they deserve.

Mr. Speaker, I would like to yield to the gentleman from Oklahoma.

Mr. INHOFE. Mr. Speaker, I thank the gentleman for yielding. The gentleman from Illinois [Mr. HASTERT] has been championing this cause since we were elected at the same time in 1986. I can remember our class that got elected at the same time got together and decided what is a doable thing that would do the most for a lot of American people, and this is what we decided. It was the gentleman from Illinois [Mr. HASTERT] that has been carrying most of the load on this.

Mr. Speaker, I cannot believe that my district in Tulsa, OK, is that much different than the rest of the country. When you look around and see the problems we are having getting this done right now, I can tell you, and I do not know whether the gentleman from Illinois [Mr. HASTERT] would agree with this from his district, but I have had probably during a 2-year period more town hall meetings than any other Member of Congress. I have yet to have my first town hall meeting where somebody did not come up right out of the chute and talk about the elimination of the earnings test.

Mr. Speaker, you will hear people talk about the cost of this, but I found out something that was a real shocker to me when I was first elected and first had the town hall meetings, and that is that it is not going to be that costly to the Government to have these people out there working, because I suggest to you they are working anyway.

They are out there right now. I have had people come to me in town hall meetings and say, with tears in their eyes;

For the first time in my life I have been forced to be dishonest. I am out there working because I cannot stop working. I want to be productive. I have been taught all of my life it is the American way of life to be productive. I am capable of doing more work. That is all I want a chance to do, so I am working.

But I am lying to the Government. I am not reporting it, because I know if I report it

I am not going to have those Social Security dollars that I have paid in coming back to me, and it is just not fair.

Mr. Speaker, I suggest that we should look at the human element of this, that this is something that is an an issue of fairness. This is an issue of Americanism, to allow people to continue to work, to be productive.

Mr. Speaker, how many people have you known in your life, who have retired, and then within a year have died? Many, many people. One has to stay productive, and that is the American way.

I just commend the gentleman from Illinois [Mr. HASTERT] for taking this time and for all the hard work he has done. I believe now, with the recent action in the Senate, that we are going to be successful in this very worthwhile cause.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Oklahoma [Mr. INHOFE] for coming to the floor and taking a few minutes of his time and sharing with us how important it is to his constituency in Oklahoma, and certainly people in the Tulsa area, that want to be productive and want to have a job.

Mr. Speaker, I would ask the gentleman from Oklahoma [Mr. INHOFE] what are the things that the gentleman hears? The gentleman may continue on. What are the things the gentleman hears in his town meetings? Are people really wanting the ability or the chance to go back to work and to be productive?

Mr. INHOFE. Mr. Speaker, yes. The thing that keeps coming up is that they want to be out meeting people. They love people. They have retired, maybe not of their own choosing, from a career that they have pursued over a long period of time. But people of that age generally like to be around a lot of people, young people, just a broad variety of people. So you see they go into a lot of restaurants and a lot of fastfood operations.

□ 1910

They take a lot of the jobs, quite frankly, that people who are in the midst of a career do not want because they like the association. They like the productivity. They like the activity, and they like to be doing things.

Mr. HASTERT. And that accounts for companies like Days Inn and Sears and the McDonald Corp.

Mr. INHOFE. They say they are the very best. I had an experience, I bought an airplane out in Sacramento, and I stopped in Farmington, NM, with some mechanical problems. And I was picked up by an individual, taken to a motel and served dinner. It was rather late at night.

Everyone that I came in contact with fell into the category that we are talking about here. I would suggest that probably none of them really reported it because they felt that this is something the Government is imposing upon them that just is not right and is not American. But I know it is going on.

I know that these people are happier because they are able to do it, and I also know that those are the jobs that they have a hard time getting people to perform.

Mr. HASTERT. It tells us, Days Inn Corp., which is a huge hotel or motel chain out in this country, their experience before when they hired people off the street to man their desks, their night desk and day desk, they had an absentee rate of 30 percent. That is a huge rate. Once they started hiring exclusively senior citizens, their absentee rate went down to an astounding 3 percent.

Mr. INHOFE. From 30 percent to 3 percent?

Mr. HASTERT. So the work ethic and the ability for these people to do a job and do it right certainly is a matter of record. That is why so many companies throughout this country, corporations big and small, from mom-and-pop organizations to outfits like McDonald's want these people there and being productive for them.

Mr. INHOFE. It is kind of hard to figure out who the loser is on one of these things because we have the workers who are happier to be able to do it. We have the corporations, we the productivity. I think a lot of these people making these calculations forget that these people are getting back on where they will be paid. If our effort is successful, we will have a lot more people on the tax rolls who are working today but are not reporting it.

Mr. HASTERT. Mr. Speaker, I really appreciate the gentleman from Oklahoma coming by and sharing his remarks with us.

Mr. GOSS. Mr. Speaker, if the gentleman would yield, I thank my colleague from Illinois who has led this charge so well. I am very happy to participate tonight as I have participated all along, as a latecomer to the effort, to get this earnings test repeal into accomplished feat.

In the district I represent in southwest Florida, we have an awful lot of senior citizens. They are productive people. They have been productive people all their life, and they want to continue to be productive, especially today, when we are looking at the challenges we have with the rising health care costs, the other problems we have of just getting along and making ends meet in our economy day to day.

In Florida we have a saying that we are not getting older, we are getting better. And that is true. Part of that getting better in Florida is that ability to continue to produce.

Of course, when there is an incentive not to go out there and work and be productive and look out for yourself, the kinds of values that made this country so great, the incentive is to disassemble and say, this is a penalty if I go out there and I get productive. How un-American is that? It is incredible. And how did this happen?

If we look at it and go into the history, it was back in 1935, an entirely different circumstance, when this type of program was put in and this was sort of an afterthought to it. Nobody really figured out what the effect would be someday, and now we have figured it out. Like any other leftovers, when the leftovers have been in the icebox too long, we throw them out. This one has been left lying around too long, and it is time to get rid of this earnings test. It is a leftover, and it is not doing us any good.

It is costing us in productivity and, more importantly, maybe for us in this body, these days it is costing us in credibility. There is a fair play issue here.

Everybody knows there is a fair play issue here. We are cut up here in this period between Halloween and Thanksgiving and everybody knows that this is a dangerous time for democracy. This is the time when things go bump in the night, as adjournment fever begins to set in. The stampede for the finish line to get home is on. All of a sudden all this legislation that we have not tackled comes to the fore and we are going to suddenly do in 5 days stuff we have not been able to do in 5 years.

This is a time when you have got to watch out. It is also a time for opportunity because there is what we call conferee creativity going on. And this is our opportunity, I believe, to make this matter come to the fore, as my colleague knows.

Mr. HASTERT. We have the Older Americans Act coming back to the floor of the House. It was amended by the other body, and on that is the provision for our Older Americans Freedom to Work Act. One of the things that we are looking at in procedure in this process is how to make sure that when the conferees are appointed to that conference on the Older Americans Act, how do we make sure that we can say to our conferees that it is important that they keep that Senate bill intact?

I think that is a real issue that will come before this House, if not this week, certainly next week.

Mr. GOSS. Mr. Speaker, if the gentleman will continue to yield, I would certainly agree. That is why I specifically focused on this point now because, in this great rush of legislative matter that we have going on into the night, being here for the weekend, whatever it is going to finally work out to be, we know the pressure is on.

I think back to a year ago and some things that happened, and not all good. And I think of some other things that have happened in conference where mo-

tions to instruct have been ignored, in effect. That is why I think we want to make sure that not only do we have the opportunity and take every advantage to provide the motions to instruct, but I think we want to demonstrate that the constituency is there behind those motions to instruct that very definitely says, it is time to do this. We have something here that is counterproductive.

It is a fair play question, and there are people out there who notice and who care. This is not something that I want to get lost in the bump of the night syndrome. This is something I want to be out there in the sunshine so people can see Congress can address an issue like this and make something good happen.

Mr. HASTERT. Mr. Speaker, what the gentleman is saying is those senior citizens who are concerned about this issue need to keep a close eye on Congress in the next couple days and watch as that vote to instruct conferees. The parliamentary procedures that may happen before or after are certainly the votes that determine whether we get this amendment, the Older Americans Freedom to Work Act, on the Older Americans Act or not.

Mr. GOSS. Mr. Speaker, that is the case. I feel very strongly that the reason the catastrophic repeal went through was because the process was followed closely and, when we could not get through the system on that, what inevitably happened is the constituency spoke up and the message was loud and clear. And I think the constituency has to help us make the system work on this, and I think the gentleman has articulated extremely well.

Mr. HASTERT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. EWING].

Mr. EWING. Mr. Speaker, I would like to ask a question of the gentleman from Florida. I think maybe he has as much expertise in this as anyone, since he has probably a lot of retired people. And it appears to me, and I ask this as a question, do we find that these senior citizens are working, are also availing themselves of benefits for health insurance?

Mr. GOSS. Mr. Speaker, if the gentleman will continue to yield, the answer, of course, is that they are strapped to try and make ends meet, but the answer is, yes, they are trying to avail themselves of health benefits that are there. Obviously, they are trying to maintain their health first. And that requires some good preventive medicine in many cases. And that is expensive.

But on top of that, when things go wrong and they do need medical attention, the health care question is definitely out there for them.

□ 1920

So many people think seniors who are working are also getting supplemental health care under their part-time jobs that they might not get and they would have to pay for otherwise.

Mr. GOSS. That is certainly the case in many instances. Of course, it is not the case in every instance. Otherwise, we would not have the health care problem facing us that we do, but it is certainly true enough that people are wanting to look out for their own well-being and attend to themselves, and not be a burden on their neighbors or on society as a whole. Here we have created an obstacle for them going about doing their business that way.

As I said, there is something basically un-American about stopping people from looking out for themselves.

Mr. HASTERT. If the gentleman from Illinois will yield back, I think one of the big issues that people say is, "Oh, this is going to cost too much." But I think when you really look at the issue and how you score this, whether it is the Congressional Budget Office that scores it, or the Treasury that scores it, and people do not even really understand what scores are, but by scores we mean when we start to look at revenue issues we tie our hands in this Congress, and we say, if we could throw our hands up and have them tied at the same time, we say, "Woe is me. We cannot do anything because the scoring prohibits us from doing that."

But when you really look at the real issue, when you start unleashing people to be productive forces in the economy, it brings money into the economy. We have done some studies on this issue and we have found out that there are 700,000 people aged 65 and older that would go out and be productive senior citizens that today sit home in a rocking chair and are almost bound to that rocking chair by the earnings test on Social Security which says no, you cannot go out and work because you are going to be penalized if you earn any more money than $9,730. So they do not ever get into the action. But we found that they would go out and work and would be productive senior citizens, and they would produce $15 billion in the economic sector. Certainly in places like California, Arizona, the southwestern part of the United States, southern California, $15 billion of producing, economic activity means houses paid for, cars bought, vacations taken, children's tuition paid and a lot of things that are good for the economy. In fact, out of that $15 billion of economic activity we also find that $3.2 billion, let me say that again, $3.2 billion, with a "b" comes back net to the Federal Government, because people are not paying income taxes and they are paying into their Social Security.

One factor that we do not even begin to look at is, and the gentleman from Illinois [Mr. EWING] mentioned this, people are actually depending on the private sector in many cases for their health care and their benefits, and not on the public, not on the taxpayers' pockets, and I think that is something that we cannot even begin to factor.

One other issue on that is that this bill unfairly pushes some people into a subrosa economy. Some people say, "I don't want to deal with this, but yet I need to earn. I need to make ends meet in my home and take care of my elderly wife, and so I am going to go out and I am going to take this guard job, and I will take a little cash here and I will take a little cash there." It is an economy that is under the table, and what we force some seniors to do is to be outlaws, and that is wrong. That is wrong for a social policy in this country or any country to force people in that type of a situation.

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

Mr. HASTERT. Certainly, I am happy to yield to the gentleman from Illinois.

Mr. EWING. I think there are studies, if I am not incorrect, that have shown that in fact there will not be a cost to the Federal Government, but that the opportunity for additional tax revenues can and will make up the lost revenue that we can see at this point or that some see at this point.

Mr. HASTERT. If the gentleman will yield back, when we look at a line and say that is a graph, and we do not have all the paraphanalia down here or the visual aids, but if we can envision a graph and there are 700,000 people sitting in rocking chairs taking Social Security, and all of a sudden those 700,000 people leave their rocking chairs, and they go into the work force and are producing, they are still taking their Social Security because they need it to make ends meet, but it is not costing the Federal Government anything. That gap in there is not a cost to the Federal Government. It would only be a hypothetical cost if you look to what would go beyond that point, and those people indeed went to work, and the law stayed in place. And they would not go to work if the law did stay in place. You have to remember that. But if they went to work and the law stayed in place, then they would not be getting those dollars in Social Security. So the hypothetical machinations of trying to put a budgetary, static budgetary cost on this just is not relative, it just does not make sense.

Mr. GOSS. Will the gentleman yield, Mr. Speaker?

Mr. HASTERT. I am happy to yield to the gentleman from Florida.

Mr. GOSS. On that point I think the gentleman has articulated so well, as he does as the leader of this, the statistics and the financial outlook for it as we see it today. But I think there are other demographic factors that even make that a more positive program as we get to the turn of the century. I un-

derstand that estimates are that we will have concurrently 1.5 million fewer young Americans coming into the work force by the year 2000, and at the same time that we have 5 million Americans concurrently reaching retirement age. That means we have a bit of a shortfall in productive employment in that area, and not only that, it means we have got trained, wise, experienced people who are going to continue to want to work in many cases, and there is going to be a need in the American productivity machine to have those people available. So if there is a need now, there is going to be an even greater need then when you take a look at the demographic statistics and the outlook for our country. And although it is a little bit of a scary thought, the year 2000 is not very far away. And at the pace we deal with things in this institution, you might say it is just around the corner, so now is not too soon to be planning ahead.

There was a concurrent statistic with that that we looked up, and I think, maybe, and I do not remember whether the gentleman provided me this or somebody else did, but I understand that 8 percent of the Social Security Administration employees are presently involved in administering this earnings test limitation. They obviously are not catching the people who are not complying with this law, as ill-begotten as it may be. But if we have 8 percent of those people doing this, how much money are we wasting there?

Mr. HASTERT. That is an interesting point, because the statistics that the Treasury and the CBO have, those people do not count what the huge bureaucratic cost is of trying to keep track of people who have to abide by the earnings test. We understand that it is not just a huge bureaucratic snaggle out there, but they are not doing a very good job at it. And there are indeed people who are frustrated trying to find out whether they should pay this penalty or not have to pay the penalty, and sometimes those decisions are delayed and people get caught in the switches, which really is not fair either.

I would like to take a few minutes here and yield certainly to one of our more productive gentlemen here in the U.S. Congress, the gentleman from Ohio, Mr. CLARENCE MILLER. I know Mr. MILLER has a lot of constituents back in his district who certainly can relate to this issue, and would like to hear what the gentleman from Ohio has to say.

Mr. MILLER of Ohio. Mr. Speaker, I thank the gentleman from Illinois for yielding.

Mr. Speaker, the Older Americans Act (H.R. 2967) passed the House by voice vote on September 12. The other body passed the Older Americans Act on November 12 with an amendment to repeal the limit on the amount of money older Americans can earn while continuing to collect Social Security benefits. This amendment would eliminate the earnings test for people who reach age 65. Instead of triggering in at 70, it would start at age 65.

The earnings test was instituted in the 1930's when unemployment was high and there was a desire to move people out of the work force.

Retaining experienced and competent older employees is already a priority in labor-intensive industries, and will become even more critical as we move through the decade. As a result, many businesses are looking more to retired workers to fill job openings. In particular, companies in the service, retail, and health care industries find retired workers especially valuable additions to their work forces.

To combat the work barrier which many older Americans face, this amendment to eliminate the earnings test for people who reach age 65, makes sense. It's time we recognize the burden the earnings test places on the older American.

I urge the House conferees to retain this amendment in the Older Americans Act as it moves through conference and returns to the House for final action.

□ 1930

Mr. HASTERT. Mr. Speaker, I certainly appreciate the comments of the gentleman from Ohio, and certainly his great work on this, working with us from the very beginning of this project. I appreciate the gentleman's efforts in this and taking the time to lend his support.

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

Mr. HASTERT. I am happy to yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, the gentleman from Ohio has brought up a very valid point, which is probably hard for Americans to understand how the process works in this institution of the U.S. Congress. We have got the other body, the Senate has, in fact, approved by a voice vote the repeal of this, and we have 267 or 270 cosponsors, or however many, on the appropriate legislation. That would appear to be enough votes to get this matter accomplished.

It is very hard for people to understand why, if we have all that support, that we have not been able to repeal. I think the gentleman from Ohio has put his finger on it, when people are expecting this and he mentioned the magic words, to urge the conferees.

Perhaps the gentleman from Ohio or the gentleman from Illinois would like to explain how this system works, so that Americans can understand it better.

Mr. HASTERT. Well, Mr. Speaker, let me pose a question to the gentleman from Florida.

If the gentleman's constituents want you to vote on a certain issue and support a certain type of legislation that is moving down the pike, what do they do?

Mr. GOSS. Mr. Speaker, if the gentleman will yield, usually they let me know.

Mr. HASTERT. How?

Mr. GOSS. Well, if the gentleman will continue to yield, we have cards, letters and phone calls, and occasionally there are press releases and demonstrations. There are other methods, letters to the newspapers, people appearing on the local T.V. stations, and the word gets out. Sometimes they actually write to the conferees if they understand what a conferee is.

Mr. DREIER of California. Mr. Speaker, will the gentleman yield?

Mr. HASTERT. Surely, I am happy to yield to the gentleman from California.

Mr. DREIER of California. Mr. Speaker, first of all, I want to compliment the gentleman from Illinois for diligently pursuing this issue.

The rights of Americans who have throughout their entire lifetimes been forced to pay into a system and then all of a sudden they are told that having planned for retirement and wanting to make something of their retirement that they are penalized because of the fact that they are gainfully employed, seems to me to be a very great mistake.

I would like to follow up on the point the gentleman was making. I assume that my friend, the gentleman from Illinois, has written letters himself to the conferees urging them to ensure that this incorporation dealing with the so-called earnings test is addressed and that this amendment is kept in. Am I correct in assuming that?

Mr. HASTERT. Well, the gentleman has assumed correctly; however, we know that nothing gets passed in the U.S. Congress unless it has grassroots support.

Mr. DREIER of California. Mr. Speaker, if the gentleman will yield further, one of the things that I have found, with all due respect to those of us who serve in this illustritious body, I am inclined to believe that when a letter comes to me from a few constituents or several hundred constituents or several thousand constituents, while I greatly admire the work of my friend, the gentleman from Illinois, I am much more inclined to respond to those letters than I am to even a brilliantly worded letter that might come from my friend, the gentleman from Illinois, or my friend, the gentleman from Ohio, or even my friend, the gentleman from Florida.

So I think the gentleman is correct in saying that a ground swell of support in behalf of an amendment to repeal the earnings test is probably the best way to ensure that our colleagues who are serving on that conference in fact respond.

Mr. HASTERT. Well, I certainly appreciate the remarks of the gentleman from California. I associate myself with those remarks, and indeed no good piece of legislation ever passes this place without, as I said, the ground swell of grassroots support, people who are back home who understand the hardships of trying to put ends together to meet the monthly bills, especially if you are on a limited earnings and all of a sudden you are being told by the Social Security Administration that you cannot earn more than $9,000.

"Sorry, fellow, but you take your Social Security and $9,730, that is the check you will live on, or you will be penalized at a 56-percent marginal tax rate," which is really twice the amount of what millionaires pay today in taxes.

So the gentleman from Ohio [Mr. MILLER] makes a very, very good point.

I also appreciate the input of the gentleman from California.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

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

Mr. MILLER of Ohio. Mr. Speaker, I just want to thank the gentleman from Illinois for taking this time and for his interest in order to help our older Americans, and I thank the gentleman very much.

Mr. HASTERT. Mr. Speaker, I want to yield to the gentleman from Florida, and to thank the gentleman from Ohio for his time and input.

The issue of fairness, we hear that all the time, fairness, being fair to people raises its head in this issue. How do you proceed with what is fair when you compare what people who have earned income, as compared to people who have unearned income? We might want to talk about that for a minute.

Mr. GOSS. Mr. Speaker, if the gentleman will yield, that is a very critical question, of course. Depending on what category you are fortunate enough to be in, whether it is an earned or unearned situation, but if you go back to the beginning of this and look at how we got where we are today and why we even have this, the wisdom then may have been justified, because there were other social needs and other economic problems in our Nation, but quite clearly those have changed, and the situation is very much different today. So there really is no longer any justification, if there ever was any justification, for this earnings test limitation, and now it seems to me we need to own up to that.

Quite clearly, there are some people who have a need as well as a will to work. What we have done here is, one more time, imposed that philosophy of over-regulation because Government knows best. Government does not know best. Very seldom does the Government do anything better than anybody else does. Usually the Government gets the problems that nobody else wants and makes them worse before they get through with them.

I think this is the situation we have got here. We have over-regulated in Government.

Business, if you talk to businessmen, we have over-regulated; banks, if you talk to bankers, and if you talk to individuals, we have over-regulated their lives. There is probably not a United States citizen who knows all the regulations that actually apply to him or her as he or she goes about his daily life. There are mountains and mountains of books and volumes of laws that many of us probably are happily ignorant about, many of which need to be repealed, and this happens to be one that falls in that area, because not only is the fair play question involved for all senior citizens, there is a further fair play, as my very esteemed and intelligent colleague, the gentleman from Illinois, has pointed out between those who are wage earners and those who are nonwage earners, and that is a further distinction that we need to address.

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

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

Mr. EWING. Mr. Speaker, I think the gentleman makes an excellent point there and one that is not brought out and we should reiterate again, that the earnings test hurts those who are least able to afford to be hurt. If I have outside income that is not earned income, I can maintain my lifestyle. I can enjoy the things in my golden years that I could not without that income, so with the earnings test we say to people who are not that fortunate, "You're going to do without," or "You're going to have to take supplemental public aid or supplemental aid from the government. You are going to have to live a lesser lifestyle," even though they might want to earn that. I think that is probably one of the most important points that have been made here.

Mr. GOSS. My colleague has identified that well.

If I might take another minute on this, there is an even more important distinction, perhaps it is subtle, but there is a real distinction there that adds weight to the observation the gentleman has made, and that is quite often the golden years turn to brass or dross or worse, because we find that people who thought they were well provided for when they retired, through one situation or another, it may be a reversal, it may be a health problem, it may just be inflation eroding their retirement or their fixed income, we find that we have a number of people who are actually shifting from the people who are well off, who now have a need. As they try to get back into the workplace to adjust to that need, they find that they are penalized for doing it and they never can quite get back to the style they wish and to the style they started out with, and in many cases the financial obligations they incurred when they started their retirement because of this onerous penalty.

Mr. HASTERT. Well, if I can reclaim my time and follow up on both those comments. Some say this bill is only for the rich. That is the most onerous argument that there is. It is really a red herring.

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Mr. Speaker, one of the points that I think is so important is that people, some of the people who oppose this bill, say that, "Well, this is a bill for the rich." Well, it is not a bill for the rich. The rich have provided, in large part, for their retirement with earnings, with rents, with pensions, with interest from different holdings. The ironic thing is that those types of incomes are not controlled or penalized under Social Security. In other words, you can earn all the pensions, all the interest rates, all the other yields that you can, and your Social security is not touched one bit.

It is the person who has to go out and work down at the corner flower shop or McDonald's or part-time work at Sears to make ends meet, the person who has to work by the sweat of his brow, who is penalized on this piece of legislation.

That is the ironic thing.

One of the things that people say is that it is going to cost a lot of money. But, you know, we had been willing to talk about changing the earnings limit. If we moved that earnings limit or that cap to $30,000 or $35,000 or $40,000, that catches most of the working people in this country that have to have that benefit.

Ironically, when people start to diatribe against this piece of legislation, saying it only pays the golf fees for the millionaire doctors and lawyers, that is not a fact. It does not apply to this piece of legislation. This piece of legislation is for the true working man and woman in this country who have to work, who want to work and who want to provide for themselves, instead of having some Government agency provide for them. It does not seem that difficult to get that fact across, but it certainly is difficult to get that fact across in this Congress.

Mr. Speaker, I yield to the gentleman from Florida.

Mr. GOSS. I think the gentleman's observations are beautifully articulated and exactly on target. It is very hard to explain that. I realize I have an image problem when I try to explain it on behalf of my constituents from Florida because it is true Florida is paradise, but in every paradise there are problems. We have workers in paradise, we have people who need to work in paradise. That is exactly the point.

These days we all hear about the savings not going as far as you thought they did, you planned wisely, but now the dollar is not worth as much as it should be or we wanted it to be; those are real factors in life. When you wake up in the morning those things are the ones you have to deal with.

The gentleman is exactly correct in saying we are not worried about anybody's golf fees here, we are not providing any relief there. What we are definitely trying to provide in addition to fair play and the right philosophy here, is correcting a problem that does not appear to be a problem any longer from this bill in 1935, if it ever was a problem, we are really on the question of trying to provide benefits to the American economy as a whole and individual benefits to people who wish to avail themselves of basically the American dream of being able to go out and work without an undue and extremely harsh penalty at a time when there is need in their lives.

Think what the option is if those people do not look out for themselves, do not provide for themselves. Who will provide for them? I am afraid we all know the answer. In a liberally controlled Congress there will be yet another program to figure out some other way to pay for some gigantic program which we cannot afford and which we do not even have the money to do the programs we have now.

Mr. HASTERT. Mr. Speaker, I yield further to the gentleman from Illinois.

Mr. EWING. One thing that comes to mind in this discussion from both the gentleman from Florida and the gentleman from Illinois is the row of rocking chairs with people just sitting there and rocking. And we all know an active person is happier. I do not consider rocking an activity that brings great happiness.

When any of us who are fortunate enough to have our parents still with us and we talk about our parents, and the one thing that always brings a light to our faces is when we say, "Well, mom or dad is very active, they are out all the time, working part-time, doing this or that, because they are happier." And the gentleman made the point that we do not want the golden years to turn to tin because of unhappiness.

Mr. HASTERT. I yield further to the gentleman from Florida.

Mr. GOSS. I thank the gentleman for pointing that out. It certainly is true that there are many who are satisfied, more satisfied and feel better and probably have better health. In fact, I have heard it stated that they enjoy better health because they are psychologically very pleased to be working, to be productive, looking out for themselves.

Many have suggested to me, "Well, are you trying to put people back to work?" The answer is: Certainly not. What we are trying to suggest is that people who want to work can work if they feel they have a need to work.

That is just so basically fair and so basically an American proposition that it is impossible to believe that anybody could be against it.

Mr. HASTERT. One of the interesting things is that if you walk down main street America today and look at the small restaurants, coffee shops, McDonald's, the Sears stores, the merchandise outlets, they are literally crying for people who want to do a good day's work for an honest day's pay, who have the American work ethic, who want to be a part of the American productive enterprise system. They are looking for people to do that.

I would defy somebody to walk down main street America and not see a "help wanted" card in a window someplace.

Those are the jobs that seniors are looking at, that they want to be able to have in addition to other types.

There was an article in the Chicago Tribune last June about a gentleman who was a tool-and-die maker, something that is a pretty precious commodity, just that type of knowledge today, who went back to school to teach. He did not have a degree, but he went back to teach people who were Russian immigrants, Hispanics, African-Americans who needed to learn these trades that we need to have in this country to stay competitive. And as he was teaching this, all of a sudden he got a notice from the IRS that he is being penalized. At that time it was $1 for every $2 that he earned because he was 62 years of age.

They were saying, "Sorry, we don't need that expertise, we don't want you to teach our future generations those things we need to have in this country to be competitive." That is one story in thousands that we have catalogued in letters that we get from our constituents. I am sure that the gentleman from Florida has them, and I am sure that the gentleman from Pontiac, IL, has from his constituents, too.

Mr. Speaker, I yield further to the gentleman from Illinois.

Mr. EWING. The question that the gentleman raised in my mind, when you talk about need today, what is the projection for the next century?

Mr. HASTERT. The answer is that in the next century we have the baby boomers who are going to start to retire, and we will have more people retired than actually are working. We need to have the ability for those people who are in "our generation," whatever that parameter might be, that are going to be forced to retire but need to work, need to work to make this economy go.

Mr. Speaker, I yield further to the gentleman from Illinois.

Mr. EWING. For just one more point. How many jobs are going to be out there crying for somebody to fill?

Mr. HASTERT. Right now we know it is 700,000. I am sure that is going to multiply tenfold.

Mr. EWING. I thank the gentleman.

Mr. Speaker, I appreciate the opportunity to participate in this special order. I want to thank my colleague DENNY HASTERT for his leadership and hard work on this issue. He is a true friend of America's senior citizens.

I urge the conferees on the reauthorization of the Older Americans Act in the strongest terms possible to adopt the amendment of the other body to repeal the Social Security earnings limit and penalty. At a time when many people in America feel like Congress thinks only of itself, we have an opportunity here to show that we can adopt commonsense policies which have a positive impact on Americans and on our economy.

To state it plainly, Mr. Speaker, the Social Security earnings limitation test is unfair and discriminates against older Americans. The Social Security earnings limitation test is out of date and bad for our economy. It is just plain bad policy and ought to be repealed.

The Social Security Program was intended to provide long-term security to working American women and men by providing a program for them to invest in, with the expectation that their investments would be returned in their retirement years.

Today's senior citizens were told throughout their working years that they would get an honest return on their investment, and they have every right to believe what they are told. This trust of the American people has been crucial to the success of the Social Security Program. However, the earnings limit is out of date and now flies in the face of that trust by putting conditions on Social Security returns. The original purpose for the earnings test has expired. What was once a distant goal for many Social Security recipients has now become a low ceiling which is cramping the ability of our seniors to provide for their own well being.

We are all concerned about older Americans who live on modest incomes and face increased costs of living. Congress should be enacting policies which will help our elderly to increase their disposable income and achieve a higher standard of living. This means that we should not prohibit them from continuing to work as much or as little as they care to into their golden years to supplement their income. We need to remove this barrier to a worry-free, sound financial future for senior citizens.

The earnings penalty is not only bad news for seniors who rely on the Social Security Program, it is bad news for the business sector and for our economy. Employers will tell you that it is the seniors who demonstrate the best work ethic and habits. Today's seniors lived in that time in this country when hard work, efficiency, and pride in one's work were characteristics which everyone strived to achieve. I know of many employers who find senior citizens to be laborers of the highest quality and would be more than willing to hire them. Unfortunately, the earnings test imposed on seniors from Washington, DC, keeps many willing workers out of the labor market.

Common sense says that Congress ought to be enacting policies which encourage economic productivity. But the earnings penalty

keeps individuals who want to be productive participants in the economy from doing so. I believe that eliminating this policy will help to stimulate our ailing economy by allowing more seniors to continue to be productive into their retirement years. By the end of this century it will be an economic necessity for seniors to continue in our labor force or we will face major labor shortages.

Again, I join my colleagues here tonight in calling on the Older Americans Act reauthorization conferees to include the Senate's language eliminating the unfair and discriminatory Social Security earnings penalty. The conferees have an opportunity to do something right for America's senior citizens and for the American economy.

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So, in closing I say to my fine colleagues that I appreciate their time today in trying to discuss this issue and really discuss it in a sense with the American people because it is their issue, too. It is time that we move forward on this legislation, it is time that we are able to instruct the conferees this week or next week so that we can move the Older Americans Act with the provisions of the freedom—Older Americans Freedom to Work Act, and, Mr. Speaker, I submit the following statement for the RECORD.

Mr. Speaker, much of what we are considering these days in Congress is centered on the buzzword "competitiveness." America is facing worldwide challenges to its economic strength, and in order to meet those challenges, Congress must adapt to a changing world by bolstering our competitive edge.

One of the best things America can do to ensure that it fields the most productive work force possible is repeal the outdated Social Security earnings limit. The other body recently acted on this issue by amending the Older Americans Act reauthorization to repeal the earnings limit. I want to commend them for their courage and political wisdom, and discuss tonight why it is so critical that this body's conferees agree to keep that amendment as part of the conference report.

The Social Security earnings limit penalizes senior citizens who choose to work after they reach retirement age. Seniors between 65 and 69 who earn more than $9,720 annually lose $1 for every $3 they earn over that limit. When coupled with Federal taxes, seniors who earn a paltry $10,000 per year are faced with a 56-percent marginal income tax rate—nearly twice the rate of millionaires. That is just not fair.

The Social Security earnings test is age discrimination, pure and simple. And it afflicts the seniors who need extra income the most. Seniors can receive stock dividends and interest payments without losing Social Security benefits, but those who work at low paying jobs to make ends meet are punished for attempting to remain financially independent.

No other demographic group in the country is so blatantly discriminated against; no other group faces such obstacles when they attempt to become productive and financially self-reliant. But worse than that, the earnings penalty sends a message to the elderly that we no longer value their expertise and experience in our labor force.

We in Congress have the responsibility to enact policies that help us restore our competitiveness. Just as business leaders must modernize their factories, congressional leaders must update public policy.

Support for repeal of the earnings test is coming from all over the political spectrum in Congress, from the most liberal to the most conservative members joining in cosponsoring the Older Americans Freedom to Work Act. This majority reflects continuing support for the American principle of self-reliance as opposed to government reliance.

As our country takes steps to make itself more economically competitive for the 21st century, it is clear that we will have to use every available resource, especially in the U.S. work force. Remaining competitive in the next century requires adopting policies that foster economic vibrancy and doing away with outdated policies that inhibit it. Repealing the Social Security earnings test will both encourage a large portion of the population to remain productive and help bolster the economy. The realities of our economic situation demand that we do so.

Mrs. BENTLEY. Mr. Speaker, I want to thank my colleague from Illinois for organizing this important forum regarding a topic that he has spent a great deal of time advancing. I salute his efforts toward eliminating the retirement earnings test—efforts that have translated into 267 co-sponsors for the repeal legislation, H.R. 967.

Mr. Speaker, the retirement earnings test is an affront to those members of our society who are physically and mentally capable of putting their talents in motion. For the life of me, I can't figure out why this Congress hasn't seen fit to remove this financial straitjacket on a very productive segment of our society.

The retirement earnings test was originally enacted earlier in the century as a means of facilitating the creation of job opportunities for younger workers. But—this is not the 1930's, the composition of our labor force is different. Faced with the prospect of chronic labor shortages in the first decade of the next century, most people must agree that maintenance of the earnings test just doesn't make sense.

When you put this policy under a microscope, the negatives jump right out at you. Aside from artificially dampening the entrepreneurial spirit of many of our seniors, the retirement earnings test harms the economy by stifling any expansion in taxable income. In addition, the costs of monitoring excess senior income levels, by officials of the Internal Revenue Service and the Social Security Administration, are extraordinary. I would submit that several hundred million dollars, coupled with an inordinate amount of staff time, is too high a price to pay for agencies that are already overburdened administratively.

Debate over the issue of repealing the earnings test is often bogged down in a secondary discussion of how to offset the cost of repeal—currently estimated at just over $5 billion. According to the Institute for Research on the Economics of Taxation, upward of 10 percent of the offset could be recovered through normal taxation on the higher income and benefits that would result from a lifting of the earnings test. And we shouldn't lose sight of the fact that a repeal of the earnings test would actually boost our GNP by over $10 billion.

We are a nation comprised a 8 million retirees between the ages of 65 through 69. The Department of Labor estimates that, were this draconian measure to be eliminated, over half a million older workers would reenter the workforce.

Mr. Speaker, Members of this body are always heaping praise upon the senior citizen population—overbearing amounts of verbal lip service if you will. Well, I think it's about time that we demonstrate our concern for the welfare of these seniors by allowing them to make more than $9,270 a year. Why should those who diligently contribute time and talent to the workplace be penalized by a policy that is nothing more than an ill-fitting "glove."

I think it's high time that we discarded the "glove".

Mr. CLEMENT. Mr. Speaker, tonight I join my colleagues in hailing our recent success in the other body and in once again calling attention to the immediate need to right a wrong.

Mr. Speaker, we are finding that with technological improvements, improvements in the medical field and an overall awareness of the importance of proper eating habits and exercise, Americans are living longer than at any other time in our Nation's history.

Many of our seniors desire to continue to work well after they reach the age of 65 and are capable of doing so. However, depression-era legislation creates a mandatory retirement bias and discourages many older Americans who want to continue to work from doing so. Seniors are the fastest growing segment of our population and a valuable resource.

The Social Security earnings test reduces benefits to persons ages 62 through 64 by $1 for every $2 of wage and salary income earned above $7,080 and reduces benefits for persons age 65 through 69 by $1 for every $3 above the $9,720 cap. the reduction for those individuals ages 62 through 64 is equivalent to a 50-percent marginal tax rate and a 33-percent tax for those ages 65 through 69. These taxes are in addition to marginal Federal and State income tax rates, payroll tax rates, and large increases to marginal tax rates due to the phase-in of income taxation of benefits.

To continue to unduly penalize those between the ages of 65 and 70 who continue to work not only effects the individual's financial situation but his or her state of mind as well. I have found that those who remain in the work force beyond retirement age have a real sense of accomplishment and the benefit derived from their ability to contribute to society should not be sacrificed.

Mr. Speaker, last week I was contacted by several of my constituents pleading that I do everything possible to ensure that this opportunity to repeal the unfair earnings test is not bungled. In each case they expressed their sincere desire to continue to work but said that if they continued to be penalized they were uncertain how much longer they could afford to.

Mr. Speaker, as an original cosponsor of legislation sponsored by Representative DENNY HASTERT and Representative JAY RHODES, the older Americans Freedom to Work Act, I urge the House conferees to the Older Americans Act to adopt the Senate pro-

vision repealing this unfair tax. The 269 cosponsors of this legislation clearly illustrate the overwhelming support in the House to provide immediate relief to our Nations seniors.

Mr. ANNUNZIO. Mr. Speaker, the Senate last week took a step that could enhance fairness in the treatment of our senior citizens. I am referring to an amendment included in the reauthorization of the Older Americans Act that calls for repeal of the Social Security earnings penalty.

This proposal would scrap the rule that now requires seniors aged 65–69 to give up $1 of social security benefits for every three dollars they earn above a yearly cap of $9,720. The earnings penalty is unfair because it puts an economic bite on middle-income, working seniors who are struggling to remain independent. The penalty places an added burden on seniors who are trying to stay in their homes by working beyond traditional retirement ages.

Meanwhile, wealthy retirees can continue to collect profits on stock dividends and interest payments with no corresponding cut in their social security benefits. This violates a basic standard of fairness.

Mr. Speaker, I urge the conferees to adopt the Senate's amendment to scrap the earnings penalty. The thousands of American seniors who are struggling to survive on limited incomes should not have to give up benefits because they need extra money to sustain themselves during retirement.

Mr. LIPINSKI. Mr. Speaker, I will not stand by while the senior citizens of this country are discriminated against because of their age. No American should be penalized for working hard and contributing to our economy, and the Social Security earnings test does just that. It penalizes senior citizens who continue to work after they reach retirement age.

It is unthinkable that we still enforce a law that effectively forces seniors over the age of 65 to leave the workforce. We lose many experienced, loyal and hard working employees as a result—including Members of Congress. Further, by sacrificing dependable workers, we are hurting the economic competitiveness of our country.

Social Security is not a free gift from the Federal Government; each and every senior citizen has contributed part of their hard earned wages to ensure that when they do reach the age of 65, they will receive a fixed sum on which to live. Social Security is a planned and protected savings plan and should not be vulnerable to penalties based on age and earnings. It would be unheard of to penalize a regular savings plan, so why do we allow it in this case?

In a day and age of high prices and high health care costs, how can we expect seniors to survive on social security benefits alone? Having a job after the age of 65 is often a necessity not an option. Economic realities frequently require more money than Social Security provides. Those seniors who do work are only attempting to make a better life for themselves and remain financially independent. We should in no way discourage this.

Only the wealthy or those with tremendous savings, can afford to live comfortably without supplementing their social security benefits. Thus, in effect, the system discriminates against the low- and middle-income workers and favors the wealthy. By counting only wages—not dividends or interest—to determine the earnings limit, the wealthy senior passes the earnings test. However, the working class senior is penalized. This is blatant discrimination. We must repeal the Social Security earnings test.

I urge my colleagues to join with the Members of the other body in working to pass the Older Americans Freedom to Work Act and end this discrimination now.

Mr. GILMAN. Mr. Speaker, I rise this evening to support the elimination of the Social Security earnings test. This earnings test is not only unfair to seniors but it is also outdated.

Last week, the Senate passed an amendment to legislation reauthorizing the Older Americans Act that would repeal this depression-era fossil. The Older Americans Act with the earnings penalty repeal amendment will go to a conference committee. I believe it is imperative that we support this amendment.

Over the years I have introduced legislation to repeal the earnings test. I feel that it is archaic. Under current law, Social Security recipients under the age of 70 who are employed or self-employed receive their full benefits unless their earnings exceed the annual earnings limitation. Senior citizens over the age of 65 lose $1 for every $3 which they earn over the income cap. This is an improvement over the previous 1:2 reduction that translates into a draconian tax rate of 33 percent for our Nation's seniors. A tax rate that most seniors can not afford.

The Social Security earnings test originated with the creation of the Social Security system in 1935. One purpose was to remove older workers from the labor force in order to create jobs for the young. However, in today's labor situation, seniors are able to meet the increasing demand for service-oriented workers, and most importantly, they enjoy working. By allowing seniors to return to the work force they will provide many benefits to our Nation, such as increased tax revenues, as well as alleviating the depression and loneliness that often accompanies the later years in an individual's life.

Senior citizens make up approximately 34.9 million of the population, and this number is steadily increasing. Our Nation's seniors are skilled, knowledgeable, reliable, and eager to work.

Mr. Speaker, I urge all my colleagues to take note of Senator JOHN MCCAIN's amendment and urge the conferees to include this important amendment in the final version of the Older Americans Act. Our seniors deserve to be treated better and we now have the opportunity to take a step in the right direction.

Mrs. VUCANOVICH. Mr. Speaker, if a politician introduced legislation imposing a special 33-percent surtax on the incomes of several million senior citizens, few observers would give the bill much chance of passage. Unfortunately, this strange idea, in the form of a Social Security earnings test, already exists as the law of the land. Quite alarming, isn't it?

Simply stated, with this law, we are telling our senior citizens aged 65–69 who choose to work beyond retirement age that for every $3 they earn over $9,720 annually, they lose $1 in benefits. For seniors age 62–64 who earn above $7,080 per year, lose $1 in benefits for every $2 they earn over the limit.

While it has managed to exist for more than 50 years, the earnings test is bad economic policy, bad social policy, and bad labor policy. If we want to reform Social Security in a way that will both increase income for senior citizens and boost the economy, repealing the earnings test would be a good place to start.

The earnings test is bad economic policy, because it reduces growth by placing an extremely punitive tax on the income of senior citizens. It is bad social policy, because it drives a wedge between senior citizens and the rest of society. Many experts argue that an active lifestyle is important for the continued physical and mental health of senior citizens. Finally, it is bad labor policy, because it discourages productive, well-trained workers from staying in the job market.

No American should be discouraged from working. Unfortunately, one demographic group in our society is severely penalized for attemping to be financially independent. The continued application of the Social Security earnings test, a Depression-era relic that penalizes senior citizens who work after they retire, is the catalyst for this discrimination. By forcing seniors to forfeit one-third of their Social Security benefits after they earn more than a ridiculously low amount, the earnings test tells the elderly we no longer value their expertise and experience.

Seniors are one of our Nation's greatest resources. They provide leadership, knowledge, and assistance to younger Americans. I feel that we should utilize their strength, wisdom, and experience as long as they are willing to actively participate in the work force. It would be nice to think that all people can retire at age 65 and live comfortably on their retirement benefits, but that simply is not the case. Many of today's seniors can no longer survive on Social Security alone.

We must end now the restrictions placed on the amount a person receiving Social Security can earn without forcing that individual to forfeit some benefits. It is my hope that opponents of this legislation will reconsider their stand and think of those older Americans whose dreams are crumbling, because they cannot exist on what they receive from Social Security.

Mr. Speaker, we now have an opportunity to pass legislation that would eliminate the Social Security earnings test. I am joining some of my colleagues in the House in sending a letter to the conferees to H.R. 2967, the Older Americans Act, urging them to accept Senator JOHN MCCAIN'S amendment to that bill, which incorporates the language of H.R. 967, the Older Americans' Freedom To Work Act of 1991, of which I am a cosponsor.

I urge the conferees in the House to accept the Senate amendment and end this injustice to our senior citizens once and for all.

Mr. Speaker, I have shared on the House floor in the past tragic stories of my own constituents who are stripped of their dignity and are unable to support themselves because of this most unfair law. We must allow our senior citizens the dignity of continuing to work after retirement if they so desire so that they can continue to be self-sufficient. The time is now to repeal the Social Security earnings test.

Mr. FISH. Mr. Speaker, I rise to urge the House conferees on the Older Americans Act reauthorization to accept the Senate amendment which would repeal the Social Security earnings penalty.

This Depression-era law, designed to encourage early retirement at a time of high unemployment, has outlived its appropriateness. Our people are living longer and more productive lives than ever before. They want to remain active. Discouraging older workers is poor public policy.

Working Social Security recipients are subject to the same Federal, State and local taxes as everyone else. When the earnings penalty is added, these older Americans are the most heavily taxed wage earners in the United States. Surely, this is not good public policy; it is patently unfair.

The earnings penalty reduces the Social Security checks of more than a million people, and economists estimate that the penalty deters another million from working full time. This is unfair to senior citizens, who lose needed income, and to America which loses some of her most experienced, talented and dependable workers. Older Americans deserve independence, dignity and the opportunity to remain part of our Nation's work force. Repeal of the earnings penalty is long overdue.

GENERAL LEAVE

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order tonight.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3768, REQUIRING LEAST-COST RESOLUTION OF INSURED DEPOSITORY INSTITUTIONS

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-342) on the resolution (H. Res. 289) providing for consideration of the bill (H.R. 3768) to require the least-cost resolution of insured depository institutions, to improve supervision and examinations, to provide additional resources to the bank insurance fund, and for other purposes; which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3644, TAKING INTO ACCOUNT CERTAIN PAYMENTS FROM PRESIDENTIAL ELECTION CAMPAIGN FUND

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-341) on the resolution (H. Res. 288) providing for consideration of the bill (H.R. 3644) to provide that, in making payments from the Presidential election campaign fund, including the Presidential matching payment account, amounts estimated to be transferred to the fund during the fiscal year before the fiscal year of the Presidential election shall be taken into account, which was referred to the House Calendar and ordered to be printed.

UNIVERSAL HEALTH-CARE COVERAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. OAKAR] is recognized for 60 minutes.

Ms. OAKAR. Mr. Speaker, about an hour ago in another debate I heard one of the Members on the other side say that the American people did not want socialized medicine guaranteeing comprehensive universal health care for every American when we have 37 million Americans, most of whom are from working families, with no health access whatsoever, and we have another 40 million who are underinsured and another 8 million who have no longer-term care. I think universal coverage for every American is not socialized medicine. I think it is civilized medicine to say that we want every American covered.

How is it that England, Germany, France, Japan, Australia, and other countries, none of which are socialized countries, can guarantee as a right access to comprehensive health care and America has 77 million people with little or no health insurance and 8 million people who have no access to health care in terms of long-terms care?

Mr. Speaker, that is why I introduced H.R. 8 which is a bill that guarantees a high standard of coverage for every American irrespective of their age, where they are from, the color of their skin, et cetera, and I said the other day that we could do it better, and the big news and the great news is that we can do it a lot cheaper. Is it not interesting that we can guarantee health care for every American in a much more comprehensive way than the average person who is lucky enough to have a policy?

Mr. Speaker, I say we can do it cheaper if you include acute care; that is, hospital care, in an outpatient care kind of coverage that is very common to health policies, if you include prevention, including child immunization, including early detection methods, such as cancer screening for men, mammography for women, free blood pressure checks, et cetera. If you include that type of prevention, you save money. If you include research to find cures to disease, as I mentioned earlier in another talk on the floor, you can—we spend $90 billion for Alzheimer's disease in this country, a painful disease, and we only spend a couple hundred million to find a cure, and scientists are telling us that within 5 years, if they have the resources, they could cure the disease. They could tell us what triggers cells in the wrong direction, and wouldn't that be wonderful, to find a cure for breast cancer, to find a cure for Alzheimer's disease and prostate cancer, which is common in men, and find a cure for diabetes?

Mr. Speaker, we do not invest enough in research, but tonight I want to focus in on another aspect of my bill, the long-term care aspect, and I mentioned that there are at least 8 million Americans who need long-term care, and, whenever I think of this provision of the bill, I think of an individual, I am proud to say a mentor of mine. I remember the late great Claude Pepper with whom I served for 13 years on the Select Committee on Aging very well. He passed away. To most American people he was a folk hero, and he passed away 2 years ago last May, and I remember it was right on the floor of this House that Senator Pepper said to us as a body that we would rue the day that we did not allow him to have the opportunity to have his bill on long-term care pass this House.

I do not know of any policy that includes what I consider to be long-term care, and, before I explain what I mean by long-term care and what Senator Pepper's bill was, most of which I have incorporated as part of a comprehensive bill to cover every American, I want to talk about who needs long-term care. Of the 8 million people who need long-term care; that is, home care and sometimes nursing care, and I will be more detailed in a minute, almost half are children and middle-aged people. This is not just an elderly issue. We have many families who have children with chronic diseases or with temporary problems, and they need someone to help them, assist them, to care for their loved one, their child, at home. They do not want to institutionalize a child unnecessarily. They do not want to have that child go into a hopsital if what they need are congregate services from a team of health professionals and homemaker services.

So, we have families who regrettably have no access to try to care for a loved one at home, and that includes many, many children who have temporary or long-term diseases. So, it is a child's issue. That is why Claude Pepper in the bill that he introduced, and that is why in the bill that is my comprehensive uniform health-care bill, includes long-term care, and it does not state the age of the person because some people are under the misconception that long-term care only affects elderly people. That is not true. There are an awful lot of families with children, a lot of families who—let us say a husband is 45 or 50 years old and gets a stroke, and the wife has to work. She is head of the household in terms of being the breadwinner, and yet she

does not want to worry about leaving her husband at home, and she might need a visiting nurse to come in, or she might need some homemaker services so that she can work to support the family and at the same time take care of her husband without institutionalizing that loved one who, at middle age, may have gotten some kind of heart problem or stroke.

So, long-term care is not just about older people, but it is also about older people, and I want to just give my colleagues a few statistics on this because here we have this wonderful phenomenon where the fastest-growing population in the country, which is the good news, are people over 85, and yet we have not addressed that wonderful phenomenon because we do not care for our elderly people in the manner in which we should. I really believe that.

□ 2000

Let us not kid ourselves. Older people are not for the most part wealthy. Unfortunately, many middle-class people when they are younger are middle class, and when they get older they reach the poverty level because they cannot cope with the cost of health care and taking care of their loved ones, et cetera. As a matter of fact, the poorest person in the country is a woman over 65. If you are 70 and female in this country, you are usually alone and poor.

Most older people in this country are not wealthy, and frankly, they are not poor. Most of them are near poor. They are in the middle. They are middle or moderate, low middle-income people. So we know that by the year 2020 we will have 22 percent of the Nation's population who are older. We have today, as I mentioned earlier, 70-year-old kids taking care of 90-year-old parents, and they cannot cope with the need to care for that loved one at home. They do not want to put that person in an institution or nursing home, if that person could get along by staying at home if the loved one had a little help.

But listen to this statistic, because we have 1.3 million elderly persons who are residents of nursing homes today as well. The average stay in a nursing home for people who need nursing home services in a year is 4 months. You might find an older person who needs a nursing home for 4 months if one has a broken hip, so because they need that team of health professionals that we find very often in a nursing home, that person may temporarily need a nursing home. But the fact is that most American families cannot even afford to put their loved ones in a nursing home.

It costs on an average $25,000 a year nationally for a decent quality nursing home. That is why so many elderly, so many families, unfortunately choose to strip all of what they worked for, and that includes their dignity, very often, to get rid of their savings and their homes and their cars and so on in order to qualify for Medicaid.

Mr. Speaker, I think that is really cruel to the elderly to say to them that "The only way you can get nursing home care in this country is if you are dirt poor." These are the people that have made our country the greatest country in the world.

After 13 weeks in a nursing home, 7 in 10 elderly persons living alone find their income spent down to the poverty level. In other words, while they are in the nursing home and while they pay for the nursing home, if they have any assets at all, after only 13 weeks they reach the poverty level. Within 1 year of entering a nursing home, listen to this statistic, more than 90 percent of our elderly are impoverished. They have to stay in a nursing home more than 1 year.

Then you wonder why so many older people are in nursing homes for a lifetime when they are older, because they do not have a home to come home to. They are too poor to be able to afford to live in the greater community.

For married couples, looking at income alone, only one-half of the couples are impoverished after one spouse has spent one-half of a year in a nursing home. The list goes on. If we give people home care costs, because there are so few policies that I know of, and I do not even know of any good policy, to be honest with you, that covers home care. But the fact is if you need 7-day-a-week care for home care costs, it exceeds $15,000, but it is still cheaper than putting your loved one in a nursing home, The fact is, however, it is still, unfortunately, very, very expensive.

You might say, "Well, why don't people get another policy?" Let me tell you what the elderly do in my area of Cleveland, OH. They get Medicare, and Medicare, we know, covers 45 percent of their needs. It does not cover, for the most part, long-term care. It certainly does not cover nursing care. So the elderly buy a Medigap policy, which most of them cannot afford very well, but they buy it anyway because they think it might help with their health costs and their needs, since $1 out of $4 of their costs happen to be for their health care. And they have about $2,000 annually in out-of-pocket expenses that are not covered by any policy.

So when they get a Medigap policy they are surprised to learn that Medigap does not cover long-term care. So what do they do? The answer is, there is nothing to do, because we have not addressed the need of long-term care for our families in America.

Let me tell you something, there are a lot of bills that have been introduced in Congress for universal coverage. Do not believe that it is universal and comprehensive if it does not cover long-term care, because long-term care ought to be an integral part of our health delivery in this country. It is in Canada, it is in England, it is in France, it is in Italy, it is in Japan, but it is not in the United States of America.

When we were having hearings of the Pepper Commission, of which I was a member of the 15-member commission to look into the crisis in health care in this country, when we were having hearings on that, I will never forget a woman in Cleveland, OH who said that she had a mother who had Alzheimer's disease and a mother-in-law living in Canada who had Alzheimer's disease. Here she was from a middle-class family in the Greater Cleveland Heights area. I believe it was, which is a very nice suburb in our wonderful area, and she was from a solid middle-class family. She and her husband and family were having difficulty coping with the needs of her loving mother, who had Alzheimer's.

She compared the treatment in this country and the access that she had for long-term care to help her mother with Alzheimer's, to give her the congregate services that she needed, with the treatment in Canada of her mother-in-law. Her mother-in-law and her mother-in-law's family in Canada were able to get home health care to assist the family. Her mother-in-law ultimately was institutionalized, and that was paid for, for nursing home care.

She said, "What a difference, to think that my mother-in-law got better treatment than we could afford to give my mother." It was a source of great sadness to her.

So what do I think ought to be covered under long-term care? Well, I want all citizens, regardless of age, covered under this provision of my plan. That include home- and community-based care. There would be comprehensive case-managed coverage offered, including the following services: Home nursing care, and I think one of the most undervalued health deliveries in this country are the nurses of America. What would we do without them? And yet, Mr. Speaker, we know that nurses not only are underpaid but we also know that they spend more time with patients than any other health deliverer, and yet we do not put the proper value on their services.

But they would provide for the most part home nursing care, along with nursing aides, another great profession that is, again, undervalued. Homemaker services. Many times elderly living alone, if they just had somebody to sit in and help them, to maybe assist them cooking a meal or help them with their shopping or to clean their house if they cannot do it themselves any longer, they could stay in their homes and they would feel so much better about themselves than being institutionalized in a nursing home.

□ 2010

So something as simple as providing occasional homemaker services, which is so much cheaper than a nursing home, might suffice.

Heavy chore services. We have a lot of people who need home services. Let us say we have a 70-year-old youngster taking care of that 90-year-old parent. That 70-year-old person might need help to give the 90-year-old parent a bath. So you might need an aide to help you lift the parent.

Some people taking care of their loved ones are fragile, and they do not have the ability nor the strength to perform those heavy chore services. So that would also be included.

Home health care services in general. Visits by a team of professionals that might be assisting loved ones.

Respite care. Respite care is very important for families. We have a new phenomenon called elder abuse. 1.5 million older people are abused.

I am convinced in part one of the reasons that families are usually responsible for elder abuse, sad to say, is because they are under tremendous stress taking care of a fragile older person.

For example, if you have a parent with Alzheimer's disease and you never get any sleep and you have to work the next day, and the parent, unfortunately, keeps you up all night, and then during the day you go to work and come home and you are up all night again, you are bound to be cranky, and sometimes you are bound, unfortunately, to do things you would not necessarily normally do.

We had a hearing in my city of Cleveland several weeks ago, the Select Committee on Aging. We found a father who cared for his son. He and his wife cared for his son who was in an automobile accident and was living at home and had spinal injuries and needed constant care.

What the parents were pleading for was a little respite. In other words, give them a little break once in a while so they can get a rest. Give them a chance occasionally to go on a mini-vacation to get out of the environment of care for a few days or a few hours.

So respite care is so important, because in our country the primary giver of health care still is the family, believe it or not, in caring for a loved one. It is still the family.

Dietary aid services and limited mental health services suitable for home delivery would be included in the home care. Durable medical equipment providing for loved ones.

Sometimes you need medical equipment that relates to assisting that loved one. You might need these mini-chairs that they put in tubs so that the loved one can actually get in better. That equipment should be provided for.

One of the areas of greatest need for home care is physical, occupational or speech therapy. Let us say you have someone who has had a stroke and you want to bring that person home. The person does not need to stay in the hospital, but you want to see that person get better. It may be that individual's speech has been impaired.

Well, we ought to be able to provide a speech therapist who comes to your home maybe once a week or a couple of times a week for a couple of hours to assist the individual providing the care for the speech therapy.

Let us say a person has a paralyzed arm and that individual needs physical or occupational therapy, and that paralyzed arm could resume its function if it had occupational or physical therapy.

There is no need for that person to stay in a hospital to get that kind of care. Most often that person can stay in one's home. So we know that that ought to be part of home health care.

Medically necessary social services. I believe that one of the things we have done wrong in my judgment is to look upon healthy delivery in terms of hospitals and doctors only.

I am all for doctors. I have a young nephew, my sister's son, Dr. Phil, who is a fabulous young man, a great doctor. He, like many other young people, is very dedicated to his profession. So I certainly have nothing against doctors. I admire them, for the most part.

I also admire hospitals, particularly those who are compassionate and do not close their doors to anyone. We certainly have enough great ones in my city of Cleveland.

But the fact is that we need very often social workers to help to assist the families in caring for their loved ones.

Psychiatric workers, for example, can assist a loved one who comes back home and is depressed because of major surgery they had. So the family is there to serve and care for that loved one, but one needs a little assistance in dealing sometimes with the depression that steals in when someone comes home after some traumatic experience in terms of some type of sickness.

We need dietitians to be included in our home delivery. For example, one out of four elderly suffers from anemia. If they only realized that sometimes a different diet for them would accommodate their problem, they would not have to take all this medication that so often they take.

Who is more responsible for understanding foods in our country than nutritionists? Yet we do not often think of a nutritionist or a social worker or a nurse as part of the team. We ought to.

We ought to supply drugs whenever necessary. If a person has hypertension and does not arrest that problem, high blood pressure, that person can indeed suffer from a stroke. Then it is not only terrible for the individual, but it costs a lot more. We are penny wise and pound foolish in the way we treat our people.

I believe home and community-based care and long-term care ought to include alcohol and drug treatment. I am saddened by the fact that so many public and private policies no longer cover treatment for alcohol and drugs.

Do not kid yourselves. Let's be honest about it. Older people can have alcohol problems as well. We ought not think that is cute. We ought to try to give them the kind of service they need.

So we ought to have home health care. Every person does not have to be in a hospital for the kind of quality care treatment that one person needs. As a matter of fact, with what we call the DRG's, with the limitation that some of the private and public polices are placing on people, many people are discharged from the hospital far sooner than might otherwise have been 10 years ago. So the family, who must care for that person who let's say comes home from the hospital, has had surgery, cannot walk around very well and so on, might need home health care to complement the kind of care that person has had at the hospital.

So we have a great need for home care, which I do not know of a policy that covers. We can certainly do better.

In addition to this, I believe that a comprehensive universal health care policy ought to include coverage for nursing home care for at least up to 6 months. Then after that we ought to have a government policy for people to be able to buy if they want it. If they do not want it, that is fine.

Why did I choose the figure 6 months? I mentioned earlier that the average stay on an annual basis in a nursing home is 4 months. It is not the whole year, people. People go in and out of nursing homes very often. If you are in an automobile accident, you might need that comprehensive loving care that many quality nursing homes give for several months, but you may not need it for the rest of your life. Yet we have an attitudinal problem in this country that says if you go into a nursing home, somehow it is going to be a lifelong visit. The fact is, that is not true, it is 4 months. So at least we ought to cover up to 6 months to make sure that people are covered.

□ 2020

And you ought not to have to lose everything you own. How demeaning it is for people who have worked hard all their lives and have some savings and a home and have a car and have a few assets to lose everything, essentially, when they are institutionalized in a nursing home. And what happens to the person after the 4 months is over?

The fact is they have, as I mentioned in my earlier figures, most of the elderly, for example, are at the poverty level after 4 months in a nursing home.

Is it not terrible that they do not have something to come home to? And then we wonder why in some cases people are in nursing homes who really do not have to be. So if we had this comprehensive program that included long-term care, meaning community-based and home care services with a team of health professionals, as well as nursing home care up to 6 months, believe me when I tell you, we would save a lot of money and we would improve the quality of life of our people.

Then finally I want to say, because I am going to zero in on this issue in other areas at another time, but I want to repeat something I mentioned several days ago. That is, people always say, "You know, MARY ROSE, I think your ideas are OK, but how are we going to pay for this? You want me to have a policy that has this high standard of coverage, acute care, long-term care that I just described, preventive health care, early detection and more research to find a cure for disease."

I want to repeat what I said the other day, and I will discuss this in more detail at another time, but the answer is, we already pay for it. Americans spend 12½ percent of our GNP on health care compared to Japan, 6.7 percent, and they have comprehensive health care for all of their citizens. And out of the $756 billion that we spend, only $209 billion of that money is for private insurance. The rest is for a variety of government programs, including Medicare, Medicaid, veterans programs, CHAMPUS, public health programs on State and local levels, out-of-pocket expenses.

If we just recaptured the public money, the taxpayers' money that they already spend, and recaptured perhaps part of the out-of-pocket expenses, we would have enough to cover every American comprehensively.

As a matter of fact, it would be about 4 to 5 percent cheaper in my plan than what Americans already spend, and they would get a better policy because they would have acute care. They would have long-term care, which nobody that I know of today has in their policy, and they would have prevention, another very neglected area for their policy.

I would just say to some of my cynical friends who unfortunately sometimes are on the other side of the aisle, who have called this socialized and so forth, I do not know what they are talking about. This is civilized, to care about our own people. We ought to be improving the quality of life of our people.

How are we going to be competitive in the global economy when our people need to export our products and the trade deficit, if we have to worry about whether our health needs are covered? You wonder why Germany is doing so well with its economy and jobs and so on. Let me tell you something, they cover their people with health care. And so does England and so does France and Italy.

I would not trade our country for any other country in the world, but I have to tell you something, we are behind the 8-ball when it comes to covering our own people.

Americans should demand more. As a matter of fact, in all of the polls, 69 to 70 to 75 percent of all Americans are saying that they are fed up with the health system in this country, not because they do not like their hospitals or their doctors and so on, but first, they do not have access and, second, they cannot afford it.

And third, they know their needs are not taken care of because when they have a sick child or an older parent, they cannot care for their loved ones at home because we have no home health care policy that I know of in this country. So I say to those who are watching tonight or listening, you demand more of Congress and demand more of the President of the United States.

We ought to be passing a comprehensive health policy, and we ought not to wait 10 or 15 years from now. We ought to do it tomorrow, and we could do it if we had the will to do it. And if the American people demand it, you will see some action.

So keep in mind that I have H.R. 8, which I think is a very fine bill, and I am always open to suggestions. But it has that high standard of coverage. And this bill for every American would be much cheaper than what we spend and much more compassionate and much more sensitive to the needs of our own people.

That is what I think the people are demanding, that we start paying attention to the American people of all ages, of all backgrounds, of all regions. That is why we need comprehensive universal health coverage.

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 Member (at the request of Mr. WALKER) to revise and extend his remarks and include extraneous material:)

Mr. IRELAND, for 60 minutes each day, on November 21 and 22.

(The following Members (at the request of Mr. TAYLOR of Mississippi) ato revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. STUDDS, for 5 minutes, today.

Mr. BONIOR, for 60 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today and November 21.

Mr. NAGLE, for 60 minutes, on November 25.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. GEJDENSON, for 60 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. WALKER) and to include extraneous matter:)

Mrs. MORELLA.
Mr. GREEN of New York.
Mr. DOOLITTLE.
Mr. GEKAS.
Mr. GINGRICH.
Mr. BURTON of Indiana.
Mr. BALLENGER.
Mrs. BENTLEY in seven instances.
Ms. ROS-LEHTINEN in four instances.
Mr. GILMAN.
Mr. BROOMFIELD.
Ms. SNOWE.
Mr. CAMP.
Mr. DAVIS.
Mr. PORTER.

(The following Members (at the request of Mr. TAYLOR of Mississippi) and to include extraneous matter:)

Mr. ROE.
Mr. SKELTON.
Mr. HAMILTON.
Mr. YATRON.
Mr. RANGEL in two instances.
Mr. LANTOS.
Ms. OAKAR.
Mr. FUSTER.
Mr. MOODY.
Mr. COLEMAN of Texas.
Mr. ACKERMAN.
Mr. DIXON.
Mr. NEAL of Massachusetts.
Mr. HALL of Ohio.
Mrs. COLLINS of Illinois.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1475. An act to amend the Protection and Advocacy for Mentally Ill Individuals Act of 1986 to reauthorize programs under such Act, and for other purposes.

ADJOURNMENT

Ms. OAKAR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 27 minutes p.m.) under its previous order, the House adjourned until tomorrow, Thursday, November 21, 1991, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from

the Speaker's table and referred as follows:

2379. A letter from the Secretary of the Army, transmitting notification that a major defense acquisition program has breached the unit cost by more than 25 percent, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

2380. A letter from the Secretary of the Army, transmitting notification that a major defense acquisition program has breached the unit cost by more than 15 percent, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

2381. A letter from the Secretary of Energy, transmitting the annual report on the State Energy Conservation Program for calendar year 1990, pursuant to 42 U.S.C. 6325; to the Committee on Energy and Commerce.

2382. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of John Hubert Kelly, of Georgia, to be Ambassador to the Republic of Finland, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2383. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1995 resulting from passage of House Joint Resolution 281, House Joint Resolution 282, and H.R. 1046, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

2384. A letter from the National Relations Board, transmitting the semiannual report of activities of the inspector general covering the period April 1, 1991, through September 30, 1991, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

2385. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of discretionary new budget authority and outlays for the current year (if any) and the budget year provided by that legislation, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-578); to the Committee on Government Operations.

2386. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on interior and Insular Affairs.

2387. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2388. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2389. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2390. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2391. A letter from the Director, Office of Management and Budget, transmitting the ninth report on foreign contributions in response to the Persian Gulf crisis, pursuant to Public Law 101-25, section 402 (105 Stat. 101); jointly, to the Committees on Armed Services and Foreign Affairs.

2392. A letter from the Comptroller General, General Accounting Office, transmitting the second analysis of the estimated costs of the assistance agreements the FSLIC entered into during 1988 and 1989 (GAO/AFMD-92-9), pursuant to 12 U.S.C. 1441a note; jointly, to the Committees on Government Operations and Banking, Finance and Urban 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. ROSTENKOWSKI: Committee on Ways and Means. H.R. 3544. To provide that, in making payments from the Presidential Election Campaign Fund, including the Presidential matching payment Account, amounts estimated to be transferred to the fund during the fiscal year before the fiscal year of the presidential election shall be taken into account; with an amendment (Rept. 102-329, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. DERRICK: Committee on Rules. House Resolution 288. Resolution providing for the consideration of H.R. 3644, a bill to provide that, in making payments from the Presidential Election Campaign Fund, including the Presidential Matching Payment Account, amounts estimated to be transferred to the fund during the fiscal year before the fiscal year of the presidential election shall be taken into account (Rept. 102-341). Referred to the House Calendar.

Mr. FROST: Committee on Rules. House Resolution 289. Resolution providing for the consideration of H.R. 3768, a bill to require the least-cost resolution of insured depository institutions, to improve supervision and examinations, to provide additional resources to the Bank Insurance Fund, and for other purposes (Rept. 102-342). 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. GUNDERSON (for himself, Mr. WEBER, Mr. WALKER, Mrs. JOHNSON of Connecticut, Mr. KYL, Mr. RIGGS, Mr. DANNEMEYER, Mr. BOEHNER, and Mr. LIVINGSTON):

H.R. 3824. A bill to stimulate economic recovery by providing tax incentives and other benefits to revive the real estate market; jointly, to the Committees on Banking, Finance and Urban Affairs, Ways and Means, and the Judiciary.

By Mr. HUTTO:

H.R. 3825. A bill to establish a Social Security Notch Fairness Investigatory Commission; to the Committee on Ways and Means.

By Mr. LEVIN of Michigan:

H.R. 3826. A bill to amend title XVIII of the Social Security Act to provide for uniform coverage of anticancer drugs under the Medicare program, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. LIPINSKI:

H.R. 3827. A bill to amend the Internal Revenue Code of 1986 to provide for the establishment of, and the deduction of contributions to, education savings accounts to assist families in saving for their childrens' education; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI (for himself, Mr. GIBBONS, Mr. PICKLE, Mr. RANGEL, Mr. STARK, Mr. JENKINS, Mr. DOWNEY, Mr. PEASE, Mr. MATSUI, Mr. ANTHONY, Mr. DORGAN of North Dakota, Mrs. KENNELLY, Mr. DONNELLY, Mr. COYNE, Mr. MOODY, Mr. MCDERMOTT, Mr. MCGRATH, and Mrs. JOHNSON of Connecticut):

H.R. 3828. A bill to amend the Internal Revenue Code of 1986 to simplify the application of the earned income credit; to the Committee on Ways and Means.

By Mr. LIPINSKI:

H.R. 3829. A bill to amend the Internal Revenue Code of 1986 to provide for the establishment of, and the deduction of contributions to, housing savings accounts to be used by first-time homebuyers; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. RUSSO, Mr. DONNELLY, Mr. COYNE, Mr. MCDERMOTT, and Mr. CARDIN):

H.R. 3830. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to impose an excise tax with respect to the issuance of long-term care insurance policies which do not meet Federal standards; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. MOODY (for himself and Mr. MOAKLEY):

H.R. 3831. A bill to amend title XI of the Higher Education Act of 1965 in order to provide support for programs at urban universities designed to address campus and community crime issues; to the Committee on Education and Labor.

By Mr. RANGEL:

H.R. 3832. A bill to establish a program of grants regarding certain infants, toddlers, and children who are perinatally exposed to drugs and for other purposes; jointly, to the Committees on Education and Labor and Energy and Commerce.

By Mr. RINALDO:

H.R. 3833. A bill to amend title II of the Social Security Act to phase out over 4 years the retirement earnings test as it applies above retirement age; to the Committee on Ways and Means.

H.R. 3834. A bill to amend title II of the Social Security Act to increase the amount of excess earnings an individual may earn before suffering deductions from benefits; to the Committee on Ways and Means.

By Ms. SNOWE:

H.R. 3835. A bill to amend the Federal Election Campaign Act of 1971 to limit the influence of nonparty multicandidate political committees in elections for Federal office, to amend the Internal Revenue Code of 1986 to provide for an income tax credit for contributions to candidates for the House of Representatives, and for other purposes; jointly, to the Committees on House Administration and Ways and Means.

By Mr. STUDDS (for himself, Mr. WYDEN, Mr. JONES of North Carolina, Mr. MCDERMOTT, Mr. DEFAZIO, and Mr. JONTZ):

H.R. 3836. A bill to provide for the management of Federal lands containing the pacific

yew to ensure a sufficient supply of taxol, a cancer-treating drug made from the pacific yew; jointly, to the Committees on Agriculture, Interior and Insular Affairs, and Merchant Marine and Fisheries.

By Mr. WYLIE:

H.J. Res. 377. Joint resolution designating the week beginning November 24, 1991, as "Assistance Dog Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. ROSTENKOWSKI:

H. Res. 287. Resolution relating to the consideration of the Senate amendment to H.R. 1724; considered under suspension of the rules and agreed to.

By Mr. WELDON:

H. Res. 290. Resolution urging the President to proclaim Sunday, December 15, 1991, as a National Day of Thanksgiving for the Bill of Rights and for the contributions of Patrick Henry to the Bill of Rights; to the Committee on Post Office and Civil Service.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows;

H.R. 53: Mr. MCHUGH and Mr. GLICKMAN.
H.R. 108: Mr. SMITH of Florida.
H.R. 110: Mr. PETERSON of Minnesota.
H.R. 381: Mr. TOWNS and Mr. TAYLOR of North Carolina.
H.R. 421: Mr. TOWNS.
H.R. 446: Mr. FLAKE.
H.R. 576: Mr. UPTON.
H.R. 585: Mr. OLVER.
H.R. 643: Mr. LEWIS of Florida.
H.R. 722: Mr. FROST and Mr. REED.
H.R. 723: Mr. FROST and Mr. KYL.
H.R. 786: Mr. LANCASTER.
H.R. 918: Mr. ATKINS.
H.R. 967: Ms. OAKAR and Mr. EVANS.
H.R. 989: Mr. FLAKE and Ms. NORTON.
H.R. 1184: Mr. TORRICELLI and Mr. OXLEY.
H.R. 1240: Mr. ANNUNZIO, Mr. MCGRATH, Mr. MCNULTY, and Mr. DYMALLY.
H.R. 1251: Mr. SIKORSKI.
H.R. 1252: Mr. SIKORSKI.
H.R. 1253: Mr. SIKORSKI.
H.R. 1300: Mr. TRAXLER.
H.R. 1454: Mr. OLVER.
H.R. 1483: Mr. FAWELL.
H.R. 1516: Mr. LAUGHLIN.
H.R. 1820: Mr. PERKINS and Mr. ESPY.
H.R. 2007: Mr. TOWNS.
H.R. 2106: Mr. BEVILL, Mr. ENGEL, Mr. TRAXLER, Mr. CHAPMAN, and Mr. LOWERY of California.
H.R. 2185: Mr. SCHAEFER.
H.R. 2210: Mr. OWENS of Utah.
H.R. 2338: Mr. STENHOLM, Mr. LANCASTER, Mr. LIPINSKI, Mr. ZIMMER, Mr. LEWIS of Florida, and Mr. BARNARD.
H.R. 2451: Mr. TORRICELLI, Mr. FISH, Mr. ENGEL, and Mr. WEISS.
H.R. 2536: Mr. BAKER.
H.R. 2541: Mr. RICHARDSON.
H.R. 2598: Mr. MYERS of Indiana, Mr. DWYER of New Jersey, and Mr. LENT.
H.R. 2643: Mr. MOORHEAD, Mr. NUSSLE, Mr. SENSENBRENNER, Mr. SHAYS, and Mr. FISH.
H.R. 2734: Mr. MINETA, Mr. TOWNS, Mr. HUBBARD, Mr. JONTZ, Mr. GILLMOR, Mr. HAYES of Illinois, Mr. EVANS, Mr. ZIMMER, Mr. GORDON, Mr. LAROCCO, Mr. DWYER of New Jersey, Mr. FROST, Mr. RAY, Mr. ZELIFF, Mr. KANJORSKI, Mr. KOLTER, Mr. FRANK of Massachusetts, Mr. RANGEL, Mr. MURTHA, and Mr. SMITH of Florida.
H.R. 2755: Mr. SAWYER.
H.R. 2853: Mr. CAMP.
H.R. 2867: Mr. SUNDQUIST.
H.R. 2881: Mr. DOWNEY.
H.R. 2943: Mr. HEFLEY.
H.R. 3011: Mr. FISH, Mr. MARTINEZ, Mr. LEWIS of Florida, Mr. MCCLOSKEY, and Mr. HORTON.
H.R. 3071: Mr. BROWN, Mr. POSHARD, and Mr. FROST.
H.R. 3153: Mr. JOHNSON of Texas and Mr. LAGOMARSINO.
H.R. 3164: Mr. QUILLEN, Mr. MCCURDY, Mr. KILDEE, and Mr. STEARNS.
H.R. 3198: Mr. THOMAS of Georgia, Mrs. VUCANOVICH, Mr. HUBBARD, Mr. HERGER, Mr. TALLON, Mr. BRUCE, Mr. LIVINGSTON, Mr. JOHNSON of Texas, Mr. FLAKE, Ms. MOLINARI, Mr. BLILEY, Mrs. BENTLEY, Mr. RAVENEL, Mrs. PATTERSON, Mr. GINGRICH, Mr. MCMILLAN of North Carolina, Mr. PRICE, Mr. CUNNINGHAM, Mr. MURPHY, Mr. BREWSTER, Mr. TRAFICANT, Mr. SISISKY, Mr. BOEHNER, and Mr. CRAMER.
H.R. 3221: Mr. LEWIS of Georgia, Mr. FRANKS of Connecticut, Mr. MCHUGH, Mr. COUGHLIN, and Mrs. JOHNSON of Connecticut.
H.R. 3226: Mr. BATEMAN, Mr. GILLMOR, and Mr. HERGER.
H.R. 3231: Mr. COX of Illinois and Mr. FROST.
H.R. 3236: Mrs. LOWEY of New York.
H.R. 3282: Mr. HEFLEY, Mr. HAMMERSCHMIDT, Mr. FASCELL, Mr. OLVER, Mr. WISE, Ms. HORN, and Mr. RIDGE.
H.R. 3285: Mr. LIPINSKI and Mrs. LOWEY of New York.
H.R. 3376: Mr. HEFLEY.
H.R. 3425: Mr. ECKART.
H.R. 3429: Mr. MACHTLEY, Mr. EVANS, and Mr. PAYNE of New Jersey.
H.R. 3476: Mr. DE LUGO.
H.R. 3503: Mr. CAMPBELL of California and Mr. FROST.
H.R. 3553: Mr. AUCOIN, Mr. SAVAGE, Mr. FAZIO, and Mr. YATES.
H.R. 3554: Mr. WOLPE and Mr. JEFFERSON.
H.R. 3568: Mr. DOWNEY, Mr. LENT, Mr. MCNULTY, Mr. JEFFERSON, and Mrs. LOWEY of New York.
H.R. 3570: Mrs. LLOYD, Mr. ROGERS, and Mr. WALSH.
H.R. 3571: Mr. ANDREWS of Texas and Mr. MACHTLEY.
H.R. 3655: Mr. BERMAN, Mr. ECKART, Mr. DWYER of New Jersey, and Mr. FROST.
H.R. 3656: Mr. ENGEL, Mr. BERMAN, Mrs. LLOYD, Mr. DWYER of New Jersey, and Mr. FROST.
H.R. 3677: Mr. DWYER of New Jersey, Mr. FROST, and Mr. LAFALCE.
H.R. 3702: Mr. STARK.
H.R. 3734: Mr. MACHTLEY, Mr. CRANE, Mr. BURTON of Indiana, Mr. FRANKS of Connecticut, Mr. SCHIFF, Mr. SENSENBRENNER, Mr. FAWELL, Mr. RHODES, and Mr. HEFLEY.
H.R. 3740: Mr. JEFFERSON and Mr. RANGEL.
H.R. 3748: Mr. DWYER of New Jersey, Mr. BEILENSON, Mr. MARTINEZ, Mr. DOWNEY, Mr. WEISS, Mrs. LOWEY of New York, Mr. PEASE, Mr. STOKES, Mr. KOSTMAYER, Mr. SAVAGE, Mrs. BOXER, Mr. PAYNE of New Jersey, Mr. BLACKWELL, Mr. DYMALLY, Ms. WATERS, Mr. SMITH of Florida, Mr. RANGEL, and Mr. CONYERS.
H.R. 3770: Mr. BROOMFIELD, Mr. CLINGER, Mr. COUGHLIN, Mr. GALLO, Mr. GILCHREST, Mr. HOLLOWAY, Mr. IRELAND, Mrs. JOHNSON of Connecticut, Mr. RHODES, Mr. SANTORUM, Mr. WOLF, Mr. LEWIS of Florida, Mr. UPTON, Mr. LAGOMARSINO, Mr. EWING, Mr. ROGERS, Mr. CHANDLER, Mr. MARTIN, and Mr. PURSELL.
H.R. 3783: Mr. BORSKI, Mrs. UNSOELD, Mr. PAXON, Mr. DWYER of New Jersey, and Mr. MARTINEZ.
H.R. 3803: Ms. NORTON.
H.R. 3816: Mrs. ROUKEMA, Mr. RITTER, Mr. LEWIS of Florida, Mr. HERGER, Mrs. PATTERSON, Mr. MACHTLEY, Mr. SANTORUM, Mr. MORRISON, Ms. ROS-LEHTINEN, Mr. HAMMERSCHMIDT, Mr. MILLER of Washington, Mr. BOEHLERT, Mr. SENSENBRENNER, Mr. SPENCE, Mr. CRANE, Mr. HOUGHTON, Mr. ROBERTS, Mr. ALLARD, Mr. CLINGER, Mr. DICKINSON, Mr. MAVROULES, Mr. MCCLOSKEY, Mr. ARCHER, Mr. DORGAN of North Dakota, Mr. HEFNER, Mr. BROWN, Mr. GEKAS, Mr. MARTIN, Mr. GILLMOR, Mrs. BENTLEY, Mr. BARRETT, Mr. HANSEN, Mr. DORNAN of California, Mr. BALLENGER, Mr. WALSH, Mr. MCCANDLESS, Mr. ROGERS, and Mr. DURBIN.
H.J. Res. 35: Mr. UPTON.
H.J. Res. 212: Mr. WELDON, Mr. GRANDY, Mr. HUNTER, Mr. MCEWEN, Mr. WEBER, Mr. BILIRAKIS, Mrs. PATTERSON, Mr. MONTGOMERY, Mr. ROSE, Mr. EWING, Mr. BOEHLERT, Mrs. MORELLA, Mr. SCHAEFER, Mr. RAHALL, Mr. DORNAN of California, Mr. DOOLITTLE, Mr. SANDERS, Mr. WAXMAN, and Mr. GINGRICH.
H.J. Res. 235: Mr. SMITH of Florida.
H.J. Res. 285: Mr. CAMP.
H.J. Res. 364: Mr. ANDERSON, Mr. BALLENGER, Mr. BEREUTER, Mr. DARDEN, Mr. DEFAZIO, Mr. DE LA GARZA, Mr. DIXON, Mr. EDWARDS of Oklahoma, Mr. FRANK of Massachusetts, Mr. JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. RITTER, Mrs. ROUKEMA, Mr. RUSSO, Mr. SCHEUER, Mr. SERRANO, Mr. SMITH of Oregon Ms. SNOWE, Mr. TORRICELLI, Mr. VENTO, Mr. VOLKMER, and Mr. YOUNG of Alaska.
H.J. Res. 372: Mr. SPRATT, Mr. GUARINI, Mr. STEARNS, Mr. THOMAS of Georgia, Mr. SAVAGE, Mr. POSHARD, Mr. JONES of Georgia, Mr. OLVER, Mr. LANCASTER, Mrs. VUCANOVICH, and Mr. PAYNE of Virginia.
H. Con. Res. 12: Mr. STUMP.
H. Con. Res. 89: Mr. SIKORSKI.
H. Con. Res. 103: Mr. MOORHEAD.
H. Con. Res. 168: Mr. WOLPE and Mr. WYLIE.
H. Con. Res. 189: Mr. SMITH of New Jersey, Mr. RITTER, Mr. DORNAN of California, Mr. MACHTLEY, Mr. LOWERY of California, Mr. HORTON, Mr. TOWNS, Mr. KOLTER, Mr. ENGEL, Mrs. LLOYD, Mr. OWENS of Utah, Mr. SMITH of Florida, Mr. BATEMAN, Mr. JEFFERSON, Mr. FAWELL, and Mr. LAGOMARSINO.
H. Con. Res. 210: Mr. SMITH of Florida.
H. Con. Res. 222: Mr. DWYER of New Jersey.
H. Con. Res. 224: Mr. TAUZIN, Mr. PURSELL, Mr. LIVINGSTON, Ms. MOLINARI, Mr. LEWIS of Florida, Mr. SMITH of New Jersey, Mr. TORRICELLI, Mr. ECKART, Mr. SCHAEFER, Mr. CHAPMAN, Mr. GILMAN, Mr. FORD of Michigan, Mr. HALL of Texas, Mr. COLEMAN of Texas, Mr. EDWARDS of Texas, and Mr. ANDREWS of Texas.
H. Con. Res. 236: Mr. LEWIS of California, Mr. BLAZ, Mr. HANSEN, Mr. MCDADE, and Mr. DE LA GARZA.
H. Res. 204: Mr. HANCOCK, Mr. LEWIS of Florida, Mr. CRANE, Mr. MCGRATH, Mr. TRAFICANT, and Mr. MACHTLEY.
H. Res. 276: Mrs. MEYERS of Kansas, Mr. SPENCE, Mr. SAXTON, Mr. STUMP, Mr. WOLF, Mr. MARTIN, Mr. COUGHLIN, Mr. KOLBE, Mr. GOSS, and Mr. KYL.

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. 353: Mr. MCMILLAN of North Carolina.