HOUSE OF REPRESENTATIVES—*Wednesday, July 28, 1993*

The House met at 10 a.m.

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

We are aware of the devastating floods that afflict much of our Nation and the suffering and anxiety that has touched so many families. We offer our prayers of support that Your spirit, O God, will sustain them and support them during these devastating times. We are grateful that people have shown a strong measure of solidarity one with another by their concern for their neighbors and have assisted in the good works that ease the pain and distress. May Your benediction, O loving God, that is new every morning and with us in good times and bad, bless those in distress and strengthen the unity of all Your people. In Your name, we pray. Amen.

THE JOURNAL

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

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

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

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

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

Mr. FAZIO. 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. Pursuant to rule I, the Chair will postpone the vote on the approval of the Journal until after the completion of 1-minute requests.

The point of order of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Virginia [Mr. PAYNE] come forward and lead the House in the Pledge of Allegiance to the Flag.

Mr. PAYNE of Virginia 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.

AMERICAN STEEL INDUSTRY REBUFFED BY ITC

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

Mr. VISCLOSKY. Mr. Speaker, yesterday, the International Trade Commission turned its back on the American steel industry and its workers.

If the ITC Commissioners think injury did not occur in 49 percent of the cases, they should come to northwest Indiana and see the injury caused by the loss of 35,000 steel jobs. Or better yet, the ITC Commissioners should travel the country to see the damage wrought by the permanent loss of 250,000 steel jobs and steel prices 39 percent below 1981 levels.

Here are the facts: After a lengthy process, the Commerce Department determined a clear pattern of unfair steel trade. Since 1980, foreign governments have pumped more than $100 billion into their steel industries.

During this same period, American steel became the high-quality, low-cost producer for the domestic market. And the American steel worker became the most productive in the world—more productive than those in Japan and Germany.

The ITC decision defies common sense. It is clear that documented unfair trade has injured the American steel industry, and cost it 250,000 jobs.

NEW GAS TAX WILL HURT AMERICAN ECONOMY

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

Mr. HUNTER. Mr. Speaker, the President has not entirely turned his back on the steel workers of America, but he is going to raise their gas taxes. In fact, all working Americans can get ready, because President Clinton's $40 billion gas tax is shifting into overdrive.

So what does every working family have in common—whether you are blue collar, middle-class, white collar, work at a desk, or work with your hands—if you drive a car President Clinton is coming after you with his new gas tax.

What is it going to be, Mr. President, 8 cents, 9 cents, 10 cents a gallon?

You are reducing every family's savings, every family's available income for food, mortgage payments, education for their kids. You are hurting working people, Mr. President, but they can respond. They can vote Republican.

PARTISAN POLITICS THREATENS DELAY IN BUDGET ACTION

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

Mr. PAYNE of Virginia. Mr. Speaker, Americans are fed up with the partisan politics and the gamesmanship which now threaten passage of the single largest deficit reduction plan ever voted on by the Congress.

Americans want us to act, they want us to act boldly, and they want us to act now.

If the House and the Senate do not complete work on this plan before we leave for the August district work period, it will send a very negative message to the financial markets which will likely result in higher interest rates.

The facts are that House and Senate passage of this plan is helping keep long-term interest rates at historic lows. And lower interest rates make it easier for businesses—large and small—to borrow capital at affordable rates in order to modernize and expand, and eventually hire new workers.

Lower interest rates also make it easier for individuals and families to borrow money for the purchase of a new car or a new home, or to remortgage at a lower interest rate.

Mr. Speaker, the choices before us and the Nation are not easy ones. But we were elected to make tough decisions. We were elected to govern.

Vote for the deficit reduction package.

BUDGET FACTS

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, do you know what happened 38 years ago in 1955? That was the last year that total Government spending decreased from the previous year. Let me repeat that for you, the last time that Government spending went down was, in 1955, 38 years ago.

Now, if that is not bad enough. The U.S. Government has not run a surplus since 1969, when it ended $3 billion in the black. But, that was 24 years ago—a quarter of a century ago.

I cannot believe that Representatives come into this Chamber everyday and

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with a clear conscience vote to raise not only spending, but put new taxes on the very people who sent them here.

The American people deserve better. If Congress does not start owning up to its responsibilities, this will be just another tax-and-spend year, and that is not why we were sent here.

CLINTON'S ECONOMIC PLAN MERITS SUPPORT

(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, during the past 4 years, we have lost nearly 200,000 jobs in Connecticut. For the 4 long years of the Bush administration, this Nation suffered under the worst private sector job-growth rate than at any time since Herbert Hoover's administration.

But change is occurring. President Clinton has shown his commitment to creating jobs, both in his budget, and in the initiatives that are part of his entire economic plan. He has pushed for job training to provide workers the skills they need for the high-technology jobs of the future. He has called for aid to dislocated workers to help working men and women get new and better jobs.

President Clinton's plan would cut the capital gains rate for small business investment, increase expensing provisions, and provide health deductions for the self-employed. It fosters economic growth, technological development, and international competitiveness by permanently extending the research and experimentation tax credit. And it includes an extension of the ability of State and local governments to issue tax-exempt bonds for small businesses.

The plan would create 8 million jobs nationwide over the next 4 years, including nearly 40,000 in my State of Connecticut.

This plan offers real help and real hope for the future. The President has shown leadership and he deserves our support.

□ 1010

HALLELUJAH. CHANGE IS COMING!

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

Mr. DOOLITTLE. Mr. Speaker, I reviewed the newspapers this morning and read a couple of disturbing items.

First, IBM posts $8.9 billion second quarter loss and announces an additional 35,000 job cutback. The second item I noticed was that consumer confidence has dipped for the third month in a row. It has dropped 19 points since January, and this drop is due to consumers' fear of layoffs and tax increases.

Well, Mr. Speaker, that was pretty discouraging, and then in today's Washington Times I read the following headlines, quote, "Democrats Balking at Budget Bill Compromise," and into my mind leaped the phrase: "Hallelujah. Change is coming!"

Let us scrap this disastrous hoax of a budget, a reconciliation bill which purports to do something about the deficit and which simultaneously gives us the largest tax increase and spending increase in history, and let us go back to the drawing boards. Even some of the Democrats are beginning to say that.

Mr. Speaker, Senator ALAN SIMPSON announced that this bill will be killed in the Senate, and I hope that we can kill it and start over again to work for the good of all Americans.

MEMBERS URGED TO PASS THE DEFICIT REDUCTION PLAN AND RESTORE FISCAL SANITY

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

Mr. OLVER. Mr. Speaker, as the budget conferees complete their work, we are faced with only two choices: Pass the deficit reduction plan or continue to do nothing, closing our eyes to the fiscal mess this country is in.

This plan produces the largest deficit reduction in our history, made necessary by 12 years of doing nothing which produced the largest deficit in our history.

The plan restores fairness to our tax system. The middle class will no longer shoulder all of the burden while the wealthiest in this country enjoy tax breaks and loopholes.

It has over 200 specific spending cuts—real cuts in real programs.

In my State alone, this plan will generate 100,000 new jobs—primarily in small business. This plan is a winner for Main Street, family-owned businesses across this country.

Mr. Speaker, we are on the brink of putting our economic house in order.

Of course, the guardians of gridlock and the special interests are lobbying hard, trying to convince those on the fence they will pay a political price for supporting this plan.

Mr. Speaker, if we fail to show this Nation that fiscal sanity has returned to Washington, we will all pay a price at the ballot box next year, and deservedly so.

SMOKE AND MIRRORS?

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

Mr. HEFLEY. Mr. Speaker, smoke and mirrors is the traditional way to describe a budget full of gimmicks and accounting tricks.

The Clinton budget does not even merit that description. The magic, the mystery, of smoke and mirrors is absent from the Clinton tax plan.

Rather, this plan makes one wonder what the administration folks have been smoking, and how they can look at themselves in the mirror when they say this plan cuts spending.

Mr. Speaker, this job-killing plan increases spending. In fact, the national debt will increase by $1.82 trillion over the next 5 years under this so-called deficit reduction plan.

And 60 percent of the promised cuts will not come until the fourth and fifth year of the plan, which means that they will never come.

The President has a credibility problem. Increasingly the American people do not believe him, do not trust him and do not like him. This deficit reduction plan does not help him restore the people's trust.

Mr. Speaker, I urge the President to rethink this plan and to find a way to cut spending, not raise taxes.

JOBS AND THE CLINTON PLAN

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

Ms. PELOSI. Mr. Speaker, I rise today in strong support of the President's plan for deficit reduction, economic growth and, most importantly, the creation of jobs. Yes, my colleague from California, hallelujah, change is coming.

As we all know, during the past 12 years the deficit grew from under $1 trillion to almost $4 trillion, productivity lagged, real wages declined, and the average American paid the bill. Now we have the opportunity to put America on track, toward a better future, by passing President Clinton's economic plan which will reduce the deficit by a half a trillion dollars, restore equity to our tax system, 70 percent of the tax increases to fall on those making over $200,000 per year, and create a stable economic platform for private sector growth by increasing investments in our people.

In my State of California, Mr. Speaker, the Clinton plan will create over 1.9 million jobs alone before the end of 1996. I urge my colleagues to support the President's plan. A California recovery is necessary to have a national recovery.

UNDERSTANDING THE NATIONAL DEBT

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

Mr. THOMAS of Wyoming. Mr. Speaker, listening to this floor you

must wonder if we are all talking about the same budget. It is a huge budget, and it is difficult to understand. The chances of understanding the Federal budget from the information given out from the administration are about the same as winning the Virginia lottery, about 10 million to 1. That is especially true when we talk about the hallelujah memo which went out, and it said, "Let's don't talk about details. Let's use body language, and happy faces and spin to do it."

There is one thing, however, that is fairly easy to track, that all of us can track. It is the growth of the national debt. By the Committee on the Budget's own figures, Mr. Speaker, the debt will grow by 1998 by nearly $2 trillion. Right now to pay the national debt it takes 57 cents out of every dollar which my colleagues and I send in in personal income tax. That is going to go up by a third by 1998. What will that payment be at that time? It is fairly easy to assess the budget by looking at the growth of the national debt.

ANNOY THE GREEDY

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

Mr. GENE GREEN of Texas. Mr. Speaker and Members, a minute ago you heard my colleague from Texas on the Republican side, SAM JOHNSON, say that 1969 was the last time we had a balanced budget. Let me remind my colleagues that was a Democratic Congress, and that was passed under a Democrat President. Lyndon Baines Johnson was also from Texas, and, if we give President Clinton time, he will do the same thing again.

Mr. Speaker, I would like to set the record straight on the effects of the President's economic plan on small businesses.

The Republicans have stated time and time again that this plan would hurt small businesses and this is simply not true. In fact, most small businesses would be even better off under this plan because they would get a larger tax deduction for the purchase of new equipment.

The Wall Street Journal recognizes that this plan does not target small business unfairly. The Wall Street Journal reported on July 20 that the opponents of President Clinton's plan have misled, that is right, I said "misled" the public on the effects of the plan on small businesses.

Members, the information used by the Republicans has been proven to be false. By passing a fair economic plan we will allow our economy to grow and create jobs. Last year the Republicans had a bumper sticker that said "Annoy the Media: Re-elect George Bush." Well we have a new slogan for the Republicans: "Annoy the Greedy, Pass Clinton's Economic Plan."

THREE FAIRY TALES

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

Mr. BUNNING. Mr. Speaker, the Easter Bunny lays colored eggs. The Great Pumpkin rises every Halloween from the sincerest pumpkin patch in the land. And Bill Clinton's tax plan will create 8 million jobs.

File it with the rest of the Clinton fairy tales. Fairy tales like—and I quote Bill Clinton here, "I will not raise taxes on the middle class." Here is another one, another Bill Clinton direct quote: "People who would be immunized from paying any more taxes would be families with family income of $80,000 or less." And now the largest tax increase in history, a historic class-warfare scheme to transfer income, and a 60-percent tax hike on many small businesses which, incidentally, are the engine of economic growth in America. And Bill Clinton says he will create 8 million new jobs.

It all reminds me of another fairy tale—Pinocchio. Everyone knows what Pinocchio was famous for—lying.

□ 1020

AN ECONOMIC COMPARISON BETWEEN BUSH AND CLINTON ADMINISTRATIONS

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

Mr. OBEY. Mr. Speaker, we have heard crocodile Republicans tears about the middle class and the taxes they are going to be paying under the President's plan.

I want to show you some comparisons. This chart demonstrates by income groups, starting with the lowest income group and running to the highest, showing how much taxes would have been increased under President Bush's recommendations to this Congress in 1990. By contrast, this chart demonstrates the distribution of tax increases by income groups, starting with the lowest to the highest, under President Clinton's proposal.

Clearly, if you want a package that recognizes that the poor and the middle class have already been soaked and the obligation remains for high-income people to pay their fair share, clearly you would prefer President Clinton's proposal over the disastrous recommendations and policies we followed under the Republicans in the 1980's. Under their policies, the wealthiest 1 percent in this country saw their income double while 90 percent of families in this country lost ground.

Mr. Speaker, it is time for a change on that score.

INTRODUCTION OF REFORM LEGISLATION TO IMPROVE LONG-TERM HEALTH CARE

(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, I rise to remind my colleagues of a national crisis that seems to have fallen off the Democrat leadership's radar scope—the skyrocketing cost of health care. A headline in yesterday's New York Times says "health plan sits in the waiting room." But the American health care system is too sick to wait. Too many people are uninsured and medicine costs are too high. Congress can't just sit on its hands and await the often announced—much-delayed release of the administration's health care plan. There are steps we can take now to help American families. This week I join NANCY JOHNSON and MIKE BILIRAKIS in introducing long-term health care reform legislation to offer Americans some long-term care security. Right now some folks are actually taking classes to learn how to hide assets to qualify for Medicaid—the only long-term health care option for many people. Rather than encouraging rule beating—we should be fixing the rules. Our bill begins the process. I urge Members to take a close look at it and join us in sponsorship of a workable long-term health care plan.

DOUBTS REMAIN IN IDENTIFICATION OF IVAN THE TERRIBLE

(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, since the conviction of John Demjanjuk, the retired autoworker from Cleveland, as the Ivan the Terrible, there have been 80 statements from former Treblinka guards identifying Ivan Marczenko, taller, with darker hair and a long scar on the neck, 9 years older, as the real Ivan the Terrible. This is beyond a reasonable doubt. But nobody in the Congress of the United States would even look at the matter. This case was just too sensitive for Members of Congress.

Demjanjuk is not possibly the only loser tomorrow when the Supreme Court in Israel makes its decision, the big loser will be the Constitution of the United States of America. Shame on Congress for not having the guts to look at a sensitive case.

Mr. Speaker, the tragedy is that Ivan Marczenko may still be alive. In the last 5 years, as we have destroyed Demjanjuk's life, we could have found this guy and prosecuted him.

SMALL BUSINESS GETS THE HOOK

(Ms. DUNN asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. DUNN. Mr. Speaker, there is no business like small business. Between 1988 and 1990, businesses with fewer than 20 employees created over four million new jobs.

And yet unfortunately, many in this body and at the other end of Pennsylvania Avenue are proposing that we give small businesses the proverbial vaudevillian hook by supporting an individual income tax rate hike.

Small and new businesses—which to begin with tend to be unincorporated—make up most of the 80 percent of businesses in this country which pay taxes as individuals, not as corporations.

Therefore, Mr. Speaker, let us keep in mind that when we call for increases in individual income tax rates we are not just soaking the rich, we are soaking small businesses all across America and yanking potential new jobs from the economic stage.

RADIO ADS IN OREGON MISREPRESENT FACTS ABOUT CLINTON BUDGET

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

Ms. FURSE. Mr. Speaker, last week a group calling itself the Christian Coalition spent $7,500 in my district on radio ads that lie about the budget I voted for. Their ads claim this budget will cost jobs. But the truth is, it will create millions of jobs nationally and more than 63,000 in my home State of Oregon. The ads claim that I supported the largest tax increase in history.

That is another lie, Mr. Speaker. Ronald Reagan was responsible for the biggest tax increase in history. The truth is, the budget I voted for is the largest deficit reduction package in history, and it includes the largest spending cuts ever—$250 billion.

It is true some will pay more taxes—but it won't be the middle class. It will be those who make over $180,000 a year.

The budget I voted for will keep us competitive; it will give small businesses an opportunity to invest. That is jobs, Mr. Speaker.

The budget I voted for will also help working families and help lift them out of poverty. It will immunize children and save misery in the future.

Mr. Speaker, lying is always wrong, but it is especially wrong in the name of Christianity.

ANOTHER BODY BLOW TO THE U.S. STEEL INDUSTRY

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

Mr. REGULA. Mr. Speaker, yesterday, the U.S. International Trade Commission voted on a series of cases which will result in a body blow to jobs for nearly half of the congressional districts represented in this legislative body.

Its decision to deny relief in a significant majority of the steel cases, valued at over $3.2 billion, is lost jobs for steel. But it also means losses for the supporting industries from the waitress serving breakfast to the truckers hauling scrap metal.

The puzzle is how the ITC reached its judgment. The facts are undisputed.

Over $100 billion in illegal subsidies have been given to foreign steel makers since 1980. This has resulted in 208,000 lost jobs and closure of more than 450 facilities. One month ago, the Commerce Department found these abuses so prevalent they instituted dumping duties as high as 109 percent and duties to offset subsidies up to 74 percent.

Japan, and others, describe the ruling as "Most Encouraging," saying it will move forward the GATT negotiations. No doubt it will since the countries receiving favorable treatment are the same ones most important to the stalled talks—Japan, Canada, and France.

Tens of thousands of American jobs have been squandered to push forward an agreement that will ultimately take more jobs from our people.

SUPPORT URGED FOR MICKEY LELAND CHILDHOOD HUNGER RELIEF ACT PROVISIONS IN RECONCILIATION

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

Mrs. CLAYTON. Mr. Speaker, in the few remaining hours before the conference committee finalizes the budget reconciliation package, I want to urge my esteemed colleagues not to forget the thousands of children in our Nation that face hunger. The Mickey Leland Childhood Hunger Relief Act, which was included in the House version of budget reconciliation, is crucial to alleviating this unacceptable problem.

Mr. Speaker, we know that one in five children in the United States grows up in poverty. An astounding 5.5 million children under the age of 12 are hungry in this Nation. Moreover, 6 million children are at risk of hunger. This is unacceptable. However, this is a problem which can be addressed through appropriate action. I deeply believe that the Mickey Leland provisions are crucial to providing relief to our children, the future of our Nation.

The U.S. Department of Agriculture estimates that over 15 million people are underserved by the Food Stamp Program. Half of those who receive benefits are children. We must not allow the United States to be a nation where chronic hunger persists as a standard. Mr. Speaker, in light of all of the turf battles which are being fought, I urge my colleagues to ponder our Nation's most important asset: our young people. If we neglect our Nation's most vital resource, history will be our judge. Let us invest in the future of this Nation by including the Mickey Leland provisions in budget reconciliation. I implore my colleagues who serve on the conference committee to think of the children.

RECONCILIATION

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

Mrs. KENNELLY. Mr. Speaker, the budget process continues to move forward. The conference committee on reconciliation is working through the myriad issues this legislation presents. And hopefully, soon, we will be able to vote on a conference report.

But this conference report will contain a lot more than numbers, projections, and estimates. It will contain the first steps toward changing the economic future of this country. And that kind of change is what the American people told us they wanted in 1992.

Think about it. First, we are going to have $500 billion deficit reduction. That is the single largest reduction in history. No, it does not solve the deficit problem—far from it. But it takes that all-important step and signals how very serious we are about getting the job done.

Second, the public heard the President's call for welfare reform. And this conference report will keep intact one of our most important programs for the working poor—the earned income tax credit—to help fulfill the promise that if you work, you should not live in poverty.

Third, the voters wanted to get this country moving on the road toward economic growth again. This bill is good for business, particularly for small business, where most of the job growth comes from. In my own State of Connecticut, the President's plan means almost 40,000 new jobs in the next 3 years—compared to the nearly 16,000 jobs lost between 1989 and 1992.

Mr. Speaker, this is a good plan, a fair plan, and a plan that looks to our future. I call on my colleagues to put aside the politics of gridlock, and the quest for mere political advantage, and get on with this country's work again.

NOT GRIDLOCK; PORKLOCK

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

Mr. STEARNS. Mr. Speaker, President Clinton spoke yesterday to a business audience in Chicago. There, a Mr.

William J. Kelly asked the President why he had broken his promise for a middle-class tax cut and why he was complaining about gridlock when his own party controls Congress.

The President was angry at these questions. He first told this interested citizen, and I quote the President: "This is not your meeting." That was bad enough. But then Bill Clinton let loose a whopper. He said, "The Democrats do not control Congress when 41 Republicans want to vote to keep anything from being voted on in the Senate."

Mr. Speaker, please advise the President that he is incorrect. The Democrats have controlled this House for 40 years. The Democrats have a sizable majority in the Senate. No, the problem for the President isn't gridlock. It's porklock, a Democrat Congress and White House lusting for bigger Government, through new horizons in taxes and pork-barrel spending. It is the Republicans who want Washington to cut spending first.

AMERICA SLIPPING BEHIND ON TRADE

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

Mr. SARPALIUS. Mr. Speaker, since 1981 this country has seen zero net new jobs. I can think of no cheaper or quicker way of creating new jobs in this country than expanding our export markets. Fifty to seventy percent of our new job creation growth in this country in the past 3 years has been in exports. For every $1 billion we increase our exports, it will generate 22,000 new jobs.

But the competition is fierce. By 1998, the Pacific rim countries will control almost one-fourth of the world's markets in exports. That would be equivalent to about $100 billion.

Our country is slipping behind. In the committee that I chair on small business that relates to trade, we heard from 19 different agencies that have 150 programs relating to trade. We are using a shotgun approach instead of a rifle approach.

Mr. Speaker, I challenge Congress and the administration to look at the rifle approach, consolidate these agencies, and develop a more effective program to capture those world markets. The result will be more jobs for the American people.

PASS OR DO NOTHING

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

Mr. COLLINS of Georgia. Mr. Speaker, an earlier Member said we had two choices in relation to the Clinton plan: Either pass it, or do nothing. I want to paraphrase for a minute comments of a senior Member of the other body from Georgia, a Democrat. He said that for a decade he had gone along with measures in Congress to try to improve the economy and address the deficit. However, pertaining to the Clinton plan, he said it is best to do nothing than pass this tax increase.

Mr. Speaker, I call on my colleagues from across the aisle. End gridlock. Join the bipartisan effort to defeat this tax increase. It is only a repeat of the 1990 budget deal, except that it is much larger.

ADMINISTRATION ASKS FOR CAP ON ENTITLEMENT SPENDING

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

Mr. INSLEE. Mr. Speaker, it is time that we use all the tools at our disposal in the fight against the deficit, not just half of them. In the deficit reduction bill passed by the House we gave the deficit both barrels—by adopting both a cap on discretionary spending and a cap on entitlement spending. Both are necessary because of our experience in 1990. In that year Congress adopted a cap on discretionary spending. It was successful in achieving its goal of taming one wild horse. But it let another horse, entitlement spending, free to run wild. And it did.

Now, the Senate has failed to adopt this entitlement cap, and so the administration is working to find a way to impose this cap in the conference committee. It should be applauded for doing so. But in an unbelievably cynical effort we are advised that the minority party in the Senate refuses to provide the votes to waive a rule that must be waived to pass the cap.

Mr. Speaker, I call on the minority party to help us break this beast, to give the deficit both a right and a left, adopt an entitlement cap and put the country ahead of politics.

ENGINE OF ECONOMIC GROWTH MUST ACCELERATE

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

Mr. WALKER. Mr. Speaker, middle-class America should watch their wallets because the President and the Democrats in Congress are at it again. They have used fun house mirror economics to distort a tax-and-spend package as a piece of deficit reduction legislation. They have demanded an end to gridlock, but daily give the green light to porklock. They have even discovered the fountain of youth by defining 30-year-olds as teenagers.

Mr. Speaker, we must allow the American people to keep more of what they earn. If we break the economic backbone of this country, then we cripple our ability to grow and prosper. We must accelerate the engine of economic growth and work toward real recovery and real jobs for middle-class America.

Mr. Speaker, we are left with one question: If the tax-and-spend package is as good as the Democrats here today say it is, then why is President Clinton on Capitol Hill today begging and pleading with Democrats to vote for his economic turkey?

□ 1040

TRIBUTE TO D. ANTOINETTE HANDY, RENOWNED MUSICIAN

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

Mr. JEFFERSON. Mr. Speaker, I rise today to recognize D. Antoinette Handy, a native of New Orleans, LA, who this Friday will retire from the National Endowment for the Arts, where she most recently has served as director of the music program.

Miss Handy is an internationally renowned flutist who has spent more than 20 years performing as a symphony and chamber musician.

Miss Handy trained at the New England Conservatory—bachelor of music—Northwestern University—master of music—and the Paris National Conservatory. Both the New England Conservatory and Northwestern named her Outstanding Alumna, and the Cleveland Institute of Music recently awarded her an honorary doctorate of music.

She has served on the faculty at Florida A&M, Tuskegee, Jackson State, Virginia State, and Southern University at New Orleans; was artist in residence for Richmond public schools; and received a Ford Foundation humanities fellowship for Duke and North Carolina Universities.

Miss Handy is a frequent lecturer and has contributed articles to such scholarly publications as the Black Perspective in Music, American Music, Symphony magazine, and ArtsReview. She is also author of: "The International Sweethearts of Rhythm," "Black Women in American Bands," and "Black Conductors."

Throughout her distinguished career, Miss Handy has received numerous awards, including: the Distinguished Contribution Award from the National Association of Negro Musicians, Outstanding Woman in the Arts from the mayor of New Orleans, and a certificate of recognition from the Governor of Louisiana.

Miss Handy is married to political scientist Dr. Calvin Miller and is the mother of three and grandmother of four. She is the daughter of the Reverend Dr. William Talbot Handy, Sr., a

minister and respected leader in the New Orleans black community for nearly 60 years.

Mr. Speaker, I hope that you and my colleagues will join me in wishing Miss Handy a well deserved retirement with the hope that she will continue to enlighten and educate America with her ideas on African-American contributions to art, culture, and society for many more years to come.

NO MORE DEMURRING

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

Mr. LINDER. Mr. Speaker, in that infamous White House memo on selling the President's tax package, one of the key pieces of advise was this:

> While you will doubtless be pressed for details beyond these principles, there is nothing wrong with demurring for the moment on the technicalities and educating the American people and the media on the historic change we need.

Let us look at this statement for a moment. What details are the Democrats demurring on?

Are they perhaps a bit sheepish that over 60 percent of their spending cuts come in the last 2 years of this plan?

Would they rather not discuss the fact that the national debt will increase by over a trillion dollars with this so-called deficit reduction bill? Are they embarrassed to mention the real impact this tax plan will have on small business and the middle class?

Maybe that is why the administration would rather not be pressed for details on their tax plan. But these questions should be answered by the President for the American taxpayer.

TAX HIKES

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

Mr. WELDON. Mr. Speaker, surprise, surprise, Mr. Speaker, the Democrats say that we will solve the deficit by taxing the rich. New income taxes, new surtaxes, limited deductions, you name it. The Clinton tax plan, as passed in this House, plans to soak the rich to the tune of $115 billion over 5 years.

Well guess what, Mr. Speaker. The rich aren't so fond of getting soaked to pay for Clintonomics. I have here a copy of the August issue of Money magazine. The screaming headline reads: "Act Now, Beat the Biggest Tax Hike Ever."

Inside is eight pages of tips to avoid paying these higher taxes. Included are suggestions regarding things like tax-deferred retirement accounts, shifting income and deductions, moving toward capital and away from ordinary income, investing in tax-free municipal bonds, and so on.

Do we really think that the rich are going to allow themselves to be bled dry? They have tax lawyers and accountants that are paid to find shelters and loopholes. Let us face up to it: These soak-the-rich tax hikes will just not raise the revenue that is projected.

What about the middle class? There is no shelter for them. There's no shelter from a gasoline tax. There's no shelter from an energy tax. There is no shelter from Social Security taxes. President Clinton may be trying to soak the rich, but it is the middle class that will drown.

SETTING THE RECORD STRAIGHT

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

Mr. SKAGGS. Mr. Speaker, I had not planned to give a 1-minute, but listening to some of the rhetoric from the other side, I really feel compelled to respond.

The gentleman from Pennsylvania earlier wondered why the President might have a difficult time finding votes for this very tough-minded deficit reduction and economic plan.

One of the reasons is the consistent misrepresentation of what is really in this plan and what it is all about.

Anyone that would stand up here and suggest that middle-income Americans are not going to be more advantaged by saving several hundred dollars a year in interest rates, because this plan is bringing down interest rates in this country, rather than the very slight energy tax that might be involved, simply does not know what they are talking about.

Anyone that is suggesting that small business is not going to be advantaged by those low interest rates and by the inducements to expensing the acquisition of equipment simply does not know what they are talking about.

If we wonder why this plan is in trouble, to some extent, in the public's mind, it is because it has not been accurately described by the loyal minority.

EVEN CLINTON'S HOME STATE IS REJECTING TAX AND SPEND

(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, yesterday President Clinton's home State cast another vote against the tax and spend policies of the Democrat Party. For the first time in 20 years, a Republican won a statewide race in Arkansas, as Mike Huckabee won the Lieutenant Governorship.

When the folks that know you best say something, the rest should listen. Well, the voters in Arkansas said that they don't want more of their money sent to Washington, DC. They said that they don't want to see more of their children's money sent to Washington, DC to pay off the debt that Congress keeps piling up by the billions every year. They said that the first step toward prosperity does not begin in Washington, but at home.

So they took that first step by voting in to cut spending first and voting out tax and spend. In other words, Arkansas voted in a Republican and voted out a Democrat.

I would say to my colleagues that maybe there is hope in Arkansas after all. The rest of the Nation should listen-up too. America should not accept what Arkansas has rejected.

Like most of the South, Arkansas is a State that didn't even have a Republican Party that long ago.

IN SUPPORT OF THE DEFICIT REDUCTION PLAN

(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, Members keep wondering why we should support this deficit reduction plan. Let me say it in the simplest way I know how.

It is America's future, stupid. I mean, that is what it is. Is there anyone here who thinks that it would be a great idea to continue to let this debt grow? Is there any Member who really thinks that the mounting debt does not also drive up interest rates, which chokes the middle class and chokes off small business?

We have had so much heat about this and so little light shed on what is really in that package. We have created a system where the greatest political rewards are for being irresponsible, voting for nothing, yelling you do not like anything and letting America go straight off a cliff.

Nation after nation has done that in history. This is the first time I am hoping this great Nation can correct its course, get back on track, get this deficit under control and continue to have a bright future for our children.

It is our future, stupid. That is why we have got to vote for this bill.

FAMILIAPHOBE

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

Mr. DORNAN. Mr. Speaker, I bring to the well, our official House of Representatives floor dictionary, "The Random House Dictionary of the English Language," second edition, unabridged. For the million and a half Americans who follow the proceedings of this august body across our country

by C-SPAN television, know that this dictionary sits on the lectern over here on the Republican side west door to the Speaker's lobby and that it is there for the use of Members and staff. This new Random House edition has only been there about a year.

It has a word in it, "homophobic," and another word, "homophobia," that were not in our old floor dictionary that was there for the first 14 years that I served here.

I am going to do something rather exciting this morning.

I'm predicting that in a few years when we replace this large book it will have new words in it, of course. But two of those words I am introducing to the language of the English-speaking peoples today. I have faxed these new words up to the amazing Mr. Rush Limbaugh of EIB fame so that these new words will be broadcast out to 610 radio stations today or tomorrow all across America and all the ships at sea. I repeat—within about 2 or 3 years, I expect to see these words in all new dictionaries of our fair land. We owe this exciting etymological development to the gentleman from Florida [Mr. STEARNS].

Here they are. Imaginary drumroll, please. Are you listening, Rush? "Familiaphobic" a new adjective. "Familiaphobe," a new noun. This paper gives all the Latin and Greek derivative breakdowns. You will see all this in the CONGRESSIONAL RECORD tomorrow.

Definition—"One who fears, dreads or has an aversion to the family, especially the family household including children. Disdains traditional family life and the domestic setting. (One who is hostile toward Judeo-Christian ethics)."

The next time someone calls you a homophobe or homophobic, you can come right back at your attacker and say, "You are a familiaphobe. I hate to see you spread this familiaphobia across our land." Good luck, seekers of truth.

□ 1050

TAX INCREASES FIRST, SPENDING CUTS LATER: EVEN DEMOCRATS DO NOT BUY IT

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

Mr. KINGSTON. Mr. Speaker, the other day the President, in a speech, I believe, in Chicago had the audacity to blame Congress for not passing his tax increase package, which I find unbelievable that he would do exactly what Bush and Reagan did and say "It is the fault of Congress." It is his party that controls not just the lower House, but also the other body.

Mr. Speaker, let us not kid ourselves. If it was a great package, the Democrats would be all behind it. I applaud the Democrats who are second-guessing his wisdom on increasing taxes. We have had five tax increases in the last 10 years. Not one has lowered the deficit. Not one has come close to the projected decrease in spending. Not one has lived up to the promised cuts. The tax increases come first, the cuts come down the road. It never happens

I applaud my Democrat counterparts for having the wisdom to look back in our history a mere 10 years and say, "Mr. President, it does not work." So when you get mad at Congress, remember, you get mad at your own party, Mr. Speaker. I hope the President will remember that.

When the bill comes back next week, I hope we will remember this accordingly and vote "no."

CONSTITUENTS WANT A TRUE LOYAL OPPOSITION, NOT ATTACK DOGS

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

Mr. LEVIN. Mr. Speaker, I have been listening to the 1-minutes of the loyal opposition. It is clear to me they are loyal to one thing, winning the next election. It is a sharp contrast to 1990 that the gentleman has referred to. In 1990 there was a bipartisan effort to try to get at the deficit. Have we have no such effort.

It is interesting when the Republicans come north, they do not talk about their own plan because there is not much to talk about. The Republican minority is becoming a band of attack dogs, a band of attack dogs. The public wants more than that from the loyal opposition.

THE CHRISTIAN COALITION IS RIGHT

(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. Boy, Mr. Speaker, what a difference a couple of years make. They are calling us attack dogs. Remember when they constantly attacked President Bush day after day, and Ronald Reagan week after week and month after month and year after year? It is amazing how things change in just a matter of a few months.

I heard colleagues of mine on the other side of the aisle come down here the last couple of days and attack the Christian Coalition. We have seen an attack on organized religion grow and grow and grow over the last couple of years. Now they are attacking on the basis that the Christian Coalition is lying in radio advertisements. That could not be further from the truth.

If we look at the front page of Money magazine, it says, "Beat the largest tax hike in U.S. history." These commercials that are being put on in many of my freshman Democrat colleagues' districts say they are voting for the largest tax increase in history, that it is going to cost jobs, and the Christian Coalition is right on the money. It is going to cost jobs. It is the largest tax increase in American history, and it is going to really put a damper on this economy.

The deficit we are dealing with, the interest on the deficit, is out of control. If they vote for this tax increase they are putting the future economy of this country in dire jeopardy. They are going to be responsible for it. The Christian Coalition is absolutely right.

EXPRESSION OF GRATITUDE FOR AID FOR THE FLOOD VICTIMS

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

Mr. LIGHTFOOT. Mr. Speaker, in response to the gentleman from Michigan, this attack dog has had his rabies shots. What I would like to do this morning is say thank you to a lot of people who have come forth to help in my State during this time of flooding.

The weather forecast says we have 3 or 4 days, maybe, without rain for the first time in weeks. I would like to take the time this morning to thank the Salvation Army, the Red Cross, the National Guard, the Feed Children group from Oklahoma who have brought food into our State. People in the State of Vermont who have sent food to our State, and clothing and necessary supplies.

I think that as we look back through this disaster, which is a long way from being over yet, by the way, one of the things that will come through, and I do not know that the network television will ever be able to capture the story, I wish someone would try to do it, the most compelling story is about the spirit of the people that have been involved in this ongoing disaster since back in April.

A sense of humor has helped; a belief, in a power above has helped; and the fact that we still try to help our neighbors when they are in a time of distress.

There has been no looting. We have had one minor vandalism problem, which we think was as a result of maybe someone getting too much of the sauce. However, when we look at the size, the enormity, which we will never, ever be able to totally measure, the one thing that comes shining through is the human spirit. I would like to thank everyone who helped us in getting through a very difficult time.

THE JOURNAL

The SPEAKER pro tempore (Mr. TUCKER). Pursuant to clause 5 of rule I,

the pending business is the question de novo of the Speaker's approval of the Journal.

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

Mr. SKAGGS. 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 257, nays 158, not voting 19, as follows:

[Roll No. 371]

YEAS—257

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Bateman
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gallegly
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Hoke
Hoyer
Hughes
Hutto
Hyde
Inglis
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kreidler
LaFalce
Lambert
Lancaster
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pombo
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Spratt
Stark
Stenholm
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Traficant
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)

NAYS—158

Allard
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clay
Coble
Collins (GA)
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallo
Gekas
Gilchrest
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Horn
Houghton
Huffington
Hunter
Hutchinson
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Machtley
Manzullo
McCandless
McCrery
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Molinari
Moorhead
Morella
Murphy
Nussle
Paxon
Petri
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

NOT VOTING—19

Brown (CA)
Chapman
Derrick
English (AZ)
Flake
Henry
Holden
Kopetski
Lantos
McDade
McHugh
Moakley
Packard
Stokes
Strickland
Towns
Valentine
Washington
Wilson

□ 1122

Mr. SMITH of Michigan changed his vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. ENGLISH of Arizona. Mr. Speaker, I missed a vote because I had the distinct opportunity to meet with the President of the United States.

Had I been here I would have voted "aye" on Rollcall No. 371.

NATIONAL SERVICE TRUST ACT OF 1993

The SPEAKER pro tempore (Mr. TUCKER). Pursuant to House Resolution 217, and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2010.

□ 1123

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2010) to amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes, with Mr. FIELDS of Louisiana in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, July 21, 1993, the amendment offered by the gentleman from New York [Mr. SOLOMON] had been disposed of.

Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. WALKER

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

The Clerk read as follows:

Amendment offered by Mr. WALKER: Page 68, line 4, strike the close quotation marks and the final period.

Page 68, after line 4, insert the following new section (and conform the table of contents accordingly):

"SEC. 142. AGREEMENT TO PERFORM MILITARY SERVICE IN EVENT OF NATIONAL EMERGENCY.

"(a) AGREEMENT REQUIRED.—Subject to subsection (b), each participant in a national service program carried out using assistance provided under section 121 who is selected to serve in an approved national service position shall be required to enter into an agreement with the Secretary of Defense to be available, throughout the term of service of the participant in the position, for temporary enlistment in the Armed Forces at the call of the Secretary in the event of a national emergency declared by the President.

"(b) QUALIFICATIONS.—Only participants who are at least 18 years of age at the time of their temporary enlistment pursuant to this section and who are otherwise qualified for enlistment under regulations prescribed by the Secretary of Defense may be enlisted under the Authority provided by this section.

"(c) TERM OF ENLISTMENT.—A temporary enlistment under this section may not exceed the duration of the national emergency for which the call is made plus six months."

Mr. WALKER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. FORD of Michigan. Mr. Chairman, I reserve a point of order against the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The CHAIRMAN. The gentleman's reservation of a point of order is noted.

The gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes in support of his amendment.

Mr. WALKER. Mr. Chairman, this is an amendment which is an attempt to speak to a problem which I believe this bill is creating and help mitigate that problem to some extent. I believe that with this bill we are undermining our ability to recruit people into the military service. What we are doing is offering incentives in this bill to do national service of a kind other than military service. Now I hope that that is not the intent behind the program.

Mr. Chairman, there have been some people who have suggested that the enthusiasm of this administration for military service is less than stellar. But I hope that that is not the intention. But the effect of this approach could well be to undermine our military's ability to attract people into the Army, Navy, Air Force, Marines, Coast Guard, and other military services. That leaves us with a problem.

Mr. Chairman, the lack of people volunteering for military service could leave us with a problem in the eventuality that the President declares a national emergency. What my amendment says is that as a condition of employment, and that is what we are really talking about here in terms of people entering the national service; they are, in fact, becoming Federal employees at that point; and, as a condition of that employment, we would say that their national service would extend to the military at the moment the President declared a national emergency. They would come into the national service with the understanding that, if the President declared a national emergency, at that point these folks who were serving in national service would become a pool of ready volunteers to move into the military for service throughout that national emergency.

This is an attempt, it seems to me, Mr. Chairman, to ensure that the President has, in addition to the present National Guard and Reserve Forces, another group of people who can be called in. Now they would be called in based upon the enlistment codes that now exist in the Federal Government, but they would assure us of having the numbers of people out there who could immediately be put into military duty in the eventuality of national service or of a national emergency.

So, Mr. Chairman, I would hope that the House would approve this very modest amendment. It would not in any way impinge upon national service as such. These people would still be able to sign up for national service, but at the point that this Nation finds itself in a condition where the President has to declare a national emergency, Mr. Chairman, we would be assured that the people serving in the National Service Corps would also be available to serve in the event of that extreme. I mean this is a situation where obviously the major national service would need at that point people in our military ranks, and this would ensure that these national service people would, in fact, come into the military immediately upon the declaration of such a national emergency.

Mr. Chairman, I hope the House will approve this amendment and would have that as one of the conditions of employment under national service.

The CHAIRMAN. Does the gentleman from Michigan [Mr. FORD] insist on his point of order?

Mr. FORD of Michigan. I do, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, I raise a point of order against the amendment offered by the gentleman from Pennsylvania [Mr. WALKER] on the grounds that it violates clause 7 of House rule XVI which provides, in part, that:

> No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Mr. Chairman, the gentleman has offered his amendment to the committee substitute which is being considered as original text. Under the precedents, an amendment must relate to the fundamental purpose of the proposition to which it is offered (Rules and Manual of the House of Representatives, section 798b). The fundamental purpose of the committee substitute is described on page 82 of the committee report (H. Rept. 103-55) as follows:

> The purpose of H.R. 2010 is to establish a Corporation for National Service, enhance opportunities for national and community service, and provide for national service educational awards to persons participating in such service.

Section 101 of the substitute amends title I of the National and Community Service Act of 1990 by, among other things, adding a new section 122 which describes "eligible national service programs." Eligible programs include: Community, conservation, and youth service corps; natural resource, urban renovation, or human service projects; programs targeted at unmet human, educational, environmental, or public safety needs; campus-based programs; and programs to address the development and needs of rural communities and to combat rural poverty. All of these programs are civilian in nature and contemplate or require civilian national service.

The gentleman's amendment, on the other hand, contemplates, and would even require, participants in the civilian National Service Program to, under certain circumstances, serve in the military. Its purpose is, in essence, to provide a military draft in the event of a national emergency. Its purpose is totally unrelated to the fundamental purpose of the proposition to which it is offered. Thus, it is nongermane.

The amendment fails several of the tests of germaneness established under precedents of the House. For example, under the committee jurisdiction test, "an amendment when considered as a whole should be within the jurisdiction of the committee reporting the bill" (Manual, section 798c). The pending amendment, of course, falls with the jurisdiction of the Committee on Armed Services not the Committee on Education and Labor. An amendment must relate to the subject matter under consideration (Manual, section 798a). Military service does not relate to civilian service. The amendment expands the class of service authorized by the bill, that is, civilian service, to include a totally different type of service, that is, military service. See, for example, Deschler's chapter 28, section 10.14—To a bill pertaining to several functions within an identifiable class of activity, an amendment adding a function outside that class is not germane. And, as I have previously argued the amendment clearly fails the fundamental purpose test.

Mr. Chairman, I insist upon my point of order.

□ 1130

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I wish to be hear on the point of order.

The CHAIRMAN. The gentleman is recognized.

Mr. WALKER. Mr. Chairman, the gentleman's point of order is without merit. The amendment is entirely germane and does relate to the matter under consideration, based upon the en bloc amendments accepted by the chairman earlier in the consideration.

I refer the Chair to two amendments accepted in the en bloc motion. One amendment is on page 212, after line 2. The chairman has accepted an amendment to coordinate the program with other Federal activities, and that is a broad category that says that the national service laws would be done in coordination between projects and programs and the activities of other Federal agencies that deal with the individuals and communities participating in or benefiting from such projects and programs.

That in itself might not be a reason to rule my amendment germane, but if

the Chair will then refer to another amendment accepted in the en bloc amendments, he will find that on page 157, on line 16, the chairman has accepted language that says that among the activities these communities shall be participating in or benefiting from are—and I quote—"relief efforts in response to an emergency or major disaster declared by the President."

At the present time the Army Corps of Engineers, the National Guard, and a number of other military units are in fact participating in precisely those kinds of duties. They are in fact units and organizations that would be covered under the scope of my amendment.

So, therefore, Mr. Chairman, because my amendment is a condition of employment for the people who would be serving in these programs and because the chairman has broadened the scope of the bill to include military agencies as part of the scope of his bill, at that point he has put aside both his issue of germaneness and his issue of the matters under consideration. In both cases I think the amendment relates to the fundamental issues within the bill, that a response to a major disaster has in fact broadened the scope to include military agencies, particularly in line with the need to coordinate with other activities.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Chairman, I insist on my point of order for all the reasons I have stated, and I would observe that when the gentleman talks about cooperation with other agencies, if you look at page 207 of the bill, it specifies who will do the cooperating and with whom. It specifies that the ex officio members of the National Service Corporation, not the subgrantees, will cooperate with the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Defense, the Attorney General, the Director of the Peace Corps, and the Administrator of the Environmental Protection Agency. That is merely a permissive sort of interaction between the ex officio members of the board of the corporation and these various agencies. I guess the easiest way to understand how really nongermane this amendment is, is to point out that the gentleman's amendment would have the effect of saying that if in a number of cities, in the inner city you had people who were otherwise unable to work outside the home because they are wheelchair-borne, for example, teaching young people reading as tutors, as a part of the program, he would put them in the military. I do not know which military he wants to give the wheelchair battalion to, but there is no relation between the person serving as a tutor or a nurse's aide or some other kind of an operation for a church, a nonprofit organization, or a school district, and service in the military.

The gentleman's amendment should be taken up with the Committee on Armed Services, and if the gentleman wants a back-door draft, that committee ought to bring the bill to the floor.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I wish to be heard further on the amendment.

The chairman of the committee, of course, mischaracterizes the amendment. He obviously has not read it. Under the qualifications section of the amendment, handicapped people, of course, would not be covered.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WALKER. No, I will not yield because the gentleman knew that he was mischaracterizing it when he said it.

Mr. FORD of Michigan. That is not sufficient reason for the gentleman to refuse to yield to me.

The CHAIRMAN. The gentleman from Michigan is out of order. The gentleman from Pennsylvania cannot yield. The gentleman from Pennsylvania [Mr. WALKER] is recognized.

Mr. WALKER. The Chair is correct, and we ought to know the rules.

Mr. Chairman, as for the ex officio members the chairman of the committee refers to on page 206, he read the list of them, but it is clear the amendment he accepted is to extend the consultations beyond the ex officio members because it includes in the language of the amendment the Secretary of Transportation, who is not among the ex officio members. So it is clear that the intent of his amendment was to extend beyond the people he read in this particular instance. He did not include the Secretary of Defense, but it is also clear, if the Chair will refer to page 157, that all relief efforts in response to an emergency or major disaster declared by the President are in fact covered by this, and it would have to coordinate with the Department of Defense in order to carry out such efforts.

So it is clear that the intent of these amendments en bloc was to expand the scope of the bill. All I am suggesting is that under that expanded scope of the bill, my amendment is entirely germane and is entirely related to the matters now under consideration.

The CHAIRMAN (Mr. FIELDS of Louisiana). The Chair is prepared to rule.

The gentleman from Michigan [Mr. FORD] makes a point of order that the amendment offered by the gentleman from Pennsylvania [Mr. WALKER] is not germane. The amendment would require participants in the National Service Program to enter into an agreement with the Secretary of Defense to be available throughout their term in national service for temporary enlistment in the Armed Forces in the event of a national emergency. The amendment would establish a military obligation as a matter of law. Such a contingent military service measure would fall within the jurisdiction of the Committee on Armed Services. The bill, on the other hand, was reported only by the Committee on Education and Labor, and authorizes a variety of national service programs, all of which are civilian in nature.

The bill, as amended, refers to coordination with other Federal agencies that deal with individuals and communities participating in or benefiting from such projects and programs. While it might be argued that the bill, as amended, contemplates some coordination with the Defense Department, it appears to be confined to national programs that are civilian in nature.

Committee jurisdiction is a relevant test of germaneness where the pending text is within one committee's jurisdiction and the amendment falls within another's committee purview Deschler's Procedure, chapter 28, section 4.1. Such is the situation at hand and, in the opinion of the Chair, the amendment is nongermane. The Chair sustains the point of order.

□ 1140

AMENDMENT OFFERED BY MR. PORTER

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

The Clerk read as follows:

Amendment offered by Mr. PORTER: Page 24, line 19, strike "and" at the end.

Page 24, line 21, strike the period and insert "; and".

Page 24, after line 21, insert the following: "(6) encourage national service programs to adhere to risk management procedures, including the training of participants in appropriate risk management practices.

Mr. PORTER. Mr. Chairman, the National Service Trust Act authorizes the Corporation for National Service to conduct training programs to help national service programs identify and meet needs, promote leadership development, improve quality, develop management/budget skills, and train participants.

My amendment would add a sixth objective for the training programs, to "encourage national service programs to adhere to risk management procedures, including the training of participants in appropriate risk management practices."

The purpose of the amendment is to clarify that training grants to promote risk management activities by national service programs are allowable under this section and that the Corporation for National Service should strongly consider making such grants.

Risk management involves a number of practices, Mr. Chairman. But at its most basic, it involves the training of

employees and volunteers to avoid situations and conditions which pose an unnecessary risk of injury to others and to identify such conditions and circumstances.

The National Service Trust Act envisions participants and programs being involved in a wide variety of activities. Some of these activities are known for their potential for giving rise to litigation, such as—"addressing unmet environmental needs," "a professional corps programs that recruits, trains and places qualified participants in positions as teachers, nurses, police officers, early childhood development staff"; and "disaster relief."

Mr. Chairman, these are all worthwhile activities, but they should not be undertaken without proper risk management training. My amendment simply assures that the Corporation for National Service gives due consideration to the need to provide such training for national service programs and their participants.

Mr. FORD of Michigan. Mr. Chairman, we have examined the amendment of the gentleman from Illinois [Mr. PORTER] on this side and are prepared to accept it. We think it is helpful to and consistent with the bill. That is the basis upon which I am willing to accept it.

Mr. PORTER. Mr. Chairman, I thank the gentleman from Michigan [Mr. FORD] for accepting this amendment. I think it is a good amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I offer amendments Nos. 1 and 2 and ask unanimous consent that they be considered en bloc.

Mr. BRYANT. Mr. Chairman, I reserve a point of order against the amendments.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. PORTER: Page 30, after line 6, add the following:

"(5) EFFECT OF STATE FAILURE TO LIMIT LIABILITY.—If, not later than 2 years after the effective date of this subtitle, a State fails to have in effect (and to certify in its application that the State has in effect) a limitation on liability that satisfies the requirements of title V of the National Service Trust Act of 1993, the allotment for such State shall be reduced by 5 percent, and the Corporation shall allot the amount of the reduction among the States that have in effect (and so certify) such limitation.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE V—LIMITATION ON LIABILITY OF VOLUNTEERS

SEC. 501. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) within certain States, the willingness of volunteers to offer their services has been increasingly deterred by a perception that they thereby put personal assets at risk in the event of liability actions against the organization they serve;

(2) as a result of this perception, many nonprofit public and private organizations and governmental entities, including voluntary associations, social service agencies, educational institutions, local governments, foundations, and other civic programs, have been adversely affected through the withdrawal of volunteers from boards of directors and service in other capacities;

(3) the contribution of these programs to their communities is thereby diminished, resulting in fewer and higher cost programs than would be obtainable if volunteers were participating;

(4) the efforts of nonprofit organizations, local government, States, and the Federal Government to promote voluntarism, and community and national service, are adversely affected by the withdrawal of volunteers from boards of directors and service in other capacities; and

(5) because Federal funds are expended on useful and cost-effective social service programs which depend heavily on volunteer participation, protection of voluntarism through clarification and limitation of the personal liability risks assumed by the volunteer in connection with such participation is an appropriate subject for Federal encouragement of State reform.

(b) PURPOSE.—The purposes of this title are to promote programs of community and national service, to promote the interests of social service program beneficiaries and taxpayers, and to sustain the availability of programs and nonprofit organizations and governmental entities which depend on volunteer contributions, by encouraging reasonable reform of laws to provide protection from personal financial liability to volunteers serving with non-profit organizations and governmental entities for actions undertaken in good faith on behalf of such organizations.

SEC. 502. NO PREEMPTION OF STATE TORT LAW.

Nothing in this title shall be construed to preempt the laws of any State governing tort liability actions.

SEC. 503. LIMITATION ON LIABILITY FOR VOLUNTEERS.

(a) LIABILITY PROTECTION FOR VOLUNTEERS.—For purposes of satisfying the requirement specified in section 129(a)(5) of the national and Community Service Act of 1990, and except as provided in subsections (b), (c), and (d), a State shall provide by law that any volunteer of a nonprofit organization or governmental entity shall incur no personal financial liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization or entity if—

(1) such individual was acting in good faith and within the scope of such individual's official functions and duties with the organization or entity and such functions and duties are directly connected to the administration of a program described in section 122(a); and

(2) such damage or injury was not caused by willful and wanton misconduct by such individual.

(b) CONCERNING RESPONSIBILITY OF VOLUNTEERS WITH RESPECT TO ORGANIZATIONS.—Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(c) NO EFFECT ON LIABILITY OF ORGANIZATION.—Nothing in this section shall be construed to affect the liability of any nonprofit organization or governmental entity with respect to injury caused to any person.

(d) EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—A State may impose one or more of the following conditions on and exceptions to the granting of liability protection to any volunteer of an organization or entity required by subsection (a):

(1) The organization or entity must adhere to risk management procedures, including mandatory training of volunteers.

(2) The organization or entity shall be liable for the acts of omissions of its volunteers to the same extent as an employer is liable, under the laws of the State, for the acts or omissions of its employees.

(3) The protection from liability does not apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's license is required.

(4) The protection from liability does not apply in the case of a suit brought by an appropriate officer of a State or local government to enforce a Federal, State, or local law.

(5) The protection from liability shall apply only if the organizations or entity provides a financially secure source of recovery for individuals who suffer injury as a result of actions taken by a volunteer on behalf of the organization or entity. A financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the entity will be able to pay for losses up to a specified amount. Separate standards for different types of liability exposure may be specified.

SEC. 504. DEFINITIONS.

For purposes of this title—

(1) the term "volunteer" means an individual performing services for a nonprofit organization or a governmental entity who does not receive compensation, or any other thing of value in lieu of compensation, for such services (other than reimbursement for expenses actually incurred or honoraria not to exceed $300 per year for government service), and such terms includes a volunteer serving as a director, officer, trustee, or direct service volunteer;

(2) the term "nonprofit organization" means any organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(3) the term "damage or injury" includes physical, nonphysical, economic, and noneconomic damage; and

(4) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

Mr. PORTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read the printed in the RECORD.

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

There was no objection.

The CHAIRMAN. Is there objection to the original request of the gentleman from Illinois [Mr. PORTER]?

There was no objection.

Mr. BRYANT. Mr. Chairman, I would like to raise a point of order against consideration of the amendments.

The CHAIRMAN. Does the gentleman reserve a point of order, or does the gentleman raise a point of order?

Mr. BRYANT. Mr. Chairman, I raise a point of order.

PARLIAMENTARY INQUIRY

Mr. BRYANT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRYANT. Mr. Chairman, has the gentleman from Illinois [Mr. PORTER] simply asked that these amendments be considered en bloc, or is the gentleman raising the amendments? My purpose is to raise a point of order against the offering of the amendments.

The CHAIRMAN. The gentleman's point of order will be protected. The amendments are being considered en bloc.

Mr. PORTER. Mr. Chairman, the gentleman from Texas [Mr. BRYANT] can reserve a point of order. I can speak to the amendments, and then the gentleman can raise the point of order, is that correct?

The CHAIRMAN. The gentleman from Texas [Mr. BYRANT] chose to raise it, rather than reserve it. Does the gentleman from Texas reserve the point of order?

Mr. BRYANT. Mr. Chairman, I wish to raise a point of order against the amendments.

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

Mr. BRYANT. Mr. Chairman, if the Chair will protect me in this regard, I will reserve the point of order.

Mr. FORD of Michigan. Mr. Chairman, if the gentleman will yield, I understand that the gentleman from Illinois [Mr. PORTER] has four amendments printed in the RECORD. Three of them are clearly out of order. We believe that a point of order would be sustained against them.

Mr. Chairman, I do not know what it is that the gentleman from Illinois [Mr. PORTER] is asking to put en bloc here.

Mr. PORTER. Mr. Chairman, if the gentleman will yield, we are asking to put amendments 1 and 2 en bloc. The Chair has accepted them en bloc. The gentleman from Texas [Mr. BRYANT] is going to raise a point of order against those two amendments. I understand that. I simply wanted to present the amendments and then argue the point of order when he raises that point of order at the end of my comments.

Mr. FORD of Michigan. Mr. Chairman, I want to find out whether I want the gentleman from Illinois [Mr. PORTER] to be able to offer them en bloc. Does that affect the point of order of the gentleman from Texas [Mr. BRYANT]?

The CHAIRMAN. Permission has already been granted to present the amendments en bloc.

Mr. PORTER. Mr. Chairman, I do not think that affects it at all.

The CHAIRMAN. The gentleman from Texas [Mr. BRYANT] reserves a point of order on the amendments.

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

Mr. FORD of Michigan. Mr. Chairman, we have to be clear. What are the two amendments being put together here now?

Mr. PORTER. Mr. Chairman, amendments 1 and 2. We just brought the Chairman of the Committee a copy of amendments 1 and 2.

Mr. BRYANT. Mr. Chairman, I reserve a point of order against the amendments being offered by the gentleman from Illinois [Mr. PORTER].

The CHAIRMAN. The reservation of the gentleman from Texas [Mr. BRYANT] will be recognized.

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

Mr. PORTER. Mr. Chairman, Members should know the gentleman is going to lodge a point of order against the amendment which is a modified form of a bill which for the past several Congresses I have promoted to provide limited liability protection for volunteers. It has gained widespread support in the Congresses and across the Nation. Many Members of this body have cosponsored the bill, H.R. 911, known as the Volunteer Protection Act.

Over 250 organizations, including Big Brothers/Big Sisters, the American Red Cross, the American Heart Association, the YMCA, the YWCA, Little League, et cetera, have all sponsored and supported this legislation, and over 200 cosponsors of the bill have ascribed their names to it in each of the last two Congresses.

I would like to amend the National Service Trust Act with a modified form of this Volunteer Protection Act.

Mr. Chairman, in 1990 I was able to amend the National Service Act with this legislation. My amendment, which is today subject to the point of order, passed unanimously but, unfortunately, it was not included in the final bill.

My amendment attempts to remedy a very serious recruiting problem, Mr. Chairman, the fear of lawsuits, which has affected volunteer programs nationwide.

Organizations know it is a problem. In 1988 a Gannett study found that 20 percent of association directors were having serious trouble recruiting volunteers because of fear of being named in a lawsuit. States know it is a problem. A number of them have enacted volunteer protection laws.

Mr. Chairman, past administrations have known it is a problem. In 1990 the Attorney General formally recommended a volunteer protection law for adoption by the States.

My amendment, simply put, channels lawsuits to the organization. It protects volunteers from being dragged into court and having to place their homes, their farms, and assets at risk.

Injured parties, who currently gain most of their recoveries from the organization and not from individual volunteers, would continue to be able to hold these organizations fully liable.

My amendment propounds a model law. The model law allows States significant latitude when crafting their volunteer protection laws. It allows a fair amount of time to enact volunteer protection laws—2 years. It provides a gentle prod to enact a volunteer protection law. States would lose 5 percent of the money they would otherwise receive under the National Service Trust Act, and that money would be reallocated to States that had met the volunteer protection standard.

□ 1150

I believe that this is a good amendment. It would improve greatly the National Service Trust Act, and I urge the Members to support it.

POINT OF ORDER

Mr. BRYANT. Mr. Chairman, I rise to a point of order.

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

Mr. BRYANT. Mr. Chairman, I raise a point of order against further consideration of the Porter amendment. My point of order against the Porter amendment is that his amendment is nongermane.

I would refer the Chairman to page 3, lines 11 through 12, where I would read: "Volunteer of a nonprofit organization or governmental entity." Those words are far beyond the scope of persons and organizations covered by the bill pending before the House.

The amendment offered by the gentleman from Illinois [Mr. PORTER] would extend immunity to any volunteer performing any activity for any nonprofit organization, regardless of whether or not it is connected to the purposes of this bill, including extremist organizations such as the American Nazi Movement, the Ku Klux Klan, or any other extremist organization, as long as it met the terms of sections 501(a) and 501(c) of the Internal Revenue Code.

In fact, as the definition of volunteer on page 5 makes clear, this amendment could not apply to anyone who is a National Service volunteer under the bill.

The definition requires that the volunteer "does not receive compensation, or any other thing of value in lieu of compensation, for such services." So the educational scholarship would disqualify all National Service volunteers. But anyone who volunteered with an extremist group strictly out of zealotry for the cause, would be shielded.

I do not think that is the purpose of the bill before us today.

Mr. Chairman, I submit that the amendment is nongermane and urge sustaining of my point or order.

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

Mr. PORTER. Mr. Chairman, I would note that the subject of my amendment is volunteers and the nonprofit agencies and local governments they serve, a subject that is clearly contemplated throughout the bill.

The amendment and the bill share the same fundamental purpose, to strengthen nonprofit organizations and local governments in their ability to help meet needs in the United States. And their methods are the same. The provision of grants of assistance to such organizations is based on their meeting certain criteria.

Finally, the bill stands before us as read and open to amendment at any point, and includes reauthorization of the VISTA Program, which has as one of its objectives to generate the commitment of private sector resources, to encourage volunteer services at the local level and to strengthen local agencies and organizations to carry out the purpose of this part.

Title II as well envisions the involvement of volunteers with the Corporation for National Service. Promotion of voluntarism and the community work of nonprofit organizations is, thus, central to the bill as well as central to my amendment.

The CHAIRMAN. Does the gentleman from Texas [Mr. BRYANT] wish to be heard further on the point of order?

Mr. BRYANT. Mr. Chairman, I would further urge that the gentleman from Illinois [Mr. PORTER] is attempting to apply this immunity amendment of his to all volunteers for any volunteer organization that happens to meet the 501(a) or 501(c) provisions of the Internal Revenue Code.

The bill before us relates to national service. What we are discussing in this bill is national service participation.

If the gentleman from Illinois [Mr. PORTER] offers an amendment, as I am sure he will after this, that relates to immunity only as it affects those who are participating in national service, I expect that that amendment would be germane.

But this amendment goes far beyond that and is, in effect, an attempt to add to this bill legislation totally unrelated to national service, that the gentleman from Illinois [Mr. PORTER] has offered in the past.

It is not germane, and I urge the Chair to sustain the point of order.

The CHAIRMAN. The gentleman from Texas [Mr. BRYANT] makes the point of order that the amendment offered by the gentleman from Illinois [Mr. PORTER] is not germane to the bill.

The bill addresses national service in a variety of programs. The amendment offered by the gentleman from Illinois would condition a portion of the Federal funding to States for such programs on the enactment of State laws to protect persons who render volunteer services from certain legal liabilities. The amendment does not, however, confine itself to the programs addressed by the bill or the volunteers whose services are covered by the bill. Rather, the amendment seeks to protect all volunteers in nonprofit or public programs, generally.

As noted in section 798f of the House Rules and Manual, a bill on a specific subject may not be amended by a provision general in nature, even when of the class of the specific subject. Thus where a bill is confined to a certain range of activity, an amendment dealing with a broader range of that kind of activity is not germane. For example, to a bill addressing corporations engaged in interstate commerce, an amendment addressing all corporations has been held not germane.

Accordingly, the point of order is sustained.

AMENDMENTS OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I offer amendments Nos. 1 and 3.

The Clerk read as follows:

Amendments offered by Mr. PORTER: Page 30, after line 6, add the following:

"(5) EFFECT OF STATE FAILURE TO LIMIT LIABILITY.—If, not later than 2 years after the effective date of this subtitle, a State fails to have in effect (and to certify in its application that the State has in effect) a limitation on liability that satisfies the requirements of title V of the National Service Trust Act of 1993, the allotment for such State shall be reduced by 5 percent, and the Corporation shall allot the amount of the reduction among the States that have in effect (and so certify) such limitation.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE V—LIMITATION ON LIABILITY OF VOLUNTEERS

SEC. 501. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) within certain States, the willingness of volunteers to offer their services has been increasingly deterred by a perception that they thereby put personal assets at risk in the event of liability actions against the organization they serve;

(2) as a result of this perception, many non-profit public and private organizations and governmental entities, including voluntary associations, social service agencies, educational institutions, local governments, foundations, and other civic programs, have been adversely affected through the withdrawal of volunteers from boards of directors and service in other capacities;

(3) the contribution of these programs to their communities is thereby diminished, resulting in fewer and higher cost programs than would be obtainable if volunteers were participating;

(4) the efforts of nonprofit organizations, local government, States, and the Federal Government to promote voluntarism, and community and national service, are adversely affected by the withdrawal of volunteers from boards of directors and service in other capacities; and

(5) because Federal funds are expended on useful and cost-effective social service programs which depend heavily on volunteer participation, protection of voluntarism through clarification and limitation of the personal liability risks assumed by the volunteer in connection with such participation is an appropriate subject for Federal encouragement of State reform.

(b) PURPOSE.—The purposes of this title are to promote programs of community and national service, to promote the interests of social service program beneficiaries and taxpayers, and to sustain the availability of programs and nonprofit organizations and governmental entities which depend on volunteer contributions, by encouraging reasonable reform of laws to provide protection from personal financial liability to volunteers serving with non-profit organizations and governmental entities for actions undertaken in good faith on behalf of such organizations.

SEC. 502. NO PREEMPTION OF STATE TORT LAW.

Nothing in this title shall be construed to preempt the laws of any State governing tort liability actions.

SEC. 503. LIMITATION ON LIABILITY FOR VOLUNTEERS.

(a) LIABILITY PROTECTION FOR VOLUNTEERS.—For purposes of satisfying the requirement specified in section 129(a)(5) of the National and Community Service Act of 1990, and except as provided in subsections (b), (c), and (d), a State shall provide by law that any volunteer of a nonprofit organization or governmental entity shall incur no personal financial liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization or entity if—

(1) such individual was acting in good faith and within the scope of such individual's official functions and duties with the organization or entity; and

(2) such damage or injury was not caused by willful and wanton misconduct by such individual.

(b) CONCERNING RESPONSIBILITY OF VOLUNTEERS WITH RESPECT TO ORGANIZATIONS.—Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(c) NO EFFECT ON LIABILITY OF ORGANIZATION.—Nothing in this section shall be construed to affect the liability of any nonprofit organization or government entity with respect to injury caused to any person.

(d) EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—A State may impose one or more of the following conditions on and exceptions to the granting of liability protection to any volunteer of an organization or entity required by subsection (a):

(1) The organization or entity must adhere to risk management procedures, including mandatory training of volunteers.

(2) The organization or entity shall be liable for the acts or omissions of its volunteers to the same extent as an employer is liable, under the laws of that State, for the acts or omissions of its employees.

(3) The protection from liability does not apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's license is required.

(4) The protection from liability does not apply in the case of a suit brought by an appropriate officer of a State or local government to enforce a Federal, State, or local law.

(5) The protection from liability shall apply only if the organization or entity provides a financially secure source of recovery

for individuals who suffer injury as a result of actions taken by a volunteer on behalf of the organization or entity. A financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the entity will be able to pay for losses up to a specified amount. Separate standards for different types of liability exposure may be specified.

SEC. 504. DEFINITIONS.

For purposes of this title—

(1) the term "volunteer" means an individual performing services for a nonprofit organization or a governmental entity who does not receive compensation, or any other thing of value in lieu of compensation, for such services (other than reimbursement for expenses actually incurred or honoraria not to exceed $300 per year for government service), and such term includes a volunteer serving as a director, officer, trustee, or direct service volunteer;

(2) the term "nonprofit organization" means any organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(3) the term "damage or injury" includes physical, nonphysical, economic, and noneconomic damage; and

(4) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory or possession.

PARLIAMENTARY INQUIRY

Mr. FORD of Michigan. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FORD of Michigan. Mr. Chairman, I thought that the gentleman combined amendment 1 and amendment 2, and amendment 1 was ruled out of order.

Mr. PORTER. Mr. Chairman, they were ruled out of order.

I ask unanimous consent that amendments 1 and 3 be considered en bloc.

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

Mr. FORD of Michigan. Mr. Chairman, I object to consideration of amendment 1. It has already been ruled out of order. When the gentleman combined it with 2, he poisoned it.

It has been ruled out of order. Now he is offering it again.

The CHAIRMAN. Is there objection to consideration of the amendments en bloc?

Mr. FORD of Michigan. Mr. Chairman, I object to considering amendments 1 and 3 en bloc.

The CHAIRMAN. Objection is heard.

AMENDMENT OFFERED BY MR. PORTER

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

The Clerk read as follows:

Amendment offered by Mr. PORTER: At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE V—LIMITATION ON LIABILITY OF VOLUNTEERS

SEC. 501. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) within certain States, the willingness of volunteers to offer their services has been increasingly deterred by a perception that they thereby put personal assets at risk in the event of liability actions against the organization they serve;

(2) as a result of this perception, many nonprofit public and private organizations and governmental entities, including voluntary associations, social service agencies, educational institutions, local governments, foundations, and other civic programs, have been adversely affected through the withdrawal of volunteers from boards of directors and service in other capacities;

(3) the contribution of these programs to their communities is thereby diminished, resulting in fewer and higher cost programs than would be obtainable if volunteers were participating;

(4) the efforts of nonprofit organizations, local government, States, and the Federal Government to promote voluntarism, and community and national service, are adversely affected by the withdrawal of volunteers from boards of directors and service in other capacities; and

(5) because Federal funds are expended on useful and cost-effective social service programs which depend heavily on volunteer participation, protection of voluntarism through clarification and limitation of the personal liability risks assumed by the volunteer in connection with such participation is an appropriate subject for Federal encouragement of State reform.

(b) PURPOSE.—The purposes of this title are to promote programs of community and national service, to promote the interests of social service program beneficiaries and taxpayers, and to sustain the availability of programs and nonprofit organizations and governmental entities which depend on volunteer contributions, by encouraging reasonable reform of laws to provide protection from personal financial liability to volunteers serving with nonprofit organizations and governmental entities for actions undertaken in good faith on behalf of such organizations.

SEC. 502. NO PREEMPTION OF STATE TORT LAW.

Nothing in this title shall be construed to preempt the laws of any State governing tort liability actions.

SEC. 503. LIMITATION ON LIABILITY FOR VOLUNTEERS.

(a) LIABILITY PROTECTION FOR VOLUNTEERS.—For purposes of satisfying the requirement specified in section 129(a)(5) of the National and Community Service Act of 1990, and except as provided in subsections (b), (c), and (d), a State shall provide by law that any volunteer of a nonprofit organization or governmental entity shall incur no personal financial liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization or entity if—

(1) Such individual was acting in good faith and within the scope of such individual's official functions and duties with the organization or entity and such functions and duties are directly connected to the administration of a program described in section 122(a); and

(2) such damage or injury was not caused by willful and wanton misconduct by such individual.

(b) CONCERNING RESPONSIBILITY OF VOLUNTEERS WITH RESPECT TO ORGANIZATIONS.—Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(c) NO EFFECT ON LIABILITY OF ORGANIZATION.—Nothing in this section shall be construed to affect the liability of any nonprofit organization or governmental entity with respect to injury caused to any person.

(d) EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—A State may impose one or more of the following conditions on and exceptions to the granting of liability protection to any volunteer of an organization or entity required by subsection (a):

(1) The organization or entity must adhere to risk management procedures, including mandatory training of volunteers.

(2) The organization or entity shall be liable for the acts or omissions of its volunteers to the same extent as an employer is liable, under the laws of that State, for the acts or omissions of its employees.

(3) The protection from liability does not apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's license is required.

(4) The protection from liability does not apply in the case of a suit brought by an appropriate officer of a State or local government to enforce a Federal, State, or local law.

(5) The protection from liability shall apply only if the organization or entity provides a financially secure source of recovery for individuals who suffer injury as a result of actions taken by a volunteer on behalf of the organization or entity. A financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the entity will be able to pay for losses up to a specified amount. Separate standards for different types of liability exposure may be specified.

SEC. 504. DEFINITIONS.

For purposes of this title—

(1) the term "volunteer" means an individual performing services for a nonprofit organization or a governmental entity who does not receive compensation, or any other thing of value in lieu of compensation, for such services (other than reimbursement for expenses actually incurred or honoraria not to exceed $300 per year for government service), and such term includes a volunteer serving as a director, officer, trustee, or direct service volunteer;

(2) the term "nonprofit organization" means any organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(3) the term "damage or injury" includes physical, nonphysical, economic, and noneconomic damage; and

(4) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

Mr. PORTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

The CHAIRMAN. The gentleman's point of order is reserved.

The Chair recognizes the gentleman from Illinois [Mr. PORTER] for 5 minutes in support of his amendment.

Mr. PORTER. Mr. Chairman, this amendment would particularize the volunteer protection that I attempted to offer in the first amendment to participants in the program. That is, that everyone participating in the program and so defined under the act, in its final form, would, therefore, be given the same kind of limited protection against liability lawsuits that was envisioned in the broader amendment that I attempted to offer a moment ago.

It has, as its purpose, the same purpose, to protect those participants in the program from limited liability and to have the organizations they serve stand for that liability.

I would commend it to the House.

POINT OF ORDER

Mr. BRYANT. Mr. Chairman, I rise to a point of order.

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

Mr. BRYANT. Mr. Chairman, I raise a point of order against the Porter amendment, that the amendment is nongermane.

I would refer the Chairman to page 3, lines 11 through 12, "Volunteer of a nonprofit organization or governmental entity."

Those words are, again, far beyond the scope of persons and organizations covered by the bill.

Page 3, lines 19 through 21, limit the amendment's coverage to "functions and duties directly connected to the administration of a program described in section 122(a)" of the bill.

Section 122(a) merely describes the type of programs that would be eligible to apply for a grant under the bill.

That goes far beyond the specific programs that will actually receive funding.

The amendment would conceivably extend immunity to any volunteer performing any activity for any nonprofit organization, the same problem as the preceding amendment.

In fact, as the definition of volunteer on page 5 makes clear, this amendment could not apply to anyone who is a national service volunteer under the bill.

The educational scholarship would disqualify all national service volunteers, yet anyone who volunteered with a group not connected with national service but that was a group that complied with sections 501(a) or 501(c) of the Internal Revenue Code would be shielded from liability.

Accordingly, Mr. Chairman, I urge the Chair to rule the amendment out of order.

□ 1200

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] is recognized on the point of order.

Mr. PORTER. Mr. Chairman, I ask the Members to listen very carefully, because I think the gentleman is misinterpreting the amendment. The gentleman's point of order is incorrect because it relies on an incorrect reading of the language of the amendment and the bill.

Mr. Chairman, the words have no meaning outside of context, and the point of order relies on a semantic device of reading out of the context in which the words are in fact used. Put differently, the point of order is based on reducing the words and phrases to the point that they are susceptible of any meaning. This, I would note, is not strict constructionism, where we confine our interpretation to the text, but rather an extreme form of deconstructionism.

Mr. Chairman, the pertinent part of my amendment encourages the States to consider granting certain protections to volunteers whose function and duties are directly connected to the administration of a program described in section 122(a) of H.R. 2010. This language references back to the entire section 122(a), not just to a part of it, as the gentleman would have us believe.

Section 122(a) of the bill reads,

> The recipient of a grant under section 121(a) and each Federal agency receiving assistance under section 121(b) shall use the assistance directly or through subgants to other entities to carry out full or part-time national service programs, including summer programs, that address unmet human, educational, environmental, or public safety needs, subject to the section (B)(i). These national service programs may include the following types of national service programs,* * *

And then the section discusses these types of programs.

Mr. Chairman, this is what section 122(a) describes. It describes a recipient carrying out a program with public support, and then lists the types of programs that may be funded.

Read fully, as it should be, section 122(b) describes programs receiving funding under the act, funding under the act. Recipients of a grant, and I am quoting now, "recipients of a grant under section 121(a)," that is funding under the act. The section does not describe a hypothetical unfunded program, but rather recipients of the assistance and what they may use it for.

What the gentleman is attempting to do is to read into my amendment words which do not exist, Mr. Chairman. His claim is essentially that my amendment includes the words "of the type described" when in fact it does not. If my amendment did include those words, I would concede that it references the latter portion of section 122(a) only, which delineates types of programs. Mr. Chairman, these words are not in my amendment and the gentleman cannot add them via a point of order.

Thus, my amendment in no way expands the class of persons affected under the proposition before us, and is not susceptible, I believe, to a point of order.

Mr. BRYANT. Mr. Chairman, I would simply urge upon the chairman again that section 122(a) merely describes the types of programs that would be eligible to apply for a grant under the bill. That goes far beyond the specific programs that will actually receive funding. For reasons previously stated, I would urge the Chair to uphold the point of order.

Mr. PORTER. Mr. Chairman, once again, the gentleman from Texas [Mr. BRYANT] is reading into my amendment something that is not there. It references not a portion of section 122(a), but the entire section, and the entire section envisions only those programs as described that are in fact funded. Therefore, the amendment is particular and limited in its scope to only those programs that are actually funded under the terms of the law.

The CHAIRMAN (Mr. FIELDS of Louisiana). The Chair is prepared to rule.

As indicated by the gentleman from Illinois [Mr. PORTER], unlike the previous amendment, the pending amendment is confined to those activities eligible for participation in the program covered by the bill, and is consequently germane. It is the opinion of the Chair that the amendment is germane.

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

The CHAIRMAN. Without objection, the gentleman from Illinois [Mr. PORTER] is recognized for 5 minutes in support of his amendment.

There was no objection.

Mr. PORTER. Mr. Chairman, I again commend to the membership the volunteer protection that is envisioned for participants in the program under the amendment. It is something that almost all the Members of this House have cosponsored over the past three Congresses. There are 250 national organizations across this country that are strongly in support of this amendment. It provides the participants in the program of funded entities that they would receive limited volunteer type protection for the activities that they engage in within the scope of their participation in the program.

It would protect them from being dragged into court and having to place their assets at risk. It would give them the assurance that injured parties would be protected by the organizations that they serve. It would propound an attempt to provide participants with the assurances that their participation in the national service programs that are envisioned by the

National Service Trust Act would be protected from lawsuits against them individually that might destroy their willingness to participate in the program and to give their services to their country.

I would again commend it to the membership. It is a very reasonable approach. It is broadly supported by Members of this House and by organizations all across this country who will be participants in the programs under this legislation.

They have unanimously supported this kind of protection for volunteers and for participants in the program. I believe it is an amendment that strengthens the bill and makes it a much, much better bill.

AMENDMENT OFFERED BY MR. BRYANT TO THE AMENDMENT OFFERED BY MR. PORTER

Mr. BRYANT. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. BRYANT to the amendment offered by Mr. PORTER: In the matter proposed to be inserted by the amendment at the end of the bill as title V of the National Service Trust Act of 1993, strike "A State may impose one or more of the following conditions" in section 503(d) of such title and insert in lieu thereof "A State shall impose the following conditions".

Mr. BRYANT. Mr. Chairman, I know that the gentleman from Illinois [Mr. PORTER] is offering his amendment with the best of intentions, and out of a desire to encourage the spirit of voluntarism. However, I think it is very important that the Members understand that the Porter amendment would require States to enact legislation immunizing all volunteers in the programs listed in section 122 from any responsibility, and I underline "any responsibility," for accidents or injuries that they may cause to innocent bystanders. There is no limit to this immunity. Even drunk drivers and even unlicensed drivers would be immunized from responsibility for death or injuries caused to people who happen to be in their way.

I do not think that this House should consider an amendment such as this, which would mandate that the States take an action such as this, without at least insisting that the States except from this mandatory immunization some reasonable areas. One of the reasons that we would have had a letter from the Mothers Against Drunk Driving is their great concern that this amendment by the gentleman from Illinois [Mr. PORTER], if it is not perfected by my amendment, would do exactly what I said.

I would point out that the so-called Porter amendment would not require, but would simply permit, a State to impose one or more of five specified conditions and limitations to the immunity. I submit to the Members that it is not responsible for us to mandate that the State take away the protection of the public from accidents that are caused by persons such as are described in the amendment by the gentleman from Illinois, and at the same time not mandate that the States at least implement reasonable substitute provisions that would cause them to be responsible, at least to some extent, for the damages which they cause.

The Porter amendment would permit but not require a State to impose one or more of five specified conditions and limitations, as I said a moment ago. His amendment says a State may, but it does not have to, require risk management procedures, including volunteer training. His amendment says a State may, but does not have to, require the organization to assume liability for its volunteers in the same manner as an employer is legally responsible for the actions of its employees.

His amendment says that the State may, but does not have to, except from the immunity the operation of a motor vehicle or other vehicles for which a license is required. His amendment says that the States may, but do not have to, except from the immunity legal actions brought by Government officials, and that the States may, but they do not have to, require the organization to provide a financially secure source of recovery for victims.

My amendment would simply say that they have to. It would basically substitute shall for may and would, I think, address directly the central question in this. Because while the gentleman from Illinois [Mr. PORTER] wishes to offer to volunteer organizations further encouragement for voluntarism, which is a fine thing, the question is who is to bear the burden of an injury that is caused by the negligence of someone who happens temporarily to be doing volunteer work.

Is it to be the innocent victim? If a drunk driver runs over a child and severely injures the child, is the child's family supposed to pay for it? I do not think we are doing anybody a favor, and certainly we should not seek credit for shifting the burden from the volunteer to the family of the child.

□ 1410

My amendment simply says that we are going to make mandatory what the gentleman from Illinois [Mr. PORTER] would simply make voluntary upon the States if we are going to pass this type of immunity statute. I urge Members of the House to vote for the perfecting amendment to make the Porter language have meaning, but at the same time to provide reasonable protection to the public from the bad consequences of an otherwise well-meaning provision.

Mr. GOODLING. Mr. Chairman, I rise in support of the Porter amendment and against the perfecting amendment.

Mr. Chairman, an amendment similar to this, as was mentioned, was added to the 1990 National Community Service Act. It was unanimously accepted on the floor of the House.

We have to understand that the threat of liability hanging over the heads of volunteers is likely to diminish their interest in volunteering. And if that happens, of course, then, the program goes down the drain.

Of course, contrary to what we heard, the amendment does not protect volunteers if they are grossly negligent or engaged in misconduct. On page 3, line 22, section 2 it says, "such damage or injury was not caused by willful and wanton misconduct by such individual." So I believe that the Porter amendment is the direction to go if Members truly want to encourage volunteers to participate in this program.

Mr. FORD of Michigan. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Texas [Mr. BRYANT] to respond.

Mr. BRYANT. Mr. Chairman, I thank the gentleman for yielding and would simply make the point that it is explicitly the case that drunken driving and driving without a license is not exempted from the Porter amendment, and a person who happens to be temporarily acting as a volunteer who is drunk or driving without a license, who runs over a child, will not be held responsible for doing so. That is why Members received a letter from Mothers Against Drunk Driving in their offices, and that is why I have offered the perfecting amendment. It would simply say in the five areas which the Porter amendment has acknowledged ought to be considered by the States which he is ordering to immunize these people, as exceptions to the immunity, that we would insist that the States except from the immunity those five areas. It is shall versus may and it confronts directly the key question here, and that is how do we justify shifting the burden to the injured party and family of the injured party and away from the persons responsible for doing the damage?

That is all we are attempting to do here. There is no prejudice to the main thrust of the Porter amendment. We simply want to say, by golly, if we are going to have a system that provides some type of immunity to volunteers, we are not going to shift the burden for accidents like this to innocent victims and to their families.

I urge Members to support the perfecting amendment.

Mr. FORD of Michigan. Mr. Chairman, I support the Bryant amendment because it is an improvement on an amendment that does not belong here.

There is a reason for the rule about committee jurisdictions and how bills come to this floor. What we now have is my ranking member, who is an expert in education, arguing with the ranking member from the Judiciary Committee about tort law. That is why if this amendment had been brought to

our committee we would not have entertained it. Then the bill would have had to go to the Judiciary Committee where they deal with tort law.

Even with the Bryant amendment, the fatal defect of adopting this kind of an amendment on a national service bill is that it amends the tort law of all of the States with no consultation with the States, no hearings on the matter, no understanding at all about the breadth of the implications. The Members are left to guess whether the representative of the Judiciary Committee knows what he is talking about or whether representatives of my committee know what they are talking about in tort law. The Members should not be subjected to that.

I think the gentleman from Illinois has what the gentleman from Texas [Mr. BRYANT] has described as a sincere desire to help volunteer groups. But to do that at the expense of a Federal law amending the tort law of every State and jurisdiction in this country is something that should not be done in this legislation. I think that the amendment ought to be defeated.

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

Unfortunately, the chairman has just argued against the Bryant amendment because what he is attempting to do through the Bryant amendment is in fact to tell the States what they ought to draft in terms of their own laws. The way our amendment is structured, that is left up to the discretion of the States. We say "may impose the following conditions." The Bryant amendment would say the States must impose such conditions. That is exactly what we believe we should leave up to the States and should not be determined at the Federal level.

Many States already have laws in place that would provide the kind of protection envisioned in this amendment and would, therefore, qualify them for the full amount of funding. Only a few States do not have these laws.

If, however, the Bryant amendment were to pass, no State that I know of would be in compliance, and they would all then have to change their laws.

So I would say that the gentleman, if he wants to avoid that, and that is what he said a moment ago he wanted to avoid, the gentleman should be against the Bryant amendment because it attempts to have the Federal Government tell the States what they must do. My amendment allows the States latitude when crafting their legislation.

My amendment also involves an encouragement to the States. States would receive a 5-percent decrease of grants under the provision of this amendment if they did not comply, and that money would be reallocated to States that did comply.

So I would encourage the gentleman, if he wants to avoid imposing a Federal scheme upon the States, and if he would want to have most States, probably including his own, to qualify immediately under the terms of my amendment, he should oppose the Bryant amendment.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, the gentleman just mentioned the magic words, probably my own. I do not know what impact this would have on my State and I think it is unfair to present us with a proposition with no hearings, no opportunity for me or any other Member from my State to find out what the impact would be.

Mr. PORTER. If I may reclaim my time, Mr. Chairman, this bill in the form of the Volunteer Protection Act has been in the last three Congresses with over half the House having cosponsored the bill, and the Judiciary Committee, responding to the American Trial Lawyers Association, would not even give us a hearing.

Mr. FORD of Michigan. Will the gentleman yield further?

Mr. PORTER. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. That is the very point. If we introduce this legislation, it does not come to my committee. It goes to the Judiciary Committee, and that is where it belongs. The gentleman is getting us in a fight that my committee has not had any opportunity to look at. We do not bring matters to this floor unless we have had every opportunity to examine the pros and the cons of the legislation. What the gentleman is doing is getting around his frustration with the fact that the committee of jurisdiction apparently does not agree with him.

Mr. PORTER. I would say to the gentleman that his bill is broader than the jurisdiction of his committee in some respects, and that this is the only place to deal with it, here on the floor. And if we had a Judiciary Committee that was responsible to the Members of this House and responsive to their cosponsorship, and would not stonewall it, we would not have to bring the matter up this way.

Mr. FORD of Michigan. I would say to the gentleman that it is not my responsibility to defend the responsibility of any committee except my own. But I would remind the members of my committee that we bend over backward to protect our jurisdiction against Members meddling without proper preparation, and we owe it to other committees, if we expect to be treated that way, to defend them in the same way.

I would say to the gentleman from Illinois [Mr. PORTER], he has got us in his fight with the Judiciary Committee. It does not belong here. It does not belong in this bill, and we should not clutter up the bill with a fight with the Judiciary Committee.

Mr. PORTER. With all due deference, Mr. Chairman, protection of participants in the program from liability is essential to making this bill work the way you want it to work, because a lot of them will look at it and say, "I do not want to participate because I might end up in court."

My amendment strengthens the National Service Trust Act.

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

Mr. PORTER. I yield to the gentleman from Texas.

□ 1220

Mr. BRYANT. I would first like to say I regret very much the gentleman's suggestion that this amendment or any action has been taken because of some special-interest group. I have not heard from, nor has any Member of this House, to my knowledge, heard from, anyone except Mothers Against Drunk Driving, who are frightened by the gentleman's amendment because it allows a person who is driving while drunk and injures somebody, just because they happen to be temporarily a volunteer, to get off without any responsibility.

Mr. PORTER. With all due respect, it allows no such thing.

Mr. BRYANT. Show me.

Mr. PORTER. It leaves that decision up to the States, and the gentleman and I know where tort law is on this matter.

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

Mr. Chairman, I wish to speak in support of the Bryant perfecting amendment. The Porter amendment is an attempt to grant a general exemption from liability to volunteers, curiously not those under the National Service Act, as I understand the amendment before us now.

Mr. Chairman, while we certainly want to encourage people to help others, the Porter amendment would unfortunately eliminate help for an important group of people that the law has always protected: the innocent victims of negligent conduct.

The Bryant perfecting amendment brings a needed balance to the Porter amendment by ensuring that States which wish to eliminate existing protections for victims at least provide a bare minimum protection traditionally available to victims.

Many States now have legislation, on the books which grants to volunteers immunity from liability for negligence. Good Samaritan laws. But these exceptions are usually narrowly drawn to specific situations. For example, immunity from general malpractice liability in medicine is granted to physicians who assist during emergencies.

Likewise, immunity is granted to grocery stores which donate surplus food to food banks. Without the Bryant perfecting amendment, the Porter amendment will inappropriately grant blanket immunity from all responsibility.

This amendment simply requires that States place at least 5 reasonable conditions on granting immunity to volunteers.

For example, the perfecting amendment would guarantee that government officials have the right to take legal action against volunteers in order to enforce local, State, or Federal laws.

Further, the perfecting amendment would not grant volunteers immunity from liability in automobile accidents; a victim should not be punished because the person at fault in an accident happened to be volunteering; furthermore, most States already have provisions for automobile liability insurance.

I, therefore, believe that the Bryant perfecting amendment makes a much needed correction to the Porter amendment, and I therefore ask that the House approve the Bryant perfecting amendment.

Mr. MARTINEZ. Mr. Chairman, I move to strike the requisite number of words, and I yield to my chairman, the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. I thank the gentleman for yielding.

Mr. Chairman, I have just had handed to me a letter from a special-interest group. I want to share it with the House. It is from the American Red Cross:

DEAR CONGRESSMAN FORD: The American Red Cross supports the National and Community Service Trust Bill of 1993, and urges you not to allow weakening or controversial amendments to erode the support of its cosponsors.

While we strongly favor volunteer tort liability protection, we feel that the national service bill should not be used as a vehicle to address this or other separate issues. We hope that the bill will remain clearly focused on its primary purpose: providing increased opportunities and innovative approaches for community service.

Thank you for your interest in this vital area.

Sincerely,

MARIA P. SMITH,
Volunteer Consultant,
Public Policy and Planning.

Mr. MARTINEZ. Mr. Chairman, I yield to the gentleman from Texas [Mr. BRYANT].

Mr. BRYANT. I thank the gentleman for yielding to me.

Mr. Chairman, I simply want to reiterate the point that Mr. PORTER's amendment takes us far beyond the scope of the national service bill and directs States, requires that the States grant immunity for responsibility for negligent acts and for accidents caused, even to volunteers in organizations that are not connected to the National Service Act which we are considering at the present time. That could be extremist organizations, it could be any kind of an organization that complies with the 501(a) and 501(b) of the Internal Revenue Code. In my view, that is entirely inappropriate.

But if we are going to do it, we ought to add a perfecting amendment to his amendment, so that, where his mandate to the States would permit these States to, in some fashion, mitigate this vast grant of immunity, we make that mitigation required upon the States, not simply permissive to the States. That is all my amendment does.

For goodness sakes, I urge the Members not to accept this notion that somehow or another, because there is language in this bill with regard to wanton and willful conduct, that that has anything to do with drunk driving. It does not. A drunk driver, under the provisions of the Porter amendment, would not be responsible for the damage and injury that he causes someone else if he can get away with claiming he was a volunteer at the time that he was drunk and careening around the streets.

For goodness sakes, at least perfect the Porter amendment before we adopt it for the benefit of all the public and for the benefit, I think, of a sound system of jurisprudence that does not shift the burden for these accidents to hapless victims or to the family of a child who has been run over, to the persons least able to bear the burden. I do not think we ought to brag about that kind of a shift.

I urge the Members to vote for the perfecting amendment.

Mr. HEFLEY. Mr. Chairman, I move to strike the requisite number of words. I rise in strong support of the Porter amendment and, for crying out loud, the perfecting amendment—let us have a little faith in the States. The States are the ones that have struggled with this tort reform thing for years. We can have faith in them that they are not going to let drunken drivers run free. So, we do not really need this.

Mr. PORTER has put together an amendment and brought it before us year after year that ought to be passed by this body. The vast majority of the American public believe that it ought to be passed. In fact, the only ones that I know that do not think it ought to be passed are members of the Judiciary Committee either in the U.S. Congress or in the State legislatures, and the Trial Lawyers Association. Let us get behind this amendment.

I yield to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. I thank the gentleman for yielding.

If I may say to the gentleman from Texas [Mr. BRYANT], he is reading into the amendment something that is just not so. We have trusted the States under our system with tort law for our entire history. This amendment simply says we trust the States to continue to do that. We encourage them, as participants in this program, to give those individual participants limited liability in certain circumstances as they participate in the program. There is nothing wrong with that, with all due respect, there is nothing wrong with that. And it does not mean that the States are going to allow people who drive vehicles drunk to get off without negligence. That is just plain nonsense, If I may say so.

What is happening in our office right this moment is that we are getting calls from organizations all across the country saying, "How can we help get this passed?" While the Red Cross may have been coerced into writing this letter, I think the operative sentence in it is, "We strongly favor volunteer tort liability protection," as do hundreds and hundreds of other organizations that depend upon volunteers all across this country, from the National Association of Towns and Townships to the National Council of Jewish Women, the National Easter Seal Society, the National Federation of Independent Businesses, the National PTA, the Navy League, the Salvation Army, Save the Children, you name it, they want volunteer protection, and the gentleman's amendment is an attempt to kill volunteer protection by shifting to the Federal Government from the States a massive amount of tort law. We do not want to do that. Leave the States to fashion that for themselves.

Mr. HEFLEY. Let me say that we are a nation of volunteers; our whole history. When the wagon trains moved west, people got together to help each other build barns and so forth. But we are quickly losing that ethic of voluntarism if we do not do something like this. More and more people are saying, "I will not serve on that board, I won't do that volunteer program, I won't coach that Little League because I simply don't want to take the risk of doing it."

Mr. Chairman, I yield to the gentleman from Texas.

Mr. BRYANT. I thank the gentleman for yielding.

With all the brave talk about how we should trust the States, if we trust the States—and I agree, we should trust the States—why is the gentleman's amendment aimed at forcing States to change their tort law? That is exactly what the gentleman's amendment does.

Mr. HEFLEY. I yield to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. I thank the gentleman for yielding.

All I can say to the gentleman from Texas is that when this was considered in the House on October 5, 1990, as an amendment to the National Service Act, it passed 412 to 0 without the gentleman's amendment, and he voted for it.

□ 1230

And so did the gentleman from Michigan [Mr. FORD] I might add, and so did practically every Member on the floor.

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

Mr. HEFLEY. I yield to the gentleman from Texas.

Mr. BRYANT. Because the gentleman described that amendment just the way the gentleman described it today. We thought it was a good idea, but when we got to the conference committee and they realized the drastic impact it would have, they took it out, as they should have.

I am trying to make the Porter amendment something we can all vote for by perfecting it, simply by saying there are five areas that these states must not exempt from responsibility. They are the same areas the gentleman from Illinois made reference to in his bill.

Mr. Chairman, I urge the Members to vote to perfect the Porter amendment so this time it will be a good one.

Mr. PORTER. Mr. Chairman, if the gentleman will yield, with all due respect, this is a killer amendment intended to be offered by a gentleman who does not apparently favor the idea of protecting volunteers. I would urge the Members to vote it down.

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

Mr. BECERRA. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Chairman, I hope the gentleman from Illinois [Mr. PORTER] realizes and will give some thought to how the gentleman has characterized the Judiciary Committee as lackeys of a special interest group. When this bill goes to conference if the gentleman's amendment is in it, the Judiciary Committee, not my committee, is going to handle this provision. The same people, that is, who handled it when the gentleman got it put on the national service bill in 1990.

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

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

Mr. PORTER. I never used any such words as lackey of any special interest group.

I said opposed to the American Trial Lawyers Association, and we never did get a hearing.

Mr. FORD of Michigan. The impression that came across to me was stronger than that, but that is up to the Judiciary Committee.

I just want to call attention to the fact that the gentleman has been down this road before.

I was curious why we had this big vote to go to conference and his provision did not come back in the conference agreement. The Judiciary Committee which has the responsibility in these matters does not want to fire the first shot at the States in Federal tort reform.

Right after them, my friends in the auto industry will be in here asking for product liability exemptions, so that if General Motors sells you a truck with a sidesaddle tank on it that causes you to be burned up when it gets hit, you will not be able to sue them.

Then right after them will be the doctors who want a national law on tort liability affecting them.

I think the Judiciary Committee is trying to protect the tradition in this country of keeping the Federal Government out of the inherent authority of the States to write the common law and the tort law of their States.

The gentleman's amendment brings the Judiciary Committee into this conference.

Very frankly, I would like to have the two Education Committees in control of this matter and not have this extraneous help.

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

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

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. BRYANT. Mr. Chairman, I would simply like to reiterate, as the gentleman from Illinois [Mr. PORTER] said, that I voted for the Porter amendment back in 1990, because I believed in the general spirit of what the gentleman was trying to do.

We discovered after the gentleman described it back in 1990 that it was not quite as it was made out to be, so it was dropped in conference.

My perfecting amendment would make it do what the gentleman from Illinois [Mr. PORTER] says it would do. I urge Members to vote for the perfecting amendment so maybe we can do something for the volunteers and the nonprofit groups out there, instead of just talk about it.

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

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

The CHAIRMAN. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. PORTER. Again, Mr. Chairman, with all due respect to the gentleman from Texas and to the members of the Judiciary Committee, this is an idea that has received the cosponsorship of over half the House of Representatives repeatedly in the last three Congresses.

Never has the Judiciary Committee allowed 1 minute of hearings on it. "Why?" one might ask.

I would rather not have to offer it as an amendment to any other legislation. I would rather not trouble the chairman about this, but this is a matter that is supported strongly in this House, that would encourage the States in a Federal program. My amendment allows the participants to participate without fear of being dragged to court, and allows the States to fashion their laws in a way that meets the Federal standards, not imposing it upon them by Federal standards themselves.

I believe that it is strongly supported in the House. I think my amendment is an appropriate part of this bill.

It was stripped out last time despite, I might add, an overwhelming unanimous 412 to nothing vote to instruct the conferees. Our conferees in that conference did not take any responsibility for that instruction and simply stripped it out without, I might add, my discussion.

It was stripped out, not because it was opposed by others who would see it as an imposition on the States, it was stripped out again because the Judiciary Committee did not want it to see the light of day.

Mr. Chairman, I would urge the Members to support it. I think it makes a very good addition and strengthens the bill, and I would ask the Members to vote "no" on the Bryant amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BRYANT] to the amendment offered by the gentleman from Illinois [Mr. PORTER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 239, noes 194, not voting 6, as follows:

[Roll No. 372]

AYES—239

Abercrombie	Brown (OH)	Dellums
Ackerman	Bryant	Derrick
Andrews (ME)	Byrne	Deutsch
Andrews (NJ)	Cantwell	Dicks
Andrews (TX)	Carr	Dingell
Applegate	Chapman	Dixon
Bacchus (FL)	Clay	Durbin
Baesler	Clayton	Edwards (CA)
Baker (LA)	Clement	Emerson
Barca	Clyburn	Engel
Barlow	Coleman	English (AZ)
Barrett (WI)	Collins (IL)	English (OK)
Becerra	Collins (MI)	Eshoo
Berman	Conyers	Evans
Bevill	Cooper	Faleomavaega (AS)
Bilbray	Coppersmith	Farr
Bishop	Costello	Fazio
Blackwell	Coyne	Fields (LA)
Bonior	Cramer	Filner
Borski	Danner	Fingerhut
Boucher	Darden	Flake
Brewster	de la Garza	Foglietta
Brooks	de Lugo (VI)	Ford (MI)
Browder	Deal	Ford (TN)
Brown (CA)	DeFazio	Frost
Brown (FL)	DeLauro	

Furse
Gejdenson
Gephardt
Gibbons
Gillmor
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Romero-Barcelo (PR)
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Valentine
Velazquez
Vento
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—194

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Beilenson
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Clinger
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (TX)
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gilman
Gingrich
Glickman
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lantos
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
Mazzoli
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Meehan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Myers
Nussle
Orton
Oxley
Parker
Paxon
Payne (VA)
Penny
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Royce
Santorum
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Visclosky
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—6

Henry
McDade
Moakley
Packard
Rose
Washington

□ 1259

Messrs. PETRI, EWING, MANZULLO, TANNER, PAYNE of Virginia, and BARCIA of Michigan changed their vote from "aye" to "no."

Messrs. VENTO, BEVILL, HILLIARD, and HALL of Texas changed their vote from "no" to "aye."

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER], as amended.

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. The Chair reminds the Members that they have 5 minutes in which to vote.

The vote was taken by electronic device, and there were—ayes 358, noes 69, not voting 12, as follows:

[Roll No. 373]

AYES—358

Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant
Bunning
Burton
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Combest
Condit
Cooper
Coppersmith
Cox
Cramer
Crane
Crapo
Cunningham
Darden
de la Garza
DeFazio
DeLauro
DeLay
Derrick
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (TX)
Emerson
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hobson
Hochbrueckner
Hoekstra
Hoke
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kaptur
Kasich
Kildee
Kim
King
Kingston
Kleczka
Klein
Klug
Knollenberg
Kolbe
Kreidler
Kyl
LaFalce
Lambert
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Manton
Manzullo
Margolies-Mezvinsky
Markey
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McHugh
McKeon
McKinney
McMillan
Menendez
Meyers
Mfume
Mica
Michel
Miller (FL)
Mineta
Minge
Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Nussle
Oberstar
Obey
Ortiz
Orton
Oxley
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Romero-Barcelo (PR)
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skeen
Skelton
Slattery
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Talent
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torricelli
Towns
Tucker
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waxman
Weldon
Wheat
Whitten
Williams
Wise
Wolf
Woolsey
Wyden

Wynn	Young (AK)	Zeliff
Yates	Young (FL)	Zimmer

NOES—69

Abercrombie	Ford (MI)	Mollohan
Applegate	Ford (TN)	Murphy
Becerra	Furse	Nadler
Bishop	Green	Olver
Brooks	Hamburg	Owens
Brown (FL)	Hoagland	Pelosi
Clay	Holden	Rush
Clayton	Inslee	Schroeder
Collins (IL)	Istook	Scott
Collins (MI)	Jefferson	Skaggs
Costello	Kanjorski	Slaughter
Coyne	Kennedy	Stark
Danner	Klink	Stokes
de Lugo (VI)	Kopetski	Swift
Deal	Lancaster	Synar
Dellums	Lewis (GA)	Taylor (NC)
Deutsch	Mann	Torres
Dingell	Martinez	Traficant
Dixon	McInnis	Unsoeld
Edwards (CA)	McNulty	Waters
Engel	Meehan	Watt
Faleomavaega (AS)	Meek	Wilson
Fields (LA)	Miller (CA)	
	Mink	

NOT VOTING—12

Baker (LA)	Kennelly	Rangel
Buyer	McDade	Rose
Conyers	Moakley	Underwood (GU)
Henry	Packard	Washington

Mr. MOLLOHAN and Ms. SLAUGHTER changed their vote from "aye" to "no."

Ms. SCHENK and Mr. BARRETT of Wisconsin changed their vote from "no" to "aye."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

□ 1310

AMENDMENT OFFERED BY MR. PORTER

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

The Clerk read as follows:

Amendment offered by Mr. PORTER: Page 30, after line 6, add the following:

"(5) EFFECT OF STATE FAILURE TO LIMIT LIABILITY.—If, not later than 2 years after the effective date of this subtitle, a State fails to have in effect (and to certify in its application that the State has in effect) a limitation on liability that satisfies the requirements of title V of the National Service Trust Act of 1993, the allotment for such State shall be reduced by 5 percent, and the Corporation shall allot the amount of the reduction among the States that have in effect (and so certify) such limitation.

Mr. PORTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mr. FILNER). Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, we accepted the gentleman's amendment a little while ago. Then we spent 2½ hours. I would like to accept the gentleman's amendment, if we are not going to be put to wasting any more time on getting this bill moving.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk read as follows:

Amendment offered by Mr. HEFLEY: Page 218, after line 6, insert the following new subsection:

"(f) FULL FUNDING OF COSTS TO STATE AND LOCAL GOVERNMENTS OF REQUIREMENTS UNDER NATIONAL SERVICE LAWS.—Notwithstanding any other provision of law, a national service law may not impose any requirement that a unit of State or local government conduct an activity (including the requirement that a State maintain a State Commission pursuant to section 178 or a requirement that such a government meet national standards in providing a service) unless and until all amounts necessary to pay the direct costs incurred by the unit in conducting the activity are provided to the unit by the Government of the United States.

Mr. HEFLEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HEFLEY. Mr. Chairman, I know that this program at this point in time is not a mandated program, that States can participate in it or they do not have to participate in the program.

I also know that most of the programs we initiate up here start out that way, but they do not end up that way. They end up being mandates down the line.

What my amendment would do, very simply, is to say that if we mandate this program or portions of it, then we have to pay for it.

Mr. Chairman, in the course of the several times this bill has been on the floor, there has been a lot of discussion, some of it rightfully so, that there are problems with this National Service Trust Act. Some say it comes at the expense of other higher education programs or it does not distinguish between the needy and the nonneedy.

But I wonder if we are not putting the cart before the horse. What about the huge expense our States will have to shoulder to participate in the program in the first place. To receive Federal aid to participate in the program, States must set up a new bureaucracy in each State called a State commission, with no fewer than 15 members serving on the commission.

They will have to meet national standards and measure progress in a specified way along the way.

In cases where nonprofits are not in place, the State agency must provide mandated pay and fringe benefits for participants, which will amount to about 15 percent, and they must find community service jobs for students and/or create those kind of jobs, in many cases make-work kinds of jobs.

We are gracing our States with new mandates and tying their hands at the same time. The 85 percent of Federal money promised to States to pay to run the State commissions will dwindle to 50 percent after 5 years and, as the bureaucracies expand, so will the program.

No more than 5 percent of this Federal money can go for administration so, again, we have a receipt for destruction.

H.R. 2010 comes at great expense to the States, but the States may want to participate in it. And if they do, I think that is fine.

President Clinton, in 1991, said we need to get a handle on mandates or else some of us are going to go broke. Candidate Clinton was saying the absolute truth, when he was talking about the State budget.

We grace our States with these huge programs that look great on paper, that start out with the Federal Government paying most of it, but then our local governments become burdened over the years with the expenses associated with complying with what becomes the inevitable expansion of the programs and the mandates that go with them.

Even the gentleman from Pennsylvania [Mr. GOODLING] has said recently that government at all levels is currently facing fiscal constraints. Many States cannot afford this program, what this program will become.

My amendment prevents us from slapping unfunded mandates on the States as a result of this program, as they struggle to participate in it.

Members, we are driving State governments, State and local governments, for that matter, absolutely crazy with the kind of mandates that we lay on them.

Not long ago, the Colorado delegation, both Democrat and Republican, were asked to come to the statehouse on a Monday morning before we flew back to Washington. There at the statehouse was a group of State legislators and the leadership of the Colorado State Legislature, again, both Democrats and Republicans.

The reason they wanted to meet with their congressional delegation was that they were pleading with us not to keep mandating things that we do not pay the cost of.

I know the argument is going to be from the chairman, probably, that this is not a mandated program and we do not need then something in here that says we pay for it if it is mandated. But let me say that I think it is time that we got this principle in law, because down the line we can anticipate that this program will likely be mandated. It is time we got the principle in

law that says to them that we have recognized the problem, and we are not going to continue to mandate programs, costs, expensive burdens on the States that we are not willing to pay for.

Mr. FORD of Michigan. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

This is an amendment in search of a purpose that does not exist. The gentleman does not even set up a strawman now to knock it down now. He sets up the specter of a possible strawman that could be knocked down possibly in the future.

The amendment states that national service legislation may not impose any requirement on a unit of local or State government, unless and until all direct costs incurred by the unit in conducting the activity are provided to the unit of Federal Government.

The effect of that sort of a provision would be to say that no matter how many surplus people they hire to run the program, local political hacks, the Federal Government will pick up the tab.

This bill, quite wisely, says, We are not going to pay more than 5 percent of the cost of the local administration. Now, if you want to hire 100 board members and pay them $50 a meeting and expenses, go ahead and do it. But you are not going to take the Federal Government's money to do it.

The gentleman's amendment is out of whack with virtually every other program we have, but the most important thing to recognize is that nobody is mandated into this program in any way at all, no State need run a program, no local government need run a program, no school district. And we are not mandating that they do anything that will cost them money.

The amendment is inappropriate, and there is nothing in this bill that forces a State or a local unit of government to do anything that conceivably should be a charge against the Federal taxpayers.

We could solve the problem of the gentleman from Colorado [Mr. HEFLEY] by having the Federal Government pay 100 percent of all direct costs and either increasing the authorization for the bill or reducing the number of volunteers that we will put into national service.

□ 1320

That is the choice. We do not have an unlimited amount of money.

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

Mr. FORD of Michigan. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Chairman, I, too, rise in strong opposition to the amendment. As the gentleman says, it is like aiming a rifle at a target that is not there, because there is nothing in this bill that mandates anything. Yet, I can see if this amendment is adopted, those that are in favor of it will go out and tell everybody what they have done for local government, when they have not done a thing.

This amendment is really no different, Mr. Chairman, than what I see in the rest of these amendments that are coming up later on. I cannot find anybody that is offering these amendments that supports the bill. All I find is people that are in opposition to the bill and they are just out to cut the bill, gut it, kill it, anything they can, and they are offering amendments.

I suggest to our side, those that support this legislation, the best thing to do is not take a lot of time here today on these amendments that are just meant to kill the bill by opponents to the bill. Let us not take a lot of time in debate. Let us just vote "no" on every one of them, and let us pass the bill.

Mr. FORD of Michigan. Mr. Chairman, I thank the gentleman. I would point out to the House that on amendments, they had about 2 or 3 weeks to do this; that amendments that Members wanted considered were to be submitted for the RECORD, and the vast majority of the amendments that were submitted have already been accepted by the committee in an attempt to get over dilatory tactics.

The amendments that are now left contribute absolutely nothing to the bill, as the gentleman said. They come as hostile amendments designed to ridicule the bill and weaken its support. I hope that the Members will take the advice of the gentleman from Missouri [Mr. VOLKMER] and vote "no" on all amendments hereafter.

We have accepted everything we can conceivably live with and accomplish the purpose of national service. I do not understand somebody who calls themselves a conservative trying to gut this bill when national service has been on the conservative agenda in this country for as long as I have been in national politics.

If the Members call themselves conservatives, they had better go back and get their card punched by the chaplain, if they are going to oppose national service at this time.

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

Mr. Chairman, we have had a very interesting 7 months thus far. Anybody who gets up and tries to perfect anything, if they do not support the bill, should not have the right to try to perfect a piece of legislation. I never knew we were sent to the Congress of the United States just to sit here and not to try to perfect legislation, whether we think it is good legislation or whether it is bad legislation.

Our responsibility should be to try to make it better legislation. Whether it gets good enough to support or not is another question. Certainly I do not know of anyone that has amendments, that is offering amendments here, at least to the best of my knowledge, that has any dilatory tactics in mind whatsoever. These people have come with amendments that they believe will make the bill better.

It is interesting that all of a sudden these seven months, any time anyone offers any amendment that is different than what this President wants, it is dilatory tactics.

I did not offer amendments in the past when there were Republican Presidents there for dilatory tactics. I did not offer amendments because I agreed with what the Presidents wanted. I offered amendments because I thought they were wrong, and I thought we should improve their legislation. I offer the same today.

One of the amendments that I should have offered and should have had printed, and I am sorry I did not, and I hope somehow or other we can do something about it, is my greatest fear that we are going to get ourselves in the same bind we have done so many times. We have said nothing specifically about mandating that the recipients of the grants must be people or organizations that have a proven track record.

At the present time I have a JTA problem. The JTA problem has nothing to do with the commissioners who are presently in office. It has nothing to do with fraud or anything else. It happens to be that the responsibility landed on people that did not know how to handle the responsibility.

The taxpayers in that particular area, with new commissioners, are asked to put up $500,000 because of what appears to be not fraudulently used money but used improperly. We are going to do the same here, I fear, because I worry who it is that will be running these programs.

Again, let us not get up every time somebody offers an amendment that may be contrary to what is in the legislation and say it is a dilatory tactic. I do not think the gentleman from Illinois [Mr. PORTER] who was up here, and I did not expect it to take that long, was offering anything because he wanted to be dilatory. He was offering it because it was the will of the House just two or three years ago, 412 to nothing, as a matter of fact, to go in that direction.

Again, I do not know anyone here offering dilatory amendments, nor do I plan to take a lot of time to extend any kind of debate. I would merely say again, my major concern with the legislation is what the President said again Friday in front of the press. It is not what they want him to say, it is what he said: "this legislation must pass because we must make postsecondary education available to all."

Folks, this would be the most expensive way in the world to try to do that.

We can do that so much better with so much less in many programs that presently exist.

I would hope the Members would just listen to the amendments. If they do not like them, just say they do not like them, but do not try to paint them as people here trying to somehow or other slow down the process. They believe strongly in their amendments, or they would not be making them.

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

Mr. GOODLING. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Chairman, the gentleman knows this bill very well. He is very familiar with it. I would ask the gentleman to tell me of the one or two or whatever it is that we mandate in this bill for local and State governments to do anything. Tell me.

Mr. GOODLING. Mr. Chairman, I do not have any problem with what the gentleman is saying, except whenever we get into the reconciliation business around here, and I would ask the gentleman not to shake his head, but when we get into reconciliation——

Mr. VOLKMER. If the gentleman will continue to yield, this bill right now.

Mr. GOODLING. Which is the same thing that will happen on direct lending, which will happen on almost every other piece of legislation; all of a sudden we need to make savings. How do we make savings? We say, "We will put the administrative costs back on those people administering the program."

He is trying to preclude that from happening down the pike. He is trying to look ahead. I do not think the Members should condemn him for looking ahead. I think they should commend him for looking ahead. If it is not necessary now, fine, but if it is necessary down the line, he is protecting the local people.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, and at the request of Mr. VOLKMER, Mr. GOODLING was recognized for 1 additional minute.)

Mr. VOLKMER. Mr. Chairman, if the gentleman would yield further, I would ask if he would answer my question. He evaded it very well.

Mr. GOODLING. I answered your question.

Mr. VOLKMER. No, you did not. You did not say there was no or there was one.

Mr. GOODLING. The gentleman has been here as long as I have. The gentleman knows that eventually everything we pass mandates. We started out by mandating special education. We said, "We will give you 90 percent of the mandates, and we will give you 40 percent of the money. This year we gave them 8 percent."

Again, I think he is looking beyond today. I think the Members should commend him for doing that. I do not think they should blame him for doing that.

Mr. VOLKMER. The gentleman is saying there are no mandates.

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

Mr. Chairman, I would not use the terminology "dilatory tactics" for the simple reason that in most cases what one person thinks is a dilatory tactic is just a strategy to the other person. But earlier in the day the gentleman was accused of not reading an amendment. I would not accuse anybody of not reading an amendment, and I would not make that presumption, but I would say that in some cases people read and their interpretation of that amendment is different, or interpretation of the law is different, than what it actually is.

I would suggest that the gentleman from Colorado [Mr. HEFLEY] has not really understood, nor has the gentleman from Pennsylvania [Mr. GOODLING], that this is a volunteer program to the States. The States do not have to enter into this program. It is strictly volunteer. It is not mandated. It is not a mandate.

The amendment of the gentleman from Colorado [Mr. HEFLEY] is inappropriate for several reasons: One, the bill already contains the funding sought by the gentleman from Colorado. The sole mandate on the States, if they choose to volunteer for this program and choose to go into this program, is to create a Commission on National Service.

□ 1310

And the bill pays for that. The bill pays for that.

In addition, as I have said before, the States have the option of retaining a suitable alternative in place.

The second reason is that no State or local government is required, as I said earlier, to apply for a grant, although I believe that most or all will.

In signaling their strong support for the President's national service initiative, the National Governors Association stated, "We support the strong State and Federal partnership for providing service opportunities proposed in the bill."

That letter is signed by Gov. Roy Romer, a Democrat of Colorado, and Gov. Carroll Campbell, a Republican of South Carolina.

Most, if not all States now have national service style programs. All will be able to expand those services with an investment of 15 percent, truly an investment that I believe all are willing and can make.

The amendment offered by the gentleman from Colorado [Mr. HEFLEY] also calls for an increase to the share of a national service grant that can be used for administrative purposes. The gentleman from Michigan [Mr. FORD] earlier decried why that is not a good idea.

But I would only add this: That if there is one reason, and one reason alone or one way to ensure that programs put those funds to good use, I would say it is in having that limitation, because then they can be assured that they will be using that money for meeting needs and not just for meetings.

They will propose anything I believe now that will reduce the amount of Federal funding that actually can be used to address the unmet human needs. They have tried it by delaying the flood relief bill earlier in the week and yesterday, and they are now doing the same thing with this amendment.

I ask my colleagues to reject this amendment.

I include for the RECORD several editorials from around the country in this issue, as follows:

[From the New York Times, July 28, 1993]

PETTY POLITICS ON NATIONAL SERVICE

Two years or three? It's a trivial difference, but Senate Republicans think President Clinton's national service initiative is worth scuttling for the sake of knocking a year off the life of the program.

But what is really at issue is not the length of the program, or even its cost. The Senate minority leader, Robert Dole, seems to be marshaling a filibuster to deny President Clinton a major legislative victory at any cost. The Senate will vote tomorrow on breaking the filibuster; there's a chance enough Republicans will rise above partisan politics to support the worthy bill.

The Administration proposes to provide volunteers with minimum-wage salaries and up to $10,000 in grants for higher education in exchange for two years of tutoring students or other public service. Many Republicans support the idea; several, like Arlen Specter of Pennsylvania and John Chafee of Rhode Island, are co-sponsors.

But to Mr. Dole, no idea is too good to escape use as political fodder. So he has applied the all-purpose pejorative "tax and spend" and marshaled a filibuster. The ostensible reason was the possibility that costs would skyrocket.

The Democrats have tried to accommodate. They agreed to spend less than $400 million in the first year, enrolling only about 20,000 participants. But Republicans objected that costs in later years weren't specified. So the Democrats proposed to cap annual spending at $300 million in the first year, $500 million in the second and $700 million in the third. They also agreed—as a way of targeting benefits on the needy—to tax the education grants. But these concessions weren't enough for the Republicans. They wanted a two-year program, after which Congress would decide if the program was worth continuing.

On the merits, the Democrats are right. Two years is barely enough time to get the administrative machinery in place and insufficient time to learn if the program works. Besides, it's hard to swallow the Republicans' tax-and-spend complaints: Congress would be in complete control of the costs year by year.

National service could eventually draw hundreds of thousands of Americans into serving needy communities and give participants the means to pay for higher education.

Mr. Dole's just-say-no strategy may make for shrewd politics, but it renders poor public—and national—service.

[From the Washington Post, July 28, 1993]

A CHANCE FOR NATIONAL SERVICE

Sometimes it's hard to distinguish between narrow, partisan obstructionism and hard bargaining in the pursuit of a fair compromise. Take the battle over President Clinton's national service program. It's dear to Mr. Clinton, who harbors memories, of how creation of the Peace Corps in the Kennedy administration sent a message of service and sacrifice to a whole generation. The Clinton program would encourage young people to give a year or two for law enforcement, education, the environment and assistance to poor neighborhoods. Volunteers would receive living stipends of about $7,000 a year and then a $5,000 award for each year in—to be used to pay off student loans.

Until last week, the proposal seemed set for passage with bipartisan support. But in what is fast becoming a ritual, Senate Republicans objected to the program as too expensive and threatened a filibuster. To block a filibuster, the Democrats need 60 votes, but hold only 56 seats in the Senate. Democrats have picked up support from two Republicans to block the filibuster—Sens. James Jeffords and David Durenberger—but that still left them two votes short yesterday. So the administration went negotiating.

It's important to distinguish between two groups of Republican holdouts. One group that notably includes Sen. Nancy Kassebaum of Kansas seems genuinely interested in passing a service program, but worries about the expense of the Clinton plan and wants more experimentation before a full-scale program is launched. These are fair concerns. But many other Republicans seem mostly interested in blocking any initiative that might make Mr. Clinton look good, and are in the position of being able to use Sen. Kassebaum as a front.

To its credit, the administration has been willing to scale back its plans to win a bill. Having once talked of spending as much as $7.4 billion on the program over four years, it is now willing to back a $1.5 billion plan over three. Republicans proposed $800 million over two, with the Democrats rejected as providing insufficient time to test the program. With an earlier version of the bill set to pass the House today, negotiations with Senate Republicans will continue.

Getting pushed by Senate Republicans to cut back his program may not have been the worst thing for Mr. Clinton. A scaled-back program may have a better chance of working, and it can be built upon. But the administration has gone a long way toward accommodating Republican concerns. Now it's time for moderate Republicans who say they support national service (among them Sens. John Chafee and Arlen Specter) to demonstrate that they're willing to break with pure partisanship in the interest of a worthy program. Agreement is well within reach.

[From the Philadelphia Inquirer, July 28, 1993]

BLOCKING NATIONAL SERVICE

In their attempts to frustrate President Clinton by impeding passage of his national-service initiative, Senate Republicans have shown that their party is so obsessed with sticking it to President Clinton that any thought of doing what's good for the country has vanished from their thought processes.

National service, a plan that lets college students partly pay off tuition loans by doing needed work to help the country, is no new, untested concept. Its roots are found in the GI Bill, the Peace Corps, VISTA and numerous state programs. Pennsylvania, for example, can point to Penn-SERVE, an array of community-service programs started five years and championed by U.S. Sen. Harris Wofford during his tenure as a state government official.

The idea of national service should renew America's sense of common purpose and help rekindle idealism in America's youth. It should bring Americans together, instead of driving them apart. The concept is so exciting that at one point a Republican senator, Dave Durenberger of Minnesota, asked Mr. Clinton to start the program even before its formally enacted by recruiting students to help the Midwest flood cleanup.

What's getting in the way now is plain old partisan politics. Senate Minority Leader Robert J. Dole has lined up the Republican senators to filibuster against national service, pressuring Republicans who favor the program, like Sen. Durenberger and Pennsylvania Sen. Arlen Specter (a putative cosponsor) to put party over country.

The GOP reasoning apparently goes like this: Don't give the President anything he can take credit for.

Or maybe it's even more sinister than that. Perhaps Republican leaders fear that the program would work; that young Americans might start reaching out across divisive lines of race and class to solve America's problems by helping children to learn and by policing our cities. Perhaps that just doesn't fit into the elitist Republican world view.

Never mind that in negotiations led by Sen. Wofford the administration already has agreed to cut back an already scaled-back program. Never mind that playing brinksmanship now could actually wind up killing a bill even some Republicans think would be good for the country.

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

Mr. Chairman, I rise in strong support of the amendment offered by Mr. HEFLEY to require that the Federal Government compensate State and local governments for the direct costs they will incur in conducting the activities mandated by this legislation.

As many of you may know, I am extremely concerned with the propensity of this Congress to continue saddling our States and local governments with costly unfunded Federal mandates. If you have discussed unfunded Federal mandates with your locally elected officials, then you know that shifting the costs of Federal programs to States and localities are severely inhibiting the ability of these local jurisdictions to balance their budgets and provide for their constituents.

Mr. Chairman, this bill is an unfunded Federal mandate because it requires States to create State commissions for national service or forgo Federal funds provided in the bill. States do not need to establish State commissions to develop State national service plans. In many States, this work is already being done by alternative administrative structures directly involved in State planning and program implementation. The bill does allow the States to apply to the National Service Corporation for approval to use an alternative administrative entity to carry out the duties otherwise entrusted to the State commission. However, if a State does not have an alternative administrative entity in place, then this bill will mandate the establishment of a State commission for national service. For this reason, the Congressional Budget Office has estimated that H.R. 2010 will cost State and local governments $87 million in fiscal year 1994, $160 million in fiscal year 1995, $158 million in fiscal year 1996, $60 million in fiscal year 1997, and $31 million in fiscal year 1998.

I applaud Mr. HEFLEY for offering this amendment today because it dovetails nicely with my bill, H.R. 140, which would require the Federal Government to pay the costs of all future mandates that it chooses to approve. If legislation is important enough for this body to pass, then it should be important enough for this body to fund. Mr. Chairman, and Members of the House, put a stop to this unfunded Federal mandate by supporting the Hefley amendment.

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

Mr. Chairman, I rise in support of the amendment offered by my friend from Colorado. Too often we in Congress offer new ways to govern the lives of the people of this Nation without taking into account the impact and the cost of these new laws and programs on State and local government. The National Service Program is no exception.

The amendment under consideration would require the Congress to fully fund this program rather than pass along the costs to the State and local taxpayers. And if we think this program is a good idea, we certainly ought to be willing to pay for it.

With respect to the gentleman from Michigan who said, you know, this is a voluntary program, State and local governments do not have to buy into it, but by the way, if they do, they can only take 5 percent of the Federal cost to hire the people who have to administer this program, well, come on, that is a circular argument, ladies and gentlemen. If you want to buy into what the Federal Government offers, then you are going to have to administer the program, and if you are going to have to administer the program, the Federal Government is only going to pay 5 percent. And heaven forbid, if the gentleman from Michigan is correct that States just do this to hire, and his words were "government hacks" to do this, then it is a wrong direction program. But it does have a mandate.

If State and local governments are going to be involved in it, they have to administer it, and if they are going to administer it, they are going to have to

pick up the cost for it. So let us get serious. There are mandates and State and local governments are going to have to pick up those mandates.

Before I came to this place, it seems like years and years ago, I was in the State legislature. I had to carry a State appropriation bill. I had to find ways not only to carry education and higher education and all of the other things that State government had to do, but also to find out how to pick up the cost that the Federal Government mandated on State government. Let me tell you, folks, it is tough to raise taxes here, but it is also tough to raise taxes at home. And when you start to mandate these costs on local governments and State governments, you are saying, by the way, I am going to tap you on the shoulder, and I am going to tap you out for a few more bucks, and you are going to have to find ways to raise that money. And if you do not raise that money, then you are going to have to dip into the programs that you already have, that your own State governments and local governments decided are good and worthy.

So let us be honest with ourselves. If we do not cover the mandates, they are here, whether we want to verbally play the mental gymnastics game that if we do not really mandate it is really voluntary and the mandates are not here. But folks, they are here.

Now why do I strongly support the gentleman's amendment? I have serious concerns about the program in general. I would draw the attention of my colleagues to a recent column in the Wall Street Journal by the distinguished junior Senator from Oklahoma. He points out that the President's national service proposal that is under consideration today have potentially staggering costs associated with it that could erode the volunteer spirit in this country by giving young people the message that government owes them something for devotion to community service.

I include that entire article for the RECORD at this point.

[From the Wall Street Journal, July 20, 1993]

NATIONAL SERVITUDE, NOT NATIONAL SERVICE

(By Don Nickles)

Every day millions of Americans give of their time, talents and energy to help others. Whether they volunteer in projects sponsored by churches or civic organizations, they share one characteristic: They serve their communities out of a sense of altruism and not for personal gain.

President Clinton has a plan that could undermine their efforts by raising an army of "paid volunteers." The plan—as outlined in a bill the president sent to Congress last week—is costly, bureaucratic and potentially destructive of civic spirit.

The president calls his plan "national service," but it could be fairly called "national servitude," since participants would "work off" up to $10,000 in student loans by accepting assignments as "volunteers."

The potential costs of the program are staggering. The administration plan calls for the creation of a Corporation for National Service to oversee the program nationally and the establishment of similar agencies in every state. These agencies would be responsible for finding jobs to which the "volunteers" could be assigned and for administering the payment of stipends and benefits.

The federal contribution to these stipends would be capped at $8,800, the equivalent of a full-time, year-round job at minimum wage ($4.25 an hour). Health care costs would average $1,500 per participant, according to the administration. It estimates that child care costs would average $1,500, too.

Thus the average annual cost of enrolling one participant will be $16,800: $5,000 in student-loan forgiveness, and $8,800 stipend, $1,500 in medical benefits, and $1,500 in child-care benefits. Since each participant can remain in the program for two years, this cost would rise to $33,600 per participant, and that excludes the costs of recruiting and supervision.

All these costs will grow in subsequent years if other administration proposals are adopted For example, President Clinton has promised to index the minimum wage. This would automatically raise the federal contribution to the stipend. The administration health care plan will reportedly require every American to carry an employer-provided comprehensive health care package, which could easily cost $4,000 or $5,000. And, as many parents know, $1,500 doesn't buy much child care; it is likely to buy even less in future years.

So program costs, which the Clinton administration estimates will grow from $394 million in fiscal 1994 to $3.4 billion in fiscal 1997, are certain to spiral beyond current projections.

Mr. Clinton hopes to get a handle on these costs by limiting the number of participants to 25,000 in the first year and to 150,000 in fiscal 1998. But that will be hard to do, especially since the benefits of this program are so generous relative to other forms of college assistance. Indeed, the president pared back the original loan forgiveness amount to $5,000 from $6,500 because it would have been more generous than programs for veterans.

Still, the $5,000 figure is more than triple the amount that students from poor families receive through Pell grants, and nearly double the average amount students can borrow through the guaranteed student loan program. Students benefiting from these two programs, which have 3.2 million and 3.9 million participants respectively, will want to get similar assistance. This will create political pressures either to expand the national service program or to provide more generous assistance to students in other programs, or both. In any event, taxpayers can expect higher bills.

Where will national-service participants be assigned? Some of them will be sent to nonprofit agencies engaged in programs that "address unmet human, educational, environmental or public safety needs." Politicians and bureaucrats will have to decide which programs meet this definition. Many participants will end up in government jobs, although the bill would not allow them to move into positions that are already on the books. The government will have to create "make-work" jobs just for them, adding further to the program's costs.

Perhaps the most incalculable cost of deploying an army of paid "volunteers" in communities throughout the nation is the effect it could have on America's spirit of voluntarism. The program has the potential to engender resentment among the tens of millions of Americans who are working to improve their communities and asking nothing in return. It will also instill in young people the idea that the government owes them something when they devote themselves to community service.

I am also concerned that the levels of the funding sought under this program for individuals could discourage many young Americans from choosing military service as an option for their future, and note that the $5,000 annual rate of loan forgiveness under this program is more than triple what poor students can receive through the Pell Grant Program, and nearly twice what the average student can borrow through the Guaranteed Student Loan Program.

But the essence here is what the gentleman from Colorado brings forward, and that is an issue that there are mandates tied with this program, and they cost money. And the American taxpayers, whether they are Federal taxpayers or State taxpayers or local taxpayers, are going to have to pick up that cost. And if they do not pick up that cost, then they are going to have to shave the programs they already have.

□ 1340

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

Mr. Chairman, let me begin by saying that I join with the gentleman from Pennsylvania [Mr. GOODLING] in emphasizing that their ought to be no question of the motives of either the gentleman from Colorado [Mr. HEFLEY] or the gentleman from California, in offering this amendment. I think the concept of eliminating federally unfunded mandates is a concept that I heartily endorse.

The problem that I see with the amendment, as offered, is this, and it goes to the very crux of what we are talking about here today: Before we all get too partisan on this issue, let us understand that the original Clinton proposal actually had no cost sharing. One of the concessions, very frankly, the administration made to some of us was that there should be a Federal/local cost sharing so that in order to really determine who is going to participate at the local level they should want to participate sufficiently so they would contribute a certain percentage of the funds.

Now, that gets to the problem with this amendment, because this amendment really reverses that, in this way—and I hope the gentleman from Colorado will listen because I offer this in good faith to him—the problem with the amendment is that it reads:

Notwithstanding any other provision of law, a National Service law may not impose any requirement that a unit of State or local Government conduct an activity unless and until all amounts necessary to pay the direct cost incurred by the unit in conducting the

activity are provided by the Government of the United States.

This bill presently has three cost-sharing components. First, a State commission, 85 percent funded by the Federal Government, 15 percent funded by the State; local programs, 75 percent funded by the Federal Government, 25 percent funded by the local participant; third, if a local program determines that they want to offer wages above the VISTA level, they have to pay all of the salary above the VISTA level.

So, you have three areas today where there is a requirement of a local, a State or local government cost share to participate in the program. I do not think it is the gentleman's intent that the Federal Government ought to be paying 100 percent of the cost in those three areas.

Now, let me offer this to the gentleman from Colorado—and I discussed it with the chairman of the committee—would the gentleman consider offering or asking unanimous consent to delete everything after the word "activity," on line 6, so that what his amendment would really say is "notwithstanding any other provision of law, a National Service law may not impose any requirement that a unit of State or local government conduct an activity," because that would say that we are not going to mandate that States participate in national service if they do not want to; we are going to mandate the local governments do not have to participate if they do not choose to do so, but if they do participate, we will then be able to maintain the provisions in the bill which require that there be State or local cost sharing.

Frankly, as a way of testing who really wants this or who is just after some free money.

Would the gentleman from Colorado consider that as a friendly amendment? It is meant as such.

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

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

Mr. HEFLEY. I thank the gentleman for yielding to me.

Mr. Chairman, I would consider that, except that I would like to add to that, "unless the Federal Government pay for it," to get that principle in there, and then we can strike the rest of it. But if we do mandate—you say that you are not, they say that they are not, we are not going to mandate in this program. So, what the gentleman from Wisconsin is saying is that if we strike that, then the gentleman is saying that we will not mandate or impose any requirement on the unit or State or local government by any activity, and then if we can add the words, "unless the Federal Government pays for it."

Mr. GUNDERSON. The problem with the words, "unless the Federal Government pays for it," is that they eliminate the cost-sharing requirement of the bill right now.

Mr. HEFLEY. No, no, because we are not mandating the programs that deal with cost sharing. Those are volunteering. You know, that is fine. Voluntary, if you choose or do not choose—you can even have a cost-sharing relationship, and a lot of programs I believe we should have a cost-sharing program. But if we do mandate it or impose it, as it says here, if we do impose it, we ought to pay for it.

But if we do not impose it, if we just make it an option, then we do not pay for it. It seems to me those words will do that.

Mr. GUNDERSON. All right, now I understand what the gentleman is saying. Probably then what we ought to do is simply draft a substitute to the amendment of the gentleman from Colorado that would take my language and would add a sentence that says, "However, nothing shall preclude the Federal Government from requiring a cost-sharing agreement with States and local governments that choose to participate." I understand what the gentleman is saying, but because I misunderstood the gentleman the first time, I am not sure that we should not add a sentence to clarify that.

Mr. HEFLEY. I would agree with that. I think that would work very well, if we would add those three words and the gentleman's statement. It seems to me everybody understands that.

The CHAIRMAN pro tempore (Mr. FILNER). The time of the gentleman from Wisconsin has expired.

(By unanimous consent, Mr. GUNDERSON was allowed to proceed for 1 additional minute.)

Mr. GUNDERSON. My question to the chairman is: Is it possible to conduct some intervening business so that the gentleman from Colorado [Mr. HEFLEY] could temporarily withdraw his amendment and we could draft a substitute to it and then come back to it after something else? Is that possible, or is that not agreeable to the gentleman from Michigan [Mr. FORD]?

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GUNDERSON. I yield to the chairman of the committee.

Mr. FORD of Michigan. I thank the gentleman for yielding.

If the gentleman were to ask unanimous consent—and I am looking at the Parliamentarian—to withdraw his amendment at this time, he would be free to offer it at a later time. We will go on to the next amendment and get back to him as soon as the floor is open.

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

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

Mr. HEFLEY. I thank the gentleman for yielding.

Mr. Chairman, I am happy to do that. Is the chairman predisposed to accept some kind of a concept that we are working out here?

Mr. FORD of Michigan. I do not have any objection to what the gentleman says he wants to do; I object to the language with which he is trying to get there.

Mr. HEFLEY. Mr. Chairman, I ask unanimous consent that I be permitted to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

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

Mr. Chairman, I hope not to take the full 5 minutes, but I rise in support of the Hefley amendment and hope that my colleagues on both sides of the aisle can work out a compromise on this issue. I rise on this issue of federally imposed mandates as someone who served 5 years as the mayor of my home town and served as a county commissioner for 5 years of a county of 600,000 people.

I say to my colleagues here today that there is no bigger problem that local elected leaders face in this country than unfunded Federal mandates. Mr. Chairman, there is a certain irony in the legislation we are considering today.

This piece of legislation is purported to encourage voluntarism for America, and national service. Now, Mr. Chairman, I work with one particular group of Americans who are probably the best example of national service that we have in this country, the Nation's fire and emergency service people, 85 percent of whom are volunteers.

Now, what has been happening in this country is kind of interesting because these people have been around for longer than America, 235 years, as a matter of fact. In fact, they have been doing yeoman's work out in the Midwest during the terrible floods.

These people, especially the volunteers, 85 percent of the 1.5 million men and women who serve America in terms of national service as emergency responders, are facing more and more difficulty in doing public service for this country. Why? The reason they are finding it more and more difficult is because this Congress continues to mandate requirements on them with no resources.

Let me give my colleagues one example: Back in the 1980's, this body and the other body passed the SARA title III amendments. These amendments mandated a certain level of training and resources for emergency responders all over America. So, in fact, the 30,000 fire and emergency departments in this country now have new requirements in terms of resources and training, with no way to meet these requirements nationally.

This same body that is now talking about national service through this program is the same body that mandated these requirements on those people who are servicing America.

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So I find it somewhat strange and ironic that we are putting all of our emphasis behind this bill, when we are supposedly creating all this volunteer activity, when the people who are out there now doing this for free are being handicapped by this same institution.

I would say to my colleagues if we spent as much time trying to remove the existing mandates that are put on top of emergency respondents nationwide, we would not need national service legislation. These people who have been out there for 200 years would be able to continue to serve their communities.

I find it somewhat strange that we talk a good game, and that is why I say this bill is nothing more than pure politics so this President can say that he has done something to encourage National Service.

What we ought to be looking at is those individuals who are really providing national service and finding ways to help them, and one of the ways to help them is to stop the increasing mandates that we impose upon them.

The amendment of the gentleman from Colorado [Mr. HEFLEY] does it with this bill. But we have got to take it far beyond that. Every piece of legislation that affects those people who are currently serving America needs to be looked at to stop the increasing mandates that we impose.

If we did that, those 1.5 million men and women nationwide would be extremely happy, because they have not asked for this bill. They have asked us to help them to continue to do their jobs without the additional mandates that we consistently impose.

AMENDMENT OFFERED BY MR. STUMP

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

The Clerk read as follows:

Amendment offered by Mr. STUMP: Page 79, strike line 18 through 23 and insert the following:

"(a) AMOUNTS GENERALLY.—Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of services in an approved national service position shall receive a national service educational award having a value, for each of not more than 2 of such terms of service, equal to—

"(1) 12 times the monthly rate used for the calculation of basic educational assistance allowances under section 3015(a)(1) of title 38, United States Code, as in effect on the date of the completion of such term of service; multiplied by

"(2) 80 percent.

Mr. STUMP (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mr. FILNER). Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. STUMP. Mr. Chairman, I offer this amendment for myself and Mr. SOLOMON. It would establish a level of fairness between the education benefits paid to members of the military services, veterans, and participants in the national service plan. As the ranking minority member of the Veterans' Affairs Committee and the ranking minority member of the Rules Committee, we believe the GI bill benefit for military service should remain clearly superior to the national service plan education benefit. Our amendment would therefore set the national service plan education benefit at 80 percent of the G.I. bill benefit.

Military service warrants a higher education benefit than civilian service because of its unique dangers, hardships, separation from home and family, restrictions on civil liberties, and mandatory time-in-service commitment. To be fair, the level of education benefits should be commensurate with the nature of the service performed. Our amendment would provide a national service education benefit which is only $960 per year less than the GI bill. That is certainly not unfair.

Moreover, the GI bill is one of the most important recruiting tools the armed services have. Unless its benefit level is significantly more attractive than the other Federal education benefits it competes against, military recruiting is going to be seriously hurt. This is common sense, but recruiters also tell us so.

The United States will continue to maintain one of the world's largest standing military forces, even though it will be somewhat smaller. Highly qualified young men and women will continue to be needed in the All Volunteer Force at the same time the pool of 18- to 25-year-olds is shrinking. The competition for the best and the brightest of them is fierce, because employers, educational institutions and the armed services all target the same select group. Congress will define the relative attractiveness of the proposed new competitor, the national service plan education benefit.

The educational benefits stack up like this:

The GI bill provides $4,800 per year for 3 years with a mandatory service commitment of 3 years. The service member is required to put in $1,200 of his or her own money from military pay during the first year of service, and the $1,200 is not refundable if the benefit is not used. Further, refusal to complete the service commitment is a crime under the Uniform Code of Military Justice.

The national service plan of H.R. 2010, as it stands, would provide $5,000 per year for up to 2 years with no mandatory service commitment and no individual contribution of money. Unlike the GI bill, the national service plan education benefit could be used to pay off old education loans.

The best and the brightest won't have any trouble figuring out which is the best deal. For many of them, the education benefit will be the deciding factor. Unless the benefit level of the national service program is adjusted, it will siphon off many of the recruits our armed services would have attracted. The all-volunteer military has achieved the highest quality armed forces in history, as seen in the brilliant victory of Operation Desert Storm. This quality could be quickly lost and would take years and enormous cost to regain.

Setting the national service plan education benefit at 80 percent of the GI bill would be fair to service members, veterans and national service plan participants alike—for GI bill recipients, $4,800 per year for 3 years after paying in $1,200, and for national service plan recipients, $3,840 per year for up to 2 years with nothing paid in.

My colleagues should also keep in mind and the Clinton administration's legislative program calls for a substantial increase of the service member's pay-in to the GI bill from $1,200 to $1,600, as well as a freeze in military pay.

In debate on the national service legislation here and in other forums, some arguments which deserve further exploration have been raised in comparing the GI bill to the national service education benefit. It has been suggested that a more appropriate comparison is the GI bill benefit for 2 years of military service, not the benefit for 3 or more years. Initially, a 2-year military service commitment compared to 2 years of civilian national service would appear to be the apples-to-apples comparison.

However, it isn't and here's why not. The Air Force and the Marine Corps do not offer any 2-year enlistments. All are longer. The Army offers 2-year initial enlistments to fewer than 20 percent of its new recruits and limits these short enlistments largely to combat arms, the most dangerous front line fighting jobs. For current fiscal year 1993, the Army plans 77,000 new personnel, with only 14,000 2-year enlistments. For fiscal year 1992, it was about the same. The Navy offers a similar number of 2-year initial enlistments. For current fiscal year 1993, the Navy plans 63,112 new personnel, excluding Naval Academy and ROTC graduates, with only 12,600 2-year enlistments. For fiscal year 1992, the Navy had 59,655 new personnel, with only 13,616 2-year enlistments.

Large numbers of short enlistments would create undesirable turnover rates in the forces. The result, as in private industry, would be unnecessarily high recruitment costs and low

experience levels. Additionally, training periods for short enlistments must be short as well, because otherwise the training investment would not be recovered and personnel would not be available for normal duty for too much of their enlistments. For these reasons, the basic GI bill benefit that recruiters use to sell military service to young people is for 3 year, not 2-year, enlistments.

Mr. Chairman, I believe it also may have been suggested in earlier debate on H.R. 2010 that veterans groups are satisfied with the education benefit proposal it contains. Not so. The Stump-Solomon amendment has the support of the American Legion. The country's largest veterans' group, the American Legion states in its letter of July 16, 1993, that:

The American Legion supports your proposed amendment. * * * This action will restore some equity between the educational benefits earned by military veterans with those authorized to national service participants.

Additionally, the Veterans of Foreign Wars [VFW] supports our amendment. The second largest veterans' group, the VFW states in its letter of July 19, 1993, that:

By limiting the benefit for the national service plan to not exceed 80 percent of the benefit provided by the Montgomery GI bill, the military service would remain a preferable option for individuals who wish to serve the nation in the Armed Forces while at the same time accruing funds to attend college. * * * The VFW strongly supports the * * * amendments you plan to offer and encourages their adoption.

Other statements of support have come from the American Veterans of World War II, Korea and Vietnam [AMVETS] and the Non Commissioned Officers Association [NCOA]. The AMVETS National Commander, James J. Kenny, states in his letter of July 19, 1993, that:

I am writing to express AMVETS' strong support for your amendment to H.R. 2010 that would limit the National Service education benefit to 80 percent of the Montgomery GI Bill benefit. We are previously on record opposing National Service education benefits that would equal the Montgomery GI Bill on the grounds that the demands of military service cannot be equaled through National Service and that recruiting for the armed forces may be harmed by an overly generous National Service benefit.

Finally, NCOA states in its letter of July 20, 1993, that:

Education assistance has been and remains one of the primary tools available to the military in its efforts to attract and retain high-quality, dedicated individuals in an all-volunteer force. * * * Your amendment to limit education assistance for non-military national service at 80 percent of the benefit level for military service is strongly supported by NCOA.

Mr. Chairman, I urge my colleagues to heed the concerns of America's veterans and support our amendment.

Mr. Chairman, I include the following correspondence:

THE AMERICAN LEGION,
July 16, 1993.

Hon. BOB STUMP,
House of Representative, Washington, DC.

DEAR REPRESENTATIVE STUMP: The American Legion supports your proposed amendment to H.R. 2010, to limit the national service educational funding to 80 percent of the basic educational assistance award Montgomery GI Bill participants receive.

This action will restore some equity between the educational benefits earned by military veterans with those authorized to national service participants.

The American Legion believes that honorable military service is the epitome of national service and should be rewarded as such.

Sincerely,

STEVE ROBERTSON,
Director, National Legislative Commission.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, July 19, 1993.

Hon. GERALD SOLOMON,

Hon. BOB STUMP,
House of Representatives, Washington, DC.

DEAR CONGRESSMEN SOLOMON AND STUMP: On behalf of the more than 2.2 million men and women of the Veterans of Foreign Wars of the United States, I wish to take this opportunity to commend you for introducing two amendments to H.R. 2010, the "National Service Trust Act of 1993". Your amendments directly address two concerns the VFW has with the national service plan: One, we do not support any plan which would give a greater benefit than the Montgomery GI Bill; and two, we believe that a national service plan should not be placed under the jurisdiction of VA, HUD, and Independent Agencies, but rather come under the Appropriations Subcommittee for Labor—Health and Human Services.

By limiting the benefit for the national service plan to not exceed 80% of the benefit provided by the Montgomery GI Bill, the military service would remain a preferable option for individuals who wish to serve the nation in the Armed Forces while at the same time accruing funds to attend college. Also, we commend you for offering an amendment that would place the national service plan under the Appropriations Subcommittee for Labor—Health and Human Services. As you know, VA funding has been woefully inadequate over the years and part of the reasoning for this is that VA is constantly in direct competition with other agencies for a fair share of the budget dollar. Placing the national service plan under the jurisdiction of VA, HUD, and Independent Agencies Subcommittee is just another action that would inevitably undermine the VA's ability to fulfill its commitment to care for the men and women who have served our nation.

Again, the VFW strongly supports the two amendments you plan to offer and encourages their adoption.

Sincerely,

JAMES N. MAGILL,
Director, National Legislative Service.

AMVETS,
Lanham, MD, July 19, 1993.

Hon. BOB STUMP,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN STUMP: I am writing to express AMVETS' strong support for your amendment to H.R. 2010 that would limit the National Service education benefit to 80% of the Montgomery GI Bill benefit. We are previously on record opposing National Service education benefits that would equal the Montgomery GI Bill on the grounds that the demands of military service cannot be equaled through National Service and that recruiting for the armed forces may be harmed by an overly generous National Service benefit.

AMVETS also feels that service in the armed forces should qualify for National Service education benefits as well as Montgomery GI Bill benefits.

AMVETS also supports Congressman Solomon's amendment that would require National Service education benefits to be considered as a function 500 program for funding purposes. The attached letter was sent to Congressman Natcher, Senator Byrd and several other members of Congress, as well as President Clinton stating our opposition to funding National Service through the VA-HUD Appropriations Subcommittee.

Mr. Stump, AMVETS thanks you for your strong support for America's veterans and we look forward to working with you in the future.

Sincerely,

JAMES J. KENNEY,
National Commander.

NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA,
Alexandria, VA, July 20, 1993.

Hon. BOB STUMP,
House of Representatives,
Washington, DC.

DEAR MR. STUMP: The Non Commissioned Officers Association of the United States of America (NCOA) is pleased to support your amendment to H.R. 2010, the National Service Trust Act of 1993, to limit non-military national service educational funding at 80% of the basic education assistance level of the Montgomery G.I. Bill.

Education assistance has been and remains one of the primary tools available to the military in its efforts to attract and retain high-quality, dedicated individuals in an all-volunteer force. Military service, whether active or reserve, is unique by its very nature—long periods of service obligation (up to eight years), deployments, long periods of separation from family and friends, and, ultimately, the possibility of being required to fight and die if so ordered with absolutely no voice in the matter. The level of educational benefits associated with military service must remain the crown jewel of education assistance and must be perceived as more attractive, and in fact be more enticing, than any program of education benefits for non-military service.

Your amendment to limit education assistance for non-military national service at 80% of the benefit level for military service is strongly supported by NCOA. The Association believes that military service represents the highest form of National service and should be rewarded accordingly.

Sincerely,

LARRY D. RHEA,
Deputy Director of Legislative Affairs.

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

Mr. Chairman, I will not take the 5 minutes.

I simply rise in opposition to the notion that National Service is in competition with veterans and veterans' benefits.

Mr. Chairman, I rise in strong opposition to the Stump amendment.

The gentleman from Arizona [Mr. STUMP] like others of his colleagues, seems to believe that National Service is in competition with veterans and veterans' benefits.

These attempts to pit veterans against the National Service Program seems to me to be a sad method of attacking this proposal. There is nothing in this bill that precludes veterans from national service—allowing them to build up both educational awards.

Similarly, there is nothing in this bill or the veterans' legislation that precludes one who has earned a national service stipend from voluntarily serving in the military and earning a veteran's benefit for education as well.

The two programs are not mutually exclusive, and I fail to understand how the proponents of this and other amendments referring to veterans' benefits get the idea that they are. Those who decry the difference in the amount of the educational award between the two programs are comparing apples and oranges.

If we want to compare the two programs, perhaps we should compare all aspects thereof and perhaps we should enact true national service in the European model, a system where one is required—not asked—to serve one's country in a civil or military capacity and where no benefits are bestowed for such service. But that is not the American way.

Some of my colleagues argue all the time for choice—in child care, in schools, and elsewhere. Yet when meaningful choices and options are concerned—such as with a woman's right to determine her own medical course of action—or a person's right to determine how best to serve the Nation and one's fellow citizens, these same people want to place restrictions and barriers to those choices. I believe that is shortsighted and wrong.

Don't fall into the trap that this is an issue of veterans' rights and privileges versus the rights of those who would not serve in the military. That is hogwash. Don't accept the argument that this purports to state that national service is only worth 80 percent of the value of military service. That too is hogwash.

In many respects the hardships and personal risk endured by those who serve in inner cities—and in rural areas where education, medical services and other services are lacking—are much greater than those endured by any enlisted personnel in any branch of the service. Yet, some of my colleagues belittle that service. They say it is not worth the same reward from a grateful nation.

This issue has no more to do with veterans than the appropriations subcommittee of jurisdiction did. It has to do with a comparison of the relative benefits of either type of service. And the proponents of this amendment make it abundantly clear; they would rather see American young people out making war in foreign territory than at home making peace between gangs and bringing the light of education to people who cannot read.

They would rather see oversexed American military officers living it up, at conventions where harassment of females is not only condoned but actually celebrated, than they would see young people rebuilding housing in devastated parts of Florida.

They don't get it.

Some Members from the other side are playing with smoke and mirrors again, and I, for one, don't want them to cloud these issues. What is at issue here is the amount of the educational award for national service.

When the original proposal came up from the White House, as you all well knew, it called for a significantly higher award for this service, an award that would have totaled upwards of $13,000.

Because of concerns raised by a number of Members that the amount was significantly in excess of the veterans benefit, the amount was lowered to $5,000 per year. That compromise should have satisfied those who made that argument, but it did not, mainly because eliminating inequity is not their true goal.

I believe that amount now in the bill represents what is reasonable under the circumstances, even if we do consider and compare the amount of wages and other benefits given to national service participants, as compared to enlistees in the military.

I should point out that, under this bill, these national service educational benefits are taxable while those under the veterans legislation are not. That alone makes the national service benefits worth less than $5,000.

Again, I make the point—this proposal is an attempt to set veterans against nonveterans, to put a price tag on service to the Nation that debases public service of the kind John Kennedy spoke of so eloquently three decades ago. It does nothing for either and it should be defeated soundly.

Mr. Chairman, I ask the Members to vote against the Stump amendment.

Mr. BILIRAKIS. Mr. Chairman, I rise today in strong support of the amendment offered by my colleague, the gentleman from Arizona.

Mr. Chairman, what more could this Congress do to show young people that serve in the defense of our Nation is no longer valued?

It passed a budget which calls for deep cuts in military spending and personnel. In fact, when Members here talk about discretionary spending not growing over the next 5 years, it is because defense cuts will be so deep they will offset all the other new spending.

This year's budget also continues the historic trend of chipping away at the health and retirement benefits our veterans have earned by sacrificing for our Nation's security.

For example, the House budget reconciliation package requires veterans to pay more to secure a VA home loan, cuts funding for construction of State veterans' nursing homes and mandates, for the first time, that others pay for the treatment of service-connected veterans.

And now, here we are, adding the finishing touches to this bitter recipe: A new program which offers better education benefits than are available under the Montgomery GI bill.

That is right. We are saying, participate in a community program and receive, besides wages and health and child care benefits, $5,000 per year in education benefits.

Compare that to the GI bill. The GI bill provides $4,800 in education benefits per year for up to 3 years, but the service member must commit to 3 years of service and pay $1,200 in his or her first year to qualify for the benefits. And refusal to complete the service commitment is a crime.

At the very time when our Armed Forces are down sizing and battlefield success is more and more dependent upon technically advanced weaponry, we are erecting another roadblock to the ability of our Armed Forces to recruit the kind of people who made Desert Storm such an unqualified success.

Mr. Chairman, even if this proposal did not pose potential recruiting problems for our military commanders, the message it sends to our current service personnel is shameful. We cannot allow these brave men and women, who have willingly left their homes and often their loved ones behind to bolster the legitimate worldwide commitments of America, be shortchanged by this Congress.

Mr. Chairman, these women and men deserve more than empty gestures and rhetoric about their service. Their life-threatening sacrifices must be rewarded at a level beyond whatever else this Congress determines to be valuable.

Whatever else, Mr. Chairman, our veterans should come first.

Support the Stump amendment. Honor our service personnel.

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

Mr. Chairman, I would like to rise today in strong support for the amendment offered by the gentleman from Arizona [Mr. STUMP] to the national service plan which would set the educational benefits under the bill at 80 percent of those offered by the Montgomery GI bill.

Mr. Chairman, the Montgomery GI bill, which offers educational benefits for service men and women, is one of the Armed Forces most visible and successful recruiting tools.

Earlier this year, as a member of the Committee on Veterans' Affairs, I visited the Parris Island Marine installation, along with the Fort Benning and Fort Jackson Army bases. I learned firsthand the importance of using educational benefits in attracting the high-caliber individuals that our modern forces require. In visiting these bases, Mr. Chairman, I talked with young recruits from the State of Arkansas, and without exception I heard them tell how important the educational benefits offered under the Montgomery GI bill, how essential that was to their motivation in going into the Armed Forces. I heard recruiters whose very life occupation is to attract young people into the Armed Forces explain that this was an absolutely essential component in attracting young people to the Armed Forces.

Mr. Chairman, the success of the Montgomery GI bill has been universally recognized. It has enabled many intelligent, hard-working men and women to attend college when they may not have otherwise had the opportunity. The Armed Forces benefited by being able to attract and utilize the talents of these same men and women.

One of my fears, Mr. Chairman, is that the national service plan, as it now stands, would seriously undermine the ability of our Armed Forces to compete for these bright young men and women. The paid civilian so-called volunteers under the national service plan should not receive greater annual educational benefits than those earned by our troops currently risking their lives overseas in Somalia and in the Balkans.

In addition to receiving smaller annual benefits, Mr. Chairman, participants under the GI bill are required to contribute, or pay in, $1,200 during their first year of service in order to be eligible for the educational benefits. They also have to make a binding commitment. That is not required of those in the National Service Program.

So, I ask my colleagues to consider this pool of young people from which we attract our volunteers to the Armed Forces, and I ask my colleagues, "Which would you choose? Which would they choose if the alternative is working in a park, in a National Service Program, or going to boot camp, and the rigors, and the discipline, and the commitment that our Armed Forces require?"

I ask my colleagues to support the amendment offered by the gentleman from Arizona [Mr. STUMP]. Do not make it strike three against military recruitment.

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

Mr. Chairman and my colleagues, I rise in support of the amendment offered by the gentleman from Arizona [Mr. STUMP], to ask my colleagues what kind of people, without the Stump amendment, are we going to send to our military personnel and to our future military personnel. Are we going to reward those of them who choose not to serve in the armed services of the United States? More so than we are going to reward those who serve in defense and in the protection of this country?

In a time when we are sending $3 billion to the former Soviet Union, the country of Russia, to build homes for their retiring military people, and we are retiring our military and telling them to find their own place to live, and at a time when we see every effort being made by the administration, and this Congress as well, to diminish the size of our armed services, how can we possibly tell someone who served, for example, in the Middle East conflict that, while they were dodging the Scuds that Saddam Hussein was sending toward us, how can we possibly tell them that someone cutting grass in a park is more entitled to more benefits than he or she was?

Mr. Chairman, the amendment offered by the gentleman from Arizona [Mr. STUMP] is a reasonable amendment. It actually saves money, and at the same time it provides the necessary tools for the President to have his service program, and it rewards those men and women who serve today in our armed services and those men and women who will be serving in the future of our armed services. It is a logical amendment, a sensible amendment, and it is a message that our national military people ought to hear.

Vote "yes" on the Stump amendment.

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

Mr. Chairman, I certainly want to commend my great friend, the gentleman from Arizona [Mr. STUMP] for his support, over the years, of the veterans and for our armed services, and I guess I know him as well as anyone in this body. He is the ranking member of our Committee on Veterans' Affairs, and we have worked so closely together over the years. He is dedicated to our veterans and their dependents, and he has been a strong believer that we have got to take care of our young men and women in the service.

Mr. Chairman, I would hope that we could get together on his amendment. We are not very far apart, and I have talked to him, and he has been very helpful so that we might pull this together and have something that could be accepted by all of us, and I would hope that the gentleman would move his percentage up from the 80 percent to the 90 percent of the GI bill, and I think we would all feel very comfortable with that. I know I would myself.

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

Mr. MONTGOMERY. I yield to the gentleman from Arizona.

Mr. STUMP. Mr. Chairman, I thank the gentleman from Mississippi [Mr. MONTGOMERY] for yielding to me, and let me say that I appreciate his comments. In addition, Mr. Chairman, I say to the gentleman, "Of course you are the national hero as far as the veterans are concerned."

Mr. Chairman, am I to understand that the gentleman from Mississippi [Mr. MONTGOMERY] is asking me to compromise from 80 to 90 percent to try to resolve this problem?

Mr. MONTGOMERY. With all sincerity, Mr. Chairman, I have. I would hope that the gentleman from Arizona would offer a correcting amendment that would move it up to 90 percent.

Mr. STUMP. That is a proposal that would be coming from the committee then; is that the understanding?

Mr. MONTGOMERY. The gentleman is correct. I have an amendment at the desk that would in effect be his amendment but would move it up from 80 to 90 percent.

Mr. STUMP. Mr. Chairman, I guess I am practical enough to see the handwriting on the wall. I have been in this business long enough to know one only wins through compromising.

Am I to understand that the gentleman on the other side is willing to accept 90 percent rather than my original proposal of 80 percent?

Mr. MONTGOMERY. The gentleman is correct.

Mr. STUMP. Then I certainly would be willing to compromise and accept a modification to my amendment.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, I am pleased to have the help of the chairman of the Committee on Veterans' Affairs and the ranking member of the Committee on Veterans' Affairs who are working with us to try to resolve this matter in a satisfactory way. I understand that language has been worked out and is at the desk, and I am prepared to accept the language that was worked out and is at the desk.

Mr. Chairman, if the gentleman will ask for unanimous consent to modify his amendment by the language at the desk, we will accept the gentleman's amendment.

MODIFICATION OFFERED BY MR. STUMP TO THE AMENDMENT OFFERED BY MR. STUMP

Mr. STUMP. Mr. Chairman, if I understand the agreement that apparently has been reached, I ask unanimous consent that the amendment which I offered be modified to reflect the agreement that has been reached with the gentleman from Mississippi [Mr. MONTGOMERY].

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to the amendment offered by Mr. STUMP:

In the matter proposed to be inserted by the amendment on page 79, in lieu of lines 18 through 23, of the bill—

(1) strike "equal to—" and insert "equal to 90 percent of—"; and

(2) strike paragraphs (1) and (2) and insert the following:

"(1) one-half of the aggregate minimum basic educational assistance allowance calculated under sections 3013(d)(1) and 3015(b)(1) of title 38, United States Code (as in effect on July 28, 1993), for a member of the Armed Forces who is entitled to such an allowance under section 3011 of such title and whose initial obligated period of active duty is two years; less

"(2) one-half of the aggregate basic contribution required to be made by the member under section 3011(b) of such title (as in effect on July 28, 1993).

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

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, I will not object, but I think it is obvious that the ranking Republican and the chairman of the committee worked very hard to resolve this problem. But I cannot, as one Member, sit by and not express my concern that even with the change that they are making, this bill is still going to have a debilitating impact on the military. It is a step in the right direction, and I applaud them for their efforts, but I think both of them probably feel the way I do, that this is going to hurt military recruitment, and it is going to have an adverse impact on the military preparedness in the long run in this country. I think there should be no comparison whatsoever between the benefits given to those who risk their lives for this country and people who go out and work in a park someplace, and I think, when we get close to parity, what we are going to do is encourage people to join this Government program rather than serving their country in defending it.

So, Mr. Chairman, I feel very strongly about this, and I think it is a step, albeit a small step, in the right direction.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona that the amendment be modified?

There was no objection.

Mr. FAZIO. Mr. Chairman, I rise in opposition to Mr. STUMP's amendment, which would reduce the educational award for national service participants to 80 percent of the basic educational benefit under the GI bill.

I am afraid that—by linking national service benefits to veterans' benefits—we are confusing these two vital and beneficial programs. Our veterans' programs and benefits were created to reward and meet the needs of a very specific population—those American citizens, and their families, who have devoted their lives and careers to upholding the freedoms we all hold so dearly. There is no question about the merit of these programs or about the critical role that they play in our society.

But the President's National Service Program is very different in its scope and purpose. National service is designed to serve our citizens and communities on a number of fronts. Passage of this bill will provide educational opportunity, enable us to strengthen our neighborhoods and communities, and also help to promote a strong sense of responsibility and citizenship. National service is neither linked to nor in competition with our veterans' programs.

Benefits for service in the Armed Forces are far more generous than they are under national service, and they should be. For example, most national service participants will serve for only 1 year, and therefore be eligible for only a $5,000 education award. And those who are allowed to serve for 2 years will receive $10,000. Either way, it is less than the $10,500 minimum education award that members of the Armed Forces receive for 2 years of active duty. Lastly, our veterans are eligible for additional benefits that significantly exceed those provided to national service participants.

Again, Mr. Speaker, I think that—when we attempt to play these two important programs off against each other—we are missing the boat. They are not, and should not be, in competition with each other. Separately or together, they are means by which Americans are rewarded for service to country and community. They both contribute—differently but significantly—to our quality of life.

What we really need to be looking at is the need for and intent of national service—why are we doing this? For years, the right to a college education has been slowly drifting out of financial reach for millions of young Americans. And, for so many Americans in so many communities, the quality of life is slowly eroding.

National service will enable participants to work in programs that address unmet human, educational, environmental and public safety needs—needs that have been systematically aggravated and unattended to. It will involve the most diverse range of Americans, from high school students to our oldest citizens, and will serve populations as diverse. And, in exchange for their service, participants will receive financial assistance for their education.

State and local programs will be defined and driven by the needs of their own communities. Program participants will teach, tutor and care for small children; run recycling programs; aid homebound individuals; provide home care for senior citizens; and clean up our parks and playgrounds. Communities will be served through Head Start centers, family support programs, community health centers, police departments, schools, conservation organizations and in many other ways that work to meet the needs of that community in that community.

At the end of a term of service, the participant will have earned $5,000 which can be applied toward past, present or future educational loans. This will not only help participants pay their way through college, but it will help promote self-discipline, responsibility and a strong work ethic.

The program is consistent with America's legacy of national service and will grow to include more and more Americans over time. Next year up to 25,000 people will be brought into the national service fold, which has the potential to expand to include up to 150,000 participants over the next 4 years. If this bill is passed, more people will have worked full-time in national service at the end of 5 years than the total number of Peace Corps volunteers in the entire 33-year history of that program.

National service will enable participants to become involved in programs that incorporate leadership training and special service projects. Earlier in my own career, I had the opportunity for such an experience as a fellow of the Coro Foundation. Through the Coro experience, I and other Coro fellows were able to appreciate how the diverse sectors in our society—public, private and non-profit—interact and work together in service to our communities. I believe that it is through this kind of comprehensive experience that those in service can both understand the full scope of national service and realize their own full potential. Service training, such as that provided by Coro, is what helps prepare our young people to serve effectively—not just for a year—but for a lifetime.

This bill harnesses the best in the American spirit—the spirit of reciprocity and commitment to change. I urge my colleagues on both sides of the aisle to support final passage of the National Service Trust Act—to invest in America's students and communities and to reward individual responsibility.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Arizona [Mr. STUMP].

The amendment, as modified, was agreed to.

The text of the amendment, as modified, offered by Mr. STUMP is as follows:

Page 79, strike lines 18 through 23 and insert the following:

"(a) AMOUNTS GENERALLY.—Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of service in an approved national service position shall receive a national service educational award having a value, for each of not more than 2 of such terms of service, equal to 90 percent of—

"(1) one-half of the aggregate minimum basic educational assistance allowance calculated under sections 3013(d)(1) and 3015(b)(1) of title 38, United States code (as in effect on July 28, 1993), for a member of the Armed Forces who is entitled to such an allowance under section 3011 of such title and whose initial obligated period of active duty is two years; less

"(2) one-half of the aggregate basic contribution required to be made by the member under section 3011(b) of such title (as in effect on July 28, 1993).

□ 1410

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

Mr. Chairman, I want to commend the distinguished gentleman from Mississippi [Mr. MONTGOMERY], chairman of the Committee on Veterans' Affairs, not only as a cosponsor of this legislation but he has worked with the administration and many of us in Congress who have been proposing a national service bill to try to provide equity and a degree of compensation for this purpose, but at the same time recognizing that the President has a noble goal of trying to attract young people to the broader ethic of national service in America today, whether it is community service or through the very vital service that our members of the armed services perform on a daily basis through the success of the All-Volunteer service, which has been a success because of the GI bill and because of the high degree of patriotism that exists in the country today.

I do recognize, however, Mr. Chairman, because of some of the concerns that I have about some statements that were just previously made. It is true that with the GI bill we try as members of the Committee on Armed

Services to recruit the most talented young people in order to defend and protect our Nation. It is also true, Mr. Chairman, that in the concept of national service, unlike what some of the previous speakers said, we are not just talking about young people mowing the grass in parks; we are talking about a range of activities in national service which can be from delivering literacy training to people in the inner cities and rural areas to rehabilitating housing and to perhaps cleaning up parks. One program we are aware of is taking very dangerous, infected hypodermic needles from public grounds, removing the health hazard.

In many of these areas we have young people entering into communities that are extremely dangerous. As a matter of fact, I recall a recent article in which there was commentary about the city of Belfast in Northern Ireland, expressing what a terrorist area of the world this was because of the civil strife there. Yet up until June of this year there were 11 murders there, but in Washington, DC, there were 238 murders during the same timeframe. We can ask my friend, the gentleman from California [Mr. MARTINEZ], about delivering services in the community, working on the front line in south central Los Angeles; we can ask him if these young people are not really putting their lives on the line, trying to improve their community and their country as well.

Yet although we have tried as a principle to maintain some slight differential between the GI bill and the National Service Program, I would submit to this Congress that Senator SAM NUNN, the chairman of the Armed Services Committee on the other side, and I offered an original bill that had a voucher of $10,000. We have agreed on it prior to that time. We have agreed each time with the gentleman from Mississippi [Mr. MONTGOMERY] and others in order to provide for some equity and some parity there.

But I wanted to rebut some of the comments, and I do again reaffirm the fact that it was very important that we were able to reach agreement between the ranking member and the gentleman from Mississippi [Mr. MONTGOMERY] on the issue of veterans' benefits and national service.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. MCCURDY] has expired.

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

Mr. MCCURDY. Mr. Chairman, I wanted to take this time in order to follow up with a conversation I had last Wednesday. As Members will recall, as we were debating the national service bill, I came to the well and asked my colleagues' forgiveness for having to leave the Chamber during the middle of the debate because of a conflict. Sometimes in the Congress we get too caught up in the debate and sometimes things get pretty partisan and sometimes the debate appears to be even rather nasty, but there are times, I would submit to my colleagues, that we have to make appropriate choices.

Although we celebrate with great honor the remarkable achievements of BILL NATCHER, who has never missed a vote in the 30-some-odd years he has been in the Congress, last week I willingly missed some votes. The reason was that I went to southern Virginia to watch my 15-year-old son compete in the State Babe Ruth baseball tournament. They had to win a doubleheader to win, but they did win and were the State champions.

Let me say to the Members that I will remember the rest of my life and I am sure he will remember where I was on that day.

I would only urge my colleagues as well to keep that perspective in mind also and keep the families in front, keep the image of real America alive, because that is what we are all fighting for, and that is what we are here about.

Again I just want to thank my colleagues for allowing me that little leeway to go and do a personal thing, because I know many of us have those callings from time to time.

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

Mr. Chairman, I will not take all of my time, but I rise to support the gentleman from Mississippi [Mr. MONTGOMERY] and the gentleman from Arizona [Mr. STUMP] for working out what I think are some important legislative details in this national service bill, and I wanted to broaden the discussion on this bill a little bit.

On the one hand, we have worked very, very hard to look at how this bill should be balanced for the GI educational benefits, and when President Clinton worked with Congress, he was very, very sensitive in working with the committee chairman, the gentleman from Mississippi [Mr. MONTGOMERY], and making sure that this was not an affront to military personnel or recruitment efforts, and that this was carefully balanced with the GI educational benefits bill.

We also have the concern, however, Mr. Chairman, that we are competing with the costs of education in this country that are rising at a very frightening rate, and we cannot continue to take down a $5,000 award further and further and further when tuition is going up and up and up, when middle-class families across this great country are saying that it used to be a house that was their largest investment, that they would buy a house for $50,000 or $60,000 or $75,000, but now, with education and the cost of tuition and living at a school amounts to $9,000 to $10,000 in places like Louisiana and Indiana and California and Maryland, $5,000 or $4,500 per year as a benefit does not go a long way to help middle-income people or people participating in national service legislation.

I also want to clarify that this legislation, Mr. Chairman, is not about people raking leaves in parks. This is people helping dropouts in our inner-city schools or in our rural or suburban schools, where we are running into more and more problems in our schools with crime, with guns, and with drugs. This is people working with law enforcement efforts. That is not an easy task these days, where there is great risk. And this is people working with dying people in health care. Those are very, very worthwhile jobs.

Mr. Chairman, I am very proud to be a cosponsor of this legislation, but I am also very, very concerned that we do not see this whittled away when we try to balance two equally important concerns, educational benefits in the GI bill and the costs of going to school in this country that are becoming more and more difficult for most people.

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk read as follows:

Amendment offered by Mr. HEFLEY: Page 218, after line 6, insert the following new subsection:

"(f) FULL FUNDING OF COSTS TO STATE AND LOCAL GOVERNMENTS OF REQUIREMENTS UNDER NATIONAL SERVICE LAWS.—Notwithstanding any other provision of law, a national service law may not impose any requirement that a unit of State or local government conduct an activity (including the requirement that a State maintain a State Commission pursuant to section 178 or a requirement that such a government meet national standards in providing a service) unless and until all amounts necessary to pay the direct costs incurred by the unit in conducting the activity are provided to the unit by the Government of the United States.

Mr. HEFLEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. HEFLEY. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. GUNDERSON] for the purpose of offering an amendment to my amendment.

Mr. GUNDERSON. Mr. Chairman, I have an amendment to the amendment at the desk.

The CHAIRMAN. First, the gentleman from Colorado [Mr. HEFLEY] must turn back the balance of his time.

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

AMENDMENT OFFERED BY MR. GUNDERSON TO THE AMENDMENT OFFERED BY MR. HEFLEY

Mr. GUNDERSON. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. GUNDERSON to the amendment offered by Mr. HEFLEY:

Strike "(including" and all that follows and insert ", unless paid for by the Federal government. However, voluntary participation by states or program sponsors may include cost-sharing formulas, health care, child care, and other allowances and other requirements proscribed by the act.".

□ 1420

Mr. GUNDERSON. Mr. Chairman, I believe this represents accurately the agreement that we tried to work out between the original language of the Hefley amendment and the language that is now before you. We are not quite sure whether these words "unless paid for by the Federal Government" are directly contrary to the rest of the language. The gentleman from Colorado [Mr. HEFLEY] and I have both agreed we would try to get that resolved with legal help between now and conference and resolve it in conference if there was some kind of problem in that language.

Mr. Chairman, I guess what we need to do is see if the gentleman from Michigan [Mr. FORD] will accept the amendment and see if the gentleman will accept the amendment as amended.

Mr. FORD of Michigan. Mr. Chairman, I would be willing to accept the amendment of the gentleman from Wisconsin [Mr. GUNDERSON] if the principal author of the amendment accepts it. Then I will accept his amendment.

Mr. HEFLEY. Mr. Chairman, if the gentleman will yield, I accept the Gunderson amendment to the Hefley amendment, and am pleased that the chairman is willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. GUNDERSON] to the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. HEFLEY], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. BAKER OF CALIFORNIA

Mr. BAKER of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAKER of California: Page 182, strike lines 3 through 5, and insert the following new section (and conform the table of contents accordingly):

SEC. 112. PROHIBITION ON SERVICES FOR ILLEGAL ALIENS.

(a) PROHIBITION.—Section 102 of the National and Community Service Act of 1990 (42 U.S.C. 12512) is amended to read as follows:

"SEC. 102. PROHIBITION ON SERVICES FOR ILLEGAL ALIENS.

"(A) PROHIBITION.—Except as provided in subsection (b), the Corporation may not make assistance available under this Act to a national service program that provides services directly to persons and is carried out by a Federal agency, State, subdivision of a State, Indian tribe, public or private nonprofit organization, or institution of higher education or provide for the placement of volunteers under the Domestic Volunteer Service Act of 1973 with a public or nonprofit private organization that provides services directly to persons unless the program to receive the assistance or the organization to receive the placement has a written policy that prohibits the delivery of services to aliens who are not in lawful immigration status in the United States. In the case of a public or private nonprofit organization covered by this subsection, the written policy must apply with respect to all service programs conducted by the organization whether or not a particular program receives assistance or a volunteer placement.

"(b) EXCEPTION.—Subsection (a) shall not prohibit the delivery of emergency services to aliens who are not in lawful immigration status in the United States or educational services required by law to be provided to such aliens if the emergency or educational services are provided to such aliens if the emergency or educational services are provided by a program or organization that has a written policy of reporting the presence of such aliens to the Immigration and Naturalization Service.".

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to section 102 of such Act and inserting the following:

"Sec. 102. Prohibition on services for illegal aliens."

Mr. BAKER of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BAKER of California. Mr. Chairman, today I am offering a straightforward amendment to ensure that American taxpayers are not forced to subsidize illegal aliens through the National Service Program. Without my amendment, the National Service Program has one message for illegal aliens: "Come to the United States. We have even more free services for you now. Don't worry about the costs. The American taxpayers will foot the bill."

Last night, about 3,100 people illegally slipped across the border in the San Diego area alone. Last month between 300,000 and 400,000 illegal aliens crossed our borders. To reduce these numbers, we must reduce the incentives and stop rewarding those who make a mockery of our country's laws.

Mr. Chairman, we have a serious problem with illegal aliens because we offer them too sweet of a deal. Today, there are 4 million illegal aliens residing in the United States. Last year, Federal and State governments spent at least $6 billion in taxpayer dollars on services to illegal immigrants, including: Unemployment benefits, subsidized housing, food stamps, education benefits, and medical care.

Further, the GAO reports that 22 percent of our Federal inmates are illegal aliens. Also, 49 percent of all illegal aliens apply for unemployment insurance and 35 percent receive benefits. At least 2.4 million immigrants entered the United States illegally last year. Over the past 2 years, illegal immigrants cost California taxpayers $3 billion directly, and an untold sum indirectly.

Today, we can send a message to illegal immigrants: "You can no longer slip across our border and siphon-off services from our own citizens."

Many people enter this country because it's still a land of opportunity. But we are quickly becoming a beacon of entitlement to whomever can sneak in.

We must stop saddling taxpayers with the costs of illegal immigration. Providing more services to illegal immigrants will not solve the problem. In fact, it will do just the opposite. By providing free services to people who enter this country illegally, we continue to encourage the next wave of illegal immigrants.

That is why my amendment is so important. It prohibits the Corporation for National Service from making a grant to a government program if it does not have a written policy that prohibits the delivery of services to illegal immigrants.

Furthermore, private organizations will not be eligible for national service grants unless they have a written policy that prohibits the delivery of personal services to illegal aliens. This amendment also applies to ACTION programs authorized under the Domestic Volunteer Service Act.

Mr. Chairman, my amendment provides for two necessary exemptions:

First, organizations which provide emergency services to illegal aliens can still participate in national service as long as they have a written policy of reporting illegal aliens to the INS. Therefore, hospitals which have been required by law to provide emergency medical care to illegal aliens will still qualify to participate in the National Service Program if they report illegal aliens to the INS.

Second, compulsory educational programs—like public schools—will be able to receive national service volunteers, providing these programs also have a written policy of reporting illegal aliens to the INS.

In short, with certain exceptions my amendment prohibits organizations that are participants in the National Service Program from subsidizing illegal aliens.

I know that some critics will contend that a worthy charity will be denied volunteers because of my amendment. But let me point out that this amendment will not in any way change what charities can do right now. All this amendment does is ensure that we

channel new Federal spending so as not to subsidize those services given to illegal aliens. Nothing in this bill prohibits organizations from continuing to run their own programs to serve illegal aliens without Federal help.

Government money brings certain conditions. The bill before us already lays out conditions for funding. As long as this House is intent on further expanding the size and role of the Federal Government, we may as well be sure that taxpayers' hard-earned cash does not further encourage illegal immigration.

We also have an opportunity to say to our Nation's citizens. "We will not make you compete with illegal aliens." It's already tough for many Americans to reach the American Dream. Saddled with Government debt, high taxes, and overregulation, the last thing Americans need is to compete with illegal aliens for their jobs, their homes, and the use of their tax dollars.

I urge my colleagues to say yes to American taxpayers and no to subsidizing services to illegal aliens. Vote for the Baker amendment.

Mr. MARTINEZ. Mr. Chairman, I rise in opposition to the Baker amendment.

Mr. Chairman, Mr. BAKER and I worked together as members of the same freshman class in the California State assembly a dozen years ago.

And even though we are from different political parties, I have always believed that he demonstrated an objective approach to legislation.

So, I am surprised that he would offer this amendment because, intended or not, this is a mean spirited proposal aimed at those most helpless in our society.

Mr. Chairman, I would like to remind my colleagues of the old joke that goes something like this "I'd like to help you out—which way did you come in?"

Well, this proposal reflects the worst interpretation of that line—and it reflects badly on the representative of the 10th District of California and would reflect badly on this House if it were to pass.

Let me point out that earthquakes, hurricanes, and flooding rivers don't ask for green cards when destroying everything in their wake.

And babies who are malnourished or suffering from the ravages of poverty or crime don't know where they come from.

Boy Scouts don't ask for proof of citizenship when they help little old ladies across the street.

Hungry bellies and distraught victims of crime are not cured by platitudes.

There are members who would support an amendment like this and, at the same time, say that they stand for truth, justice, and the American way.

But this is not the American way that we learned in history classes in schools across this Nation.

And I am outraged that anyone would or could think that the price of helping those in need is to deny that help—based on an accident of birth—or the lack of a piece of paper.

For more than two centuries, America has shown an outstretched hand to the downtrodden, whatever the status of their birth.

For more than a century, the Statue of Liberty has said "give us your tired, your poor, your huddled masses yearning to breathe free."

I guess Mr. BAKER and others don't believe that.

Mr. Chairman, I looked closely at the amendment to find any justification for the amendment.

And I think I have discovered why the amendment is being offered—it might be, after all, a Republican jobs bill.

Throughout the debate on this measure, opponents have suggested that national service is a jobs bill.

That, in and of itself, is not bad, but it is not—nor can it be considered as such—except in some modest way.

At first I thought it was a lack of understanding on the part of some of my colleagues who oppose the bill.

But now I see what they mean.

They want the employees of the corporation on national service—and all of the States—and other grantees to be federally employed spies for the Immigration and Naturalization Service.

If the Member from California is concerned about the ability of ins to deal with illegal immigration, he should direct his efforts to funding of that Bureau and to ensuring that the Bureau is working effectively.

I would even join him in introducing a comprehensive immigration bill that would do more than make INS officers out of private citizens and employers.

Hiring 25,000 national service participants to be immigration enforcement officials is not what I believe any one really wants, but that certainly is what Mr. BAKER'S amendment purports to do.

With all my being, I ask you to look at this amendment for the base un-Americanism it represents and vote it down overwhelmingly.

Mr. SMITH of Texas. Mr. Chairman, the Baker amendment is a commonsense, straightforward attempt to address two of our Nation's most fundamental problems: illegal immigration and the budget deficit. For too long we have talked about both these subjects without acting on either of them. It does us no good when we discuss policies for these problems and then avoid the practices that would implement them.

Congress passes numerous laws regarding legal immigration but turns a blind eye to illegal immigration. What good does it do to calculate immigration targets, to fix ceilings, and to set requirements if we allow them to be circumvented by millions of illegal aliens?

No one amendment is going to solve these problems. But the Baker amendment is a step in the right direction. It simply states no organization that knowingly provides services to illegal aliens may participate in the National Service Program. In order that this requirement not constrain organizations providing emergency services—and so that these services still will be delivered to all who need them, as they always have been—this amendment merely requires that illegal aliens be reported to the INS. It is not complicated and it is not cruel; it is common sense.

Unless we begin to offset the factors pulling illegal immigrants to the United States, we cannot begin to offset the costs they are delivering to the taxpayers' door in ever-increasing bills. All levels of American government—Federal, State, and local—find themselves providing services to illegal immigrants.

The costs are enormous. Nationally, the net direct costs of illegal immigration for the 5 million illegal aliens in the United States in 1992 were estimated at $6.5 billion.

The indirect costs of illegal immigration are no less staggering. American taxpayers not only foot the bills, they foot the jobs too. In 1992, an estimated 900,000 Americans lost jobs to illegal immigrants. When these people left the tax rolls and entered the unemployment rolls, the cost was $6.9 billion.

So illegal aliens cost American taxpayers at least $13 billion in 1992 alone.

Americans lost their paychecks because illegal aliens found it so easy to come up with fraudulent work documents. If you don't believe how easy it is to do this, ask the General Accounting Office. In a 1990 GAO report, a review of unlawfully employed aliens found that 99 percent of their registration cards were counterfeit. Over 80 percent of the Social Security cards examined were counterfeit or fraudulent.

With this combination of enormous cost and extensive fraud, it is no wonder Americans are outraged by illegal immigration.

This amendment is not going to solve all the problems of illegal immigration. But neither is inaction. This amendment is admittedly a small step, but it is a step in the right direction.

We can no longer make grand pronouncements and then avoid the small steps necessary to implement them. This is one of those necessary steps we must make if we are serious about illegal immigration. I urge Congress to pass this amendment.

□ 1430

AMENDMENT OFFERED BY MR. CUNNINGHAM TO THE AMENDMENT OFFERED BY MR. BAKER OF CALIFORNIA

Mr. CUNNINGHAM. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. CUNNINGHAM to the amendment offered by Mr. BAKER of California: In the matter proposed to be inserted by the amendment on page 182 of the bill as section 102 of the National and Community Service Act of 1990, insert before the close quotation marks at the end of subsection (b) of such section the following: "Nothing in this section shall be construed to prohibit or limit an Indian tribe, nonprofit organization, or institution of higher education from receiving assistance, participants, or volunteers under a national service law even though the entity (unrelated to such assistance, participants, or volunteers) provides

religious instruction to, or permits religious worship by, aliens who are not in lawful immigration status in the United States.".

Mr. CUNNINGHAM. Mr. Chairman, I offer this perfecting amendment, both because of my district close to San Diego, more illegal aliens come across the border there than probably anywhere else in the United States.

Second, the President, even yesterday, has taken, in my opinion, monumental steps in the efforts to stem the tide of illegal immigration into this country.

The Hunter-Schenk and Cunningham amendment provided 600 new Border Patrols to help with that problem.

I was also concerned with my chairman, the gentleman from Michigan [Mr. FORD], with some of his concerns that he had to the original amendment. It is in that light that I offer this perfecting amendment and hope that it will satisfy the chairman's request.

I am offering a modification to clarify the original intent of the Baker amendment. My modification would make clear that the Baker amendment will not preclude organizations from offering religious instruction or worship to illegal aliens.

Churches, synagogues, and other places of worship should not be required to restrict access to religious services. The Baker language was never intended for that purpose. However, critics have seized on this opportunity to grab this hook. The modification will put that false notion to rest. Places of worship will be able to keep their doors open wide to whomever would come in, without jeopardizing their eligibility for national service participation.

The Baker language is clear and straightforward. We must take a stand against illegal immigration.

I have some thoughts that I would like to pass to my friend from California that just spoke. All of us support legal immigration into this country. The United States accepts more legal immigrants into this country than all the rest of the world combined. Where I absolutely put my foot down is the term illegal immigration into this country. They do not have my open hand.

But if they request to come in legally, I will support them. I think the gentleman from California would find most of us, I would say, as a matter of fact, all of us would agree to do the same thing.

I hope that my modification clarifies the original intent of the Baker amendment and shows that there is no intention of interfering with the religious functions of churches, other religious bodies, or other organizations.

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

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

Mr. MARTINEZ. Mr. Chairman, the problem we have in a place like southern California, especially where the gentleman is from, is that it is awfully difficult to determine for an individual who is providing services to an individual in need, to determine whether or not that person is legal or illegal.

As the chairman of one of the major committees, here in Congress, stated one time, if he got on a bus and he drove from point A to point B, because of his looks he would probably be stopped by the Immigration five times and taken off that bus, simply on looks alone.

That is the problem the gentleman has and that I decried in my statement, is that the gentleman is going to restrict people that are providing service for victims of floods, for victims of earthquakes, for victims of any number of things.

Then the gentleman has to understand that he does not stand there and ask for the green card. That has nothing to do with stopping illegal immigration.

I would author, with the gentleman or with the gentleman from California [Mr. BAKER], a comprehensive bill that would attack the illegal immigration problems that we have.

Mr. CUNNINGHAM. Mr. Chairman, reclaiming my time, I would agree with the gentleman from California.

I have friends and know folks that have had the same problems that he is talking about in those specific instances.

I would fight to stem those kinds of occurrences very well. I agree with the gentleman from California. That is not the intent of this perfecting amendment.

The perfecting amendment is to offer some of the concerns and also to interact with the problems that we have with illegal immigration.

Mr. FORD of Michigan. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

I appreciate the efforts of the gentleman from California [Mr. CUNNINGHAM] to respond to this general prohibition, which would have prohibited a church from allowing worship in the church unless they had a written policy that they were not going to let any illegal come to the altar. But the very fact that the Cunningham amendment is here, is illustrative of why the Baker amendment, characterized by his colleague from California as mean-spirited, is bad and unworkable.

Now, this amendment by the gentleman from California [Mr. CUNNINGHAM] would exempt the teaching of religion, religious tenets, and religious services. But what if the religious group was operating a hospice for people who are dying of AIDS or cancer and these are medical service people who come in to work in that hospice. Does it still mean, I say to the gentleman from California [Mr. BAKER], that before one of the national service kids could bring a patient in a bedpan, he would have to see his green card? That is how ridiculous his language is.

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

Mr. FORD of Michigan. I yield to the gentleman from California.

Mr. BAKER of California. Mr. Chairman, under the law, if you are to dispense additional Federal funds and it is an emergency, such as dying or hospital service or police service or fire, it is already covered under an exemption in the amendment which says all they have to do is make a reasonable attempt to verify citizenship and report to the INS. They do not have to do anything more than obey the Federal law.

Mr. FORD of Michigan. Does not the gentleman's amendment require that the church or charitable organization operating the hospice have a written policy of turning in any illegal they find?

Mr. BAKER of California. Mr. Chairman, if the gentleman will continue to yield, as required by Federal law, yes.

Mr. FORD of Michigan. As required by the gentleman's amendment, yes, but he is trying to turn all of the religious and nonreligious, nonprofit organizations that participate in this program into, as the gentleman from California said, "spies for the INS."

I agree with everybody that said they do not like the idea of illegal aliens. I voted for immigration reform in this Congress, and the immigration law now prohibits employers from blindly hiring anybody that comes along without asking their status.

At first, the amendment appeared to prevent the hiring of people who were illegals. Now I discover that it is providing any service to anyone who is illegal.

□ 1440

It goes even further than that. It says that the service provider must have a policy saying if, in fact, somebody tells us, or we ask them, and they say they are an undocumented person, we will turn them in to the INS.

I submit to the gentleman that the churches of this country are not going to do that. They are not going to be able to meet the requirements of the gentleman's amendment. Therefore, they are going to be locked out of the program. It is a troublesome amendment, at best. If it can help the gentleman, if it is good for you, I will add to your luster by saying you are the most anti-illegal immigrant person in the House, and I respect the gentleman for that.

However, this amendment is going to mess up the National Service Program. I cannot support it. I urge a no vote on it.

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

Mr. Chairman, I rise in strong opposition to this amendment for three reasons. First of all, this is the wrong bill on which to address immigration policy. President Clinton has just unveiled a policy yesterday to begin to address, I think, what many Democrats and Republicans would agree on, to come up with a more comprehensive, up-to-date, modern policy that reflects both our concerns for people coming across the borders in illegal ways, but also, with the threat of terrorism. That is something that, hopefully, we can work together on, and the President is working with the Attorney General to address many of these complicated questions. They are not going to be addressed with one amendment here on the floor today.

Second, I would like to remind my colleagues that when we look at prohibitions already written into our legislation, on page 55, under part 3, "National Service participants," one of the requirements, 6, "is a citizen or national of the United States or lawful, permanent resident alien of the United States." So we are making requirements there that everybody has to be a participant.

Last, I think we begin to get into very, very difficult issues here when we say what religious organizations can or cannot do, or participants, when it comes to this matter. I have the University of Notre Dame in my district, that runs one of the very finest and most comprehensive service volunteer programs in the world. They run a soup kitchen. They help run soup kitchens across the United States. They help run, in a partnership, a homeless center in South Bend, IN, maybe the model homeless center in the United States, because it does not just teach people how to deal with getting shelter, it works on education with them, it works on training for jobs, it works on religious instruction, and a host of things.

This amendment would say to the University of Notre Dame as a participant, and who wants to participate in a National Service Program, "If you ever serve soup to an illegal alien, or if you ever have an illegal alien in your homeless center, you will not qualify as a participant." I think we are getting into very, very dangerous territory here.

Finally, I would say that the U.S. Catholic Conference has written a letter that under the so-called Baker amendment, Catholic and other denomination organizations which provide soup kitchens, homeless shelters, legal assistance to the poor or indigent individuals and families, would be prohibited from full participation in the National Service Trust Fund Act if any of these services are provided to the undocumented, even if only money donated to the religious organization is used for these charitable purposes.

I think we are really opening up a bag of worms here, of unintended consequences, and prohibiting some very, very worthwhile participants in the National Service Act from participating and doing some very, very good things.

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

Mr. Chairman, I rise in support of the Baker amendment. I would like to address, Mr. Chairman, some of the information my friend, the gentleman from Indiana [Mr. ROEMER] just passed on to us.

In fact, I have nothing against the participants. As a matter of fact, the bill states very clearly that the participants of national service will not be illegal immigrants. I understand that. What this amendment does do is that the organization itself merely has to have a written policy that the organization does not operate with illegal aliens. My perfecting amendment offered clarification that it does not affect churches with the right to offer those services to illegals, and would not prevent them from doing that.

Second, if someone has the policy, and someone serves soup, as my colleague said, to an illegal alien, that is not going to exempt, under this amendment, that organization.

However, if they have a policy, one of the intents of this is to stop services to illegal immigrants under this plan. I also agree that the President's initiative is not enough. We need to go further with more policy on illegal immigration, but it is a start. This is another start.

I hope that my colleagues on both sides of the aisle will recognize this and allow us to have this amendment, that merely states that an organization would have a policy of not allowing illegal immigrants. They can still have the people that work there, the service workers that are not illegals, but the organization itself has to have a policy. That is not beyond reasonable request.

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

Mr. Chairman, I came over because I was very disturbed about the tenor of this debate. I really do feel that what this program represents, in its most positive sense, is an integration of these young people into the communities of our country, to try to knit various parts of communities together.

The primary objection which I have heard so far out on the floor, is that it is too bureaucratic. We are creating a new entity in this country which we just do not need.

If the charge against this bill is that it is too bureaucratic, then the concept which we are considering on the floor at this time becomes a self-fulfilling prophecy. If every young person in the country is out there as a deputized immigration officer, then the net effect of this program will be to nullify exactly what it is that we have intended this program to represent in terms of community service.

Who will identify the illegal aliens in the community? Would those volunteers cleaning up a local park be permitted to do so if the park was frequented by illegal aliens? Would volunteers working to immunize children be prevented from treating suspected illegal aliens? The requirement to report illegal aliens to the INS would be time-consuming, bureaucratic, and turn the National Service Program into an enforcement agency, not a volunteer agency.

There is no question that we have serious immigration problems in this country. However, the National Service Program should not take the place of the Immigration and Naturalization Service. If we want to beef up that part of the Federal Government, let us do so directly. Let us not take a program which was intended to serve a completely different purpose and turn all of these young people into vigilantes out on the immigration beat.

My hope here is that there will be a repudiation of this concept, that the amendment as a substitute will be rejected, and that we continue to focus on what is the main objective of this program, which is to integrate fully into the totality of the communities of this country, regardless of who populates them, these young people.

□ 1450

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

Mr. Chairman, I rise with a question for the gentleman who is the author of the amendment, because I think to some extent we are getting fairly far afield from the amendment itself.

If we do not amend the bill, if we stick with the bill as presently written on this subject, am I correct in that an organization that is almost exclusively serving illegal immigrants, that their whole service concept is to serve illegal immigrants, would be eligible for national service volunteers?

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

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

Mr. BAKER of California. Mr. Chairman, the gentleman is correct.

Mr. WALKER. The gentleman says that is correct.

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

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

Mr. BECERRA. Mr. Chairman, I believe a misstatement has just been made. There is specific language on page 55 of the act which says that no participant can benefit from this national service, become a participant if he or she is not a U.S. citizen.

Mr. WALKER. That is not the question. The gentleman misunderstands the question.

We have a letter that came out that opposed this amendment that appears to say that that amendment goes at the very heart of the organizations that you are trying to provide support to. Now the real question is if there is an organization made up of all U.S. citizens, made up of people who are all U.S. citizens, but what they are doing is providing aid and help to illegal immigrants, could that organization get national service help. And the answer to that question I think, based upon everything I have read in the bill, is yes, that these volunteers would then be serving a whole population of illegal immigrants.

Now is that what we want to be doing with this bill? Is part of the answer that we want to be having our national service volunteers working almost exclusively to help illegal immigrants? Well, unless you correct the legislation with language like that which the gentleman from California [Mr. BAKER] has offered, you are setting up precisely that scenario. And from the looks of at least one of the letters that was sent out by the opponents of this amendment, that is what you intend to do.

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

Mr. WALKER. Sure, I am happy to yield to the gentleman from California.

Mr. BERMAN. Mr. Chairman, can the gentleman answer me this: The program wants to place a national service volunteer with a local police department. That police department services the community. A victim seeks the help of the police department because they have been robbed, they are a victim of violent crime, a victim of rape. That police department, under current practices, is interested in pursuing the criminal and protecting the victim.

Is the fact that that police department does not seek to ascertain the legal status of that victim of crime, and does not report and verify and check the status——

Mr. WALKER. My understanding is the gentleman is making more of a statement than he is asking me a question.

Mr. BERMAN. Will the gentleman allow me to finish the question?

Mr. WALKER. I am happy to answer the question, if the gentleman will ask the question.

Mr. BAKER of California. Mr. Chairman, will the gentleman yield for an answer?

Mr. WALKER. I am happy to yield to the gentleman from California if the gentleman will finish his question.

Mr. BERMAN. The question is this language, this nuanced language that seeks to cover any potential recipient of a national service grant and set up either a requirement of refusal to serve based on immigrant status or illegal status, or requirement of reporting to INS, does that apply in the situation of a police department that is reacting to a victim's call, or to a local parks program?

Mr. WALKER. If the gentleman will allow me to reclaim my time, I will yield to the gentleman from California to answer the question.

Mr. BAKER of California. Mr. Chairman, I would say to the gentleman, yes. Page 2, line 10, the exemptions, any emergency service is exempted, shall not be prohibited from the delivery of emergency services to aliens who are not of lawful immigration status.

Mr. WALKER. So the gentleman has the answer. Emergency services such as police are not covered. And I am surprised by the question, because the gentleman who spoke just prior to this, the gentleman from Massachusetts [Mr. MARKEY], suggested that we do not want to turn the national service people into policemen. I do not understand that. What is it we are trying to do? Mr. MARKEY suggests we do not want them out there enforcing the law, and the gentleman is using the police as an example. The gentleman is trying to confuse the point that I am attempting to make here.

Mr. BERMAN. One more question, Mr. Chairman, if the gentleman will yield.

Mr. WALKER. Mr. Chairman, I yielded to the gentleman and he used about 2 minutes of my time. I want to make my point here. That is that unless we adopt language similar to that which the gentleman from California [Mr. BAKER], has suggested, we are going to have a whole host of service organizations out there who work exclusively with illegal immigrants, who are going to be eligible to get national service volunteer grants.

The whole question before us in the Baker amendment is do Members want organizations which are exclusively working with illegal immigrants to be receiving Federal money and Federal volunteers as a part of this program? I do not thinks so.

I think that we are attempting, if we are going do something with national service, to have them working, have those organizations working with U.S. citizens, to be working with good, American citizens who are the middle class, and all kinds of people, and we do not want these volunteers to be working with the illegal immigrants. And so we have to adopt the Baker amendment in order to get us there. Otherwise, the bill which is before us is a bill to help organizations which are exclusively working with illegal immigrants.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(On request of Mr. MARTINEZ and by unanimous consent Mr. WALKER was allowed to proceed for 1 additional minute.)

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

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

Mr. MARTINEZ. Mr. Chairman, just to disagree a little bit, a moment ago the gentleman from California, [Mr. BERMAN, asked the question, and the question was not totally answered. And obviously he made an accusation to the chairman earlier today that he did not read the amendment. Well obviously he did not read the amendment, because the amendment says yes, they can provide the emergency services. But whoever does, whether the police department or anybody else, they must have a written policy reporting the presence of such aliens to the Immigration and Naturalization Service, which make that person an INS officer.

Mr. WALKER. I thank the gentleman. In other words, a law enforcement agency has a requirement that they would have to enforce the law. That is a terrible thing. I mean the law is that these people are not supposed to be here, and the gentleman is suggesting that he does not want to put in place that a law enforcement agency should be forced to enforce the law.

Mr. GENE GREEN of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the committee, and this amendment did not come up in the committee, but having seen lots of actions in Congress and the State legislature over the years, we see not only on this amendment but a number of other amendments you build up a straw man or a bogeyman and say this is going to be a big problem out here. And all of a sudden we are going to take it and solve it. This will not solve the problem of illegal immigration by attacking national service or attacking something in the National Service Act. What we are seeing is a straw man built up by the Baker amendment and the Cunningham amendment to try and say OK, everybody is frustrated with the illegal immigration problem, and we are going to take care of that. This will not do it.

The gentleman from Indiana [Mr. ROEMER] talked about on page 55 that you have to be a citizen or a resident alien, and on page 76 of this bill you have to be a citizen or a resident alien to be able to take advantage of national service. How many times do we need to mention it? This does not apply to illegal aliens. This is not a border patrol issue.

We appropriated or voted for, last week and the week before the Committee of the Whole, $60 million more to police our borders. We cannot police our borders through national service. We are going to hurt the national service issue that is for your and my constituents to make sure that they can

have a job, that they can pay off those loans, that they will also have some type of ability to be able to show that they can work and provide something to our communities.

It is amazing to me that we are seeing these amendments, this one particularly, but a number of other amendments that have come up that are building up these bogeymen from Members who are not going to vote for the bill anyway. They are against national service. And now they are trying to say yes, well, I am against it because it does not solve the illegal alien problem.

Well, it does. The bill itself does that.

In summary, I would hope that the Members would vote "no" not only on the Baker amendment but also on the Cunningham amendment, because we need to address the problems of immigration, but we do not need to address it through national service. We did that last week by $60 million more that we funded.

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

Mr. GENE GREEN of Texas. I yield to the gentleman from California.

Mr. MARTINEZ. Mr. Chairman, on that point, regardless, the gentleman in the well previously suggested that somehow we are going to tell people in law enforcement that they should not report illegalities. That is not the point of it all. The point is that we passed a bill that was supposed to stem illegal employment because we made INS officers out of employers who are required to report these illegal aliens, and not to hire them, and that was supposed to stem illegal immigration. Well, we passed it, and all it did was to create discrimination, and it did nothing about stemming illegal immigration.

So I suggest again if we want to do something about illegal immigration, let us do that with another bill that deals with that issue, and that issue alone, not on this national service bill.

□ 1500

Mr. GENE GREEN of Texas. It was mentioned here earlier that the President just yesterday came out with an aggressive program on illegal immigration. Here we are the next day trying to attack the cornerstone of the President's program on national service, again one of the most popular pieces of legislation we will see in this Congress, by talking about illegal immigration.

Again, they are building up a false enemy that we do not need to have on national service.

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

Mr. GENE GREEN of Texas. I yield to the gentleman from California.

Mr. BECERRA. I thank the gentleman for yielding.

Mr. Chairman, if I may add, I appreciate what my colleague from California [Mr. CUNNINGHAM] was trying to do with regard to his perfecting amendment. But I would ask the gentleman from California if he would look closely; what he does is he tries to make sure that any religious organization or place of worship is allowed to provide worship services to the undocumented, but as the National Conference of Catholic Churches indicates, they do more than just provide services in places of worship. They also provide soup kitchens, they provide legal services, they provide aid to the indigent. The amendment of the gentleman from California would do nothing to alleviate the problem.

With regard to the issue of law enforcement, let us take a look at how anomalous this particular amendment by Mr. BAKER is. The Immigration and Naturalization Service, which is empowered to enforce our immigration laws, would not be allowed to employ national service participants to help them in activities under the INS, because they provide services as border patrol, INS officers, which benefit or go to undocumented immigrants.

So, the INS border patrol under the Baker amendment would be prohibited from receiving national service participants. That is unfortunate. That is the same reason why a police department would not be allowed to hire police explorers because you would end up having a police department providing a safety service which obviously would benefit an undocumented if he or she happens to reside in that city area. For that reason, both law enforcement departments would not be able to partake in national service, and that is unfortunate.

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

I yield to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. I thank the gentleman for yielding.

I would like to respond to my colleagues as far as my perfecting amendment. First of all, churches do provide religious service to illegals; I have no problem with that. But if they want to provide sanctuary with taxpayer dollars, that is where I draw the line. Illegal is illegal, and the only thing they deserve is a ticket back.

Mr. DELAY. I think the gentleman points it out very well. There are a lot of red-herrings being thrown about all over this floor, and it is starting to smell up the place, I guarantee you.

Coming up with the INS not being able to receive Federal funds to enforce this law? Give me a break.

The straw man, the bogeyman that my good friend and neighbor from Texas alludes to is very real. Let me quote from one of his constituents, maybe, Dr. Donald Huddle, professor emeritus, department of economics, Rice University, Houston, TX, who happens to be in a room right down the hall here if some of you would like to talk to him about his recent study. It just recently came out.

You talk about bogeymen. Let me just say that out of the 19.3 million immigrants settling here since 1970, legally and/or illegally, generated a total net public assistance cost in 1992 of $42.5 billion in excess of the $20 billion that they paid in taxes.

Now, if you break that down, according to Dr. Huddle, legal immigrants cost about—including legal immigrants, refugees, and asylumees—produced over $25 billion in public assistance and displacement costs in just 1992 above and beyond their tax payments of $15.7 billion.

Illegal aliens, of which there are 4.8 million illegal aliens, settled here as of 1992, they carried out public assistance and displacement costs of almost $12 billion net of taxes that they paid. And the amnesty aliens that the gentleman from California was talking about, as a result of this wonderful immigration bill that everybody wants to wait for, sort of like the one we passed a few years back which did nothing but gave amnesty to illegal aliens; 2.5 million formerly illegal aliens amnestied since 1986, utilized services and assistance costing $5 billion net of taxes, above the $2 billion that they paid.

This has become an incredible burden.

Now, Dr. Huddle also points out that if we do not do anything, if we do not amend this bill and many other bills that provide taxpayer services, we could have a net cost to the public of $668.5 billion in 1993 dollars, or an average of $67 billion a year, if we do not do something about it by the year 2002.

What we are saying is you can provide all these services, you can do things for legal immigrants or citizens of this country, but we have to stop services and tax dollars going to illegal aliens.

The problem of illegal immigration has grown to such unbelievable proportions.

How long can we keep this up?

More importantly, how long can we continue to ask American citizens to give their hard-earned dollars to support people who blatantly disregard and break our laws?

Obviously, this is a huge problem, so huge that no one action is going to solve it.

President Clinton's announcement yesterday is what we are calling the 2-percent solution. It only addresses one-half of the asylees who are coming here. And he takes credit for the amendment passed by the gentleman from California [Mr. HUNTER] and the gentleman from California [Mr. CUNNINGHAM] for increasing the numbers of the Border Patrol.

So, to answer those of you who say, "Let us wait for a bill," are you telling President Clinton to wait for a bill, a

comprehensive immigration bill? Whenever we have these kinds of bills coming to the floor, we have the opportunity, whether we support the bill or not, to amend it, to address this problem that the American people, particularly those from Texas, New Mexico, Arizona, California, and Florida, who are receiving this problem, this is our chance to address it. We are taking our chance. We think we ought to stop giving taxpayers' money to illegal aliens.

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

Mr. Chairman, I have a solution now for the reconciliation impasse: Let us adjourn the conferees and let us just go out and get rid of every undocumented worker in this country.

I think, after the rhetoric that I have been hearing, that legal immigrants and illegal immigrants are the source of all problems and all fiscal irresponsibility and all moral decay in this country, let us proceed and just take that dramatic solution.

Mr. Chairman, what are we going to have here? Are we going to have every bill amended in this fashion simply to reflect the point of view that right now in this country it may be politically very popular?

Mr. Chairman, this amendment is redundant, it is not necessary. Current law already prohibits undocumented workers and persons from participating in any National Service Program. The bill, in addition, contains explicit language which states that national service volunteers must be U.S. citizens, U.S. nationals, or legal aliens.

What are we going to do next? Are we going to have legislation prohibiting illegal aliens from playing major league baseball or major league basketball, is that going to be next? Are we going to have every bill come out here and say that we are condemning a group of people, some of whom are here legally, some are here illegally—the President of the United States 2 days ago, with an initiative, more money for border enforcement, $182 million. We have had some amendment that many of us here have supported to proceed in that fashion. And now we have another amendment, another amendment that is going to continue to drive home the point that these are the people who are causing the problems in this country.

Did everybody recognize that these people that you are talking about are we? The native Americans in this country are probably the only pure breed that has come here without any kind of descendants. We are a melting pot.

Mr. Chairman, what this amendment is going to do is go again into the throes of the immigration debate. What is going to happen is that any community that is Hispanic, is American or black, that looks foreign is going to be carded. You are going to ask a little kid for a green card to see if the national service volunteer is going to go ahead and play with the child, to proceed to see if we are acting illegally.

□ 1510

Mr. Speaker, we are reaching a point where these amendments are not necessarily dealing with the problem. I am not going to impugn the author of this amendment, but it is reaching a point where we are getting divisive about the people in this country.

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

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

Mr. MILLER of California. Mr. Chairman, I think the gentleman makes a point. Just the other day we voted for some $3 billion in flood assistance to the Middle West. We know we are going to ask maybe to vote on another $8 or $10 billion for flood assistance.

Nobody put a prohibition on that in case any illegal alien would receive any benefit. Farmworkers who might be working in that area, who may receive a benefit because the person they are employed by would receive that disaster aid.

Nobody suggested that when Hurricane Hugo came through and farmworkers who lost their jobs and their employers got disaster aid, we did not say they would have to certify they did not deliver any services.

We did not do it to people who were knocked out, landlords who got to repair their buildings where illegal aliens were living in Los Angeles or in San Francisco or other communities, or the gulf coast when people who process fish from the gulf coast were disrupted in their services by the hurricane.

Now, the disaster aid flowed to those employers, to those property owners, to those farmers, to those businessmen. Nobody suggested that they would have to certify to us first or that they would be prohibited from taking any aid unless they could certify to us that they provided no service, employment or otherwise, emergency or nonemergency.

But now on the back of a small embryo program called Youth Service the gentlemen on the other side of the aisle want to suggest that this is going to lead to an end to the problem that this country has with securing its borders.

It is outrageous. It is deceptive. It is a fraud on the American people to suggest that is the case.

I think clearly what we have got to do is to establish this within the context of what we want our immigration policy to be.

But the gentleman is quite correct. If this amendment is going to come up on selective programs where the people on the other side of the aisle do not like the program, if that is the test, then this amendment ought to come up on every program and we will find out.

I will look for the gentlemen's amendment on the next flood disaster bill that comes to the floor.

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

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

Mr. CUNNINGHAM. Mr. Chairman, I thank my good friend, the gentleman from New Mexico [Mr. RICHARDSON] for yielding to me.

I think my friend would agree that it is not one solution that is going to solve the problem of immigration.

I would ask my colleagues, along with the gentleman from California [Mr. MILLER], on the different bills we do have come up that we would attempt to solve the problem There is a problem in this country and I think it is recognized. We can do this fairly. We can do it legally, and I would ask that I can work with my colleagues on each of these bills. There is a wide diversity of things we can do to solve the problem, and I would ask my colleagues to support that.

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

PARLIAMENTARY INQUIRY

Mr. BURTON of Indiana. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. BURTON of Indiana. Mr. Chairman, there is a common courtesy during debate under the 5-minute rule to go back and forth. I have nothing against the majority leader. We just had somebody from the majority side.

Mr. GEPHARDT. Mr. Chairman, I would be happy to yield back and allow the gentleman to proceed.

The CHAIRMAN. Recognition is at the discretion of the Chair. The Chair recognized the gentleman from Missouri as the majority leader.

Mr. GEPHARDT. Mr. Chairman, I would be happy to make my statement and then yield to the gentleman.

Mr. Chairman, I rise in opposition to this amendment for a simple reason. I think it is the wrong way to go about something that all of us feel strongly about.

There is no one here, there is no one in the country who believes that our immigration laws should not be enforced.

The President had a speech, a presentation yesterday in which he talked about ways that the improved enforcement of our immigration laws could take place. He talked about putting more money into the Border Patrol. He talked about putting more money into law enforcement. Everybody agrees that we can do a better job in that regard. Everybody understands that the work that has gone on in the airports has probably not been adequate to the task.

We passed an immigration bill some years ago which I think has brought

about some improvement. One of its main tenents was that we would ask the Nation's employers to be involved in trying to see that undocumented workers are not hired. While it has not been perfect, nothing will be, it has caused some improvement; but this amendment, I think, goes way too far and will not be effective. In fact, it would be counterproductive.

Let me read again from the United States Catholic Conference:

> The Baker amendment would inhibit delivery of charitable services to all minorities, particularly those who look or sound foreign, who may have foreign-sounding surnames, regardless of their immigration status.

They go on to say:

> As Attorney General Janet Reno has pointed out,the Baker amendment would place an inappropriate burden on organizational participants, many of whom are ill-equipped to undertake the factfinding required to support the proposed enforcement function.

I do not think any of us want to put a burden, a requirement on organizations and people to enforce the immigration law that they cannot undertake. It would be unfair. It would be wrong. It would be counterproductive.

Let us stick with things that make sense. Let us stick with amendments and proposals and ideas that will really affect change in a positive direction, and let us not load on organizations that are ill-equipped and ill-prepared to do something, something they cannot do and cripple and ruin and injure a program that has been said is embryonic, which we are trying to bring into being, which could have positive impacts on our society.

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

Let me just say that the minority leader and everybody else has made the case that we should not do anything to impede the progress of this bill.

My view and I believe the view of the minority in this House is that every single piece of legislation that comes through here that will impact upon the illegal alien problem in this country should be tightened down. This bill is no exception.

Let me give my colleagues some figures, and these are facts. In the Los Angeles riots, 1,064 participants were illegal aliens who were arrested. Many were sent back; 1,064 illegal aliens caused billions of dollars. They were not the only ones, but they caused billions of dollars in damage in Los Angeles.

Twenty-two percent of the 800,000 prison population in this country, 176,000 inmates, are illegal aliens and it is costing an average of $30,000 a year to keep them incarcerated. That is $5.2 billion a year that we are paying to incarcerate illegal aliens.

In Los Angeles County alone last year, there were 37,000 illegal alien babies born and it is costing $25 million a month in AFDC payments to deal with those children, and that does not include the health care costs to deliver those babies.

And what is the Medical system in California doing? In Spanish they are passing out to illegal aliens brochures telling them that they will give them the hospital care services that they need to deliver their children, and they will not report them to the immigration authorities, so that they will not have to worry about being deported. They are encouraging people to come across the border to have their babies and it is costing $25 million a month for just the babies born in that one county last year alone.

Now, according to a report that just came out, I want to quote from this and I think every American will be interested in this: Costs of all immigrants in the next decade from 1993 to 2002, the total stock of post-1970 immigrants to the United States will grow to 29.4 million, barring changes in existing law and enforcement policy. In that period, immigrants will create total public assistance and displacement costs of $951.7 billion, almost a trillion dollars, and pay taxes of only $283.2 billion; so the net cost to the public will be $668.5 billion in 1993 dollars.

□ 1520

Mr. Chairman, we cannot afford that. The national debt is rising like a rocket, and, unless we tighten down legislation to stop illegal aliens from coming into this country and, yes, encouraging them to come into this country, we are going to bankrupt America. This is one of the leading problems we have, and, if my colleagues were to ask taxpayers across this country, I bet 80 percent of them would say, "Tighten down your laws to stop illegal immigration."

Mr. Chairman, we do not want that. We want people who come here through the legal immigration programs to come to America. We have programs that deal with that, but illegal immigration must be stopped, and we can do it, and one of the ways we have to do it is to tighten down every single bill; yes, this bill as well, to make sure that we minimize illegal aliens from coming into this country.

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

Mr. Chairman, Members, lest we forget, this is a debate on national service and not on immigration. The reason we are seeing so much activity around this bill is because, as I believe the gentleman from New Mexico [Mr. RICHARDSON] said earlier, this is a hot button issue, and I do not believe that many of the Members here are debating so much for purposes of their colleagues hearing this, but we look at the cameras, and we see the public, and we know that this is a hot button issue, and it is unfortunate because I think people take advantage of it.

But let us regress, and let us go back to what we are trying to do here. This is national service legislation. This is an amendment offered by the gentleman from California [Mr. BAKER] dealing with national service.

What is the problem with the amendment? The amendment makes national service unworkable for virtually every organization that resides, or provides services, in areas where there may be some immigrants, documented or undocumented. This makes it impossible, as was stated by the National Catholic Charities, to provide services through a church. What happens is, there are worship services which, of course, may be taken care of by the amendment offered by the gentleman from California [Mr. CUNNINGHAM], but a soup kitchen, legal services, charitable donations of food and clothing, that would be prohibited because a church could not certify through a policy that it did not, in some way, provide service to the undocumented, and, therefore, because through some of the various activities it conducts, it may provide a service, unbeknownst to it, to an undocumented person. It cannot, therefore, qualify for national service, and it is not just the church. It is not just the Catholic Church.

Mr. Chairman, the White House has said it opposes this amendment. The Attorney General, for those who are concerned about enforcement of our laws, especially our immigration laws, the Attorney General has written a letter saying she is opposed to this amendment because it is unworkable. But it is not just the church organizations. It goes beyond that.

Mr. Chairman, it goes to other organizations, specifically those that will be benefiting from national service. The National Association of Service and Conservation Corps, probably the organization which will have the most participants, program participants through national service, is opposed to this amendment, and, more than that, let me read to my colleagues a letter from the United Way, a particular paragraph, because the United Way is also opposing this amendment. It reads as follows:

> The United Way system funds over 40,000 local charitable organizations across the 50 states. Organizations which we fund such as the American Red Cross and the Salvation Army are, as you read this letter, spread across the Midwest providing emergency assistance to tens of thousands of people. There is neither the time or facilities to document these people seeking such basics as water, food and clothing. While we are certain Mr. Baker is well-intentioned, this provision would be exceedingly burdensome and would ultimately cause United Ways and many other charitable organizations simply not to participate in a very worthwhile program.

Members, let us not lose sight of what we are trying to do today in national service, what the President tried

to do during the campaign, and now, as the President of the United States, what he is trying to do. We are trying to have a National Service Program that will work so people can go out there and volunteer. With the amendment offered by the gentleman from California [Mr. BAKER], we put in an impossible impediment, an obstacle which no program will be able to overcome, to be able to participate. There is no way in the world that the Boy Scouts, the Little League, the Catholic Church, the Attorney General, the police departments throughout our cities, will be able to say—and have a written policy that says—that they are not providing a service in some fashion to an undocumented resident, and that is the problem.

We are here to debate national service. There are some very valid points that have been made on immigration, but we will not resolve the problem of immigration through national service legislation, and specifically not through an amendment to national service.

I urge the Members, when they come into this room to cast their vote, not just to pick up a piece of paper, not just to look at the board, but look into their hearts and understand that they are here to do a service, and that is to vote based on principle, based on what they think is right on the merits of the legislation. Take a look at this amendment, my colleagues, and see that it is not an issue of immigration. It is an issue of whether or not national service, which is the focus of this debate, will work, and it will not work with this amendment.

So, Mr. Chairman, I urge my colleagues to vote no on this amendment.

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

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

Mr. ROHRABACHER. Mr. Chairman, the gentleman mentioned health care, and he mentioned health service. Does he believe that health services, and does he believe that legal services, should be provided to illegal aliens, and, if he does, I ask the gentleman, "How can anyone control the border for providing such incentives for people who come across the border illegally?"

Mr. BECERRA. In answer to my colleague, Mr. Chairman, legal services through legal aid agencies is prohibited to go through the undocumented right now. We do not have to have laws; we do not have to have this amendment.

Mr. ROHRABACHER. Mr. Chairman, that is not what I asked.

Mr. BECERRA. Moreover, medical services are provided only on an emergency basis. When someone is on the street bleeding to death, we provide services, not because they are entitled to it——

Mr. ROHRABACHER. That is not happening in California. It may be happening——

Mr. BECERRA. It means that we are a civilized society that says that whether or not someone has documentation, they will not be denied service.

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

Mr. BURTON of Indiana. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for an additional minute.

Mr. FORD of Michigan. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. FORD of Michigan. Mr. Chairman, I rise to put the House on notice that we have wasted all this time talking about something that has absolutely nothing to do with——

The CHAIRMAN. Objection has been heard.

For what purpose does the gentleman from Georgia [Mr. GINGRICH] rise?

Mr. GINGRICH. Mr. Chairman, I move to strike the requisite number of words, and I disagree deeply with the distinguished chairman of the committee. In the first place, Mr. Chairman, on germaneness, certainly the Democratic majority, having carried a new definition of teenager to 30 years of age on the flood relief bill, is hardly about to jump up and yell about germaneness. I say to my colleagues, "Now, if you can carry the Waters amendment on Midwest flood problems, certainly you can allow us to talk about this."

But second, Mr. Chairman, this is directly germane. If my colleagues will actually read the amendment, the amendment is very mild. The amendment simply says that every agency which is involved in taking under this bill would have, quote, a written policy that prohibits the delivery of services to aliens who are not in lawful immigration status in the United States, and that is all that it requires, a written policy.

Let me just say, Mr. Chairman, first of all, that there is a crisis in illegal aliens in this country, and we have here, thanks to the gentleman from California [Mr. GALLEGLY], a Medi-Cal release that says, "You do not need to be a citizen to get medical aid." It goes on to say that even if one is in the country illegally, a special kind of Medi-Cal can be obtained. Under the new law, Medi-Cal cannot report them to immigration. No, it is not laying in the street. It is handing out a government-paid, taxpayer-paid brochure to encourage people to get Medi-Cal.

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

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

Mr. BECERRA. Mr. Chairman, I ask the gentleman, "May I see it?"

Mr. GINGRICH. Sure, the gentleman from California may talk to the gentleman from California [Mr. GALLEGLY] about it. We have it in English and in Spanish. The gentleman from California [Mr. ROHRABACHER] originally brought it up, and later on we will be glad to talk about it.

But the point is this:

All we are suggesting is that there is a genuine crisis in immigration, that all the people should be required to do is, in order to get the Federal money, have a written policy that they will not provide services to illegal aliens. We actually have an additional provision in here which says, if it is a Medi-Cal emergency, of course they can provide the policy. That is written into the amendment. We have an additional amendment that says, if it is a religious service, of course they can provide the service. That was the amendment offered by the gentleman from California [Mr. CUNNINGHAM].

All this requires, very narrowly, Mr. Chairman, is that every agency which accepts money under this new law shall have a written policy that they not provide services to illegal aliens.

Now that is not exactly an onerous, overwhelming burden, but notice what we are told by the Democratic leadership:

"This isn't the right place."

"This isn't the right time."

"Later."

"Another circumstance."

"Sometime."

"Eventually."

Mr. Chairman, that was not the case when we had to ram through a hundred dollars a week extra and redefine teenager to be 30 years of age because that was a program the Democratic leadership wanted, and that could be put on flood relief. But now we are told on a legitimate amendment applying directly to this bill, applying directly to agencies, only asking them to adopt a written policy, that they will not provide services to illegal aliens, that would be onerous, it is too early, too quick, too much.

□ 1530

I would simply say to my colleagues, if you are serious about the flood of illegal aliens coming into this country, if you think illegal immigration is a serious problem, vote yes on the Baker amendment. If you want to keep procrastinating, if you want government and other agencies to continue to provide services to illegal aliens, then go ahead and vote no. But do not go home and tell folks that you did not have a chance to take a first step on what I think is a very serious and very important issue.

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

Mr. Chairman, it amazes me how diplomatic some of us are trying to be today, and it is very difficult when we really are not fooled by what is behind this.

Let us get to it right away. If most immigrants in this country were light

skinned, blue eyed, and blonde haired, this would not be an issue. Now, you can groan as much as you want, but your groan is only an understanding of what my statement is all about.

First of all, there is nothing to fix here. Current law speaks to this problem. This bill speaks to this issue, But what is happening here is that people are getting mean. A few elections ago we had the welfare queen. Now, after that we had Willie Horton. Well, get ready. Dark skinned immigrants are going to be the issue of next year's congressional elections and the next Presidential election.

That is all it is. We can pussyfoot around it, we can say it is not, we can say it does not mean that. But that is all it is.

The gentleman from California, who was not aware of the fact as he spoke before that they did try, people from the other side of the aisle did try in the Committee on Appropriations to put on the Flood Relief Act, this bill. Which meant that if you were in water up to here and had dark skin, you had better find your papers before you get pulled out of the water. And if anybody services you through this program, then they cannot do it.

Now, you are going to immunize children, and you are going to have medical students in the program. So the medical students immunize children, and the child has to come up with a card first. Otherwise, no shot.

Now, police officers arrest an illegal alien. People like that. But you cannot read him his rights, because that is a service you are providing under our Constitution, and somebody could stretch it, too. Let us face it: There is nothing behind this issue other than the fact we are going to be very mean from now on. You are going to put this amendment on every bill that comes to the floor, and you are going to put it not because you are concerned about the future of the country. You are going to put it on because you are interested in a quick fix—the gentleman will have his time to speak and yell out all he wants. You can say that it is a great patriotic statement. Now, it sells well for 15 or 30 seconds on TV. Beat up on the immigrants.

Well, do you know something? I have a special problem. My first name is JOSÉ. But I was born an American citizen. I resent having to prove I am a citizen. And if you ask me for papers right now, I cannot prove I am a citizen, and neither can any of you. But most of you will never be asked whether you are a citizen or not. I will, because of my first name, and I resent it.

Nobody asked me when I went into the service to serve my country whether I was a citizen, and nobody asked my colleagues who died from Puerto Rico if they were citizens. Nobody asked them that. We still do not ask that.

But all of a sudden we are going to ask, on this program, and on flood relief, and on any aid we give.

Come on, let us get with it. Let us stand up for what we believe in and let us stop playing stupid games. This is one of the meanest amendments that you could put on any bill, and this is something that just permeates society, and we are the ones doing it.

You speak to the people on the street. This is not their biggest concern. But this is an easy target. So when the playground is built by the National Service Corps, and the child comes to play on the monkey bars, that child better bring more than a lunch box. He had better bring papers. And if he is Puerto Rican or is a citizen of dark skin, then he has got a bigger problem. He had better carry that, along with his name, pinned on his hanky for the day.

My friends, on behalf of the Spanish caucus, I beg you as its chairman to change your minds, to look at what it is. And, if not, then stand up and admit the truth: This is just being mean. There is nothing else to it. This does not strengthen our country. This just makes us look like really bad people.

We open the doors. But as soon as coming through that door you see some dark skinned people, you are going to close the door. Well, I was born inside the door, and I am never going to show you any papers, because I ain't got none, neither do you.

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

That is right, let us get down to it. Let us talk the truth. My colleague just asked us to speak the truth. Every time we come up with some hard-hitting reform, and I consider this a hard-hitting reform, we are charged with racism.

Come on, let us get with it. You can do something against criminals in this country. Illegal aliens have broken the law by definition. When they came here across the border, they broke the law.

I will have my colleague know that in California, where illegal aliens are flooding into our society, costing us billions of dollars, when our own people cannot afford to buy medicine and they look to their government for help, and we say we are broke, it is not mean spirited to say we have got to take care of our own, because we care about them.

It is not that we do not care about people from other countries. It is not that we do not love them and we do not have Christian charity in our hearts. But we cannot afford to spend billions and billions of dollars on people who are here illegally from another country when our own people are going wanting.

Who is mean spirited? Do not call me mean spirited. I have love in my heart toward people, and you do, too, toward your constituents. But if you have more love in your heart toward people who have come here illegally, to foreigners who would flood into this country and consume those services that were meant for your citizens, people in your districts who have spent their entire lives paying for these services, you are doing a disservice to your own countrymen. Whatever color they are, Hispanic, caucasian, black, or yellow, these are all Americans.

We are not talking about immigrants; we are talking about illegal immigrants, who have broken the law to come here. Providing tens of billions of dollars for these people is an insult to our own people, when we are raising their taxes and cutting their services.

Now, let us not play any games. Who is serious about this? We have people on the other side of the aisle talking all the time about how they are serious about the immigration problem, about how the illegal immigrants are coming here. Because the American people know there is a problem. They know their services are being eaten away and their children are getting less of an education because we are spending that money in people who came here illegally.

Let us see. Who wants to do something about it? Every time we try to do something about it, there is a reason not to.

Yes, the strategy is to try to cut illegal aliens off from subsidies. Every single bill, every single tax dollar that is being spent, should be guided and channeled so it does not go to someone who is here illegally, because that is being denied to our own citizens who have paid for that benefit, because we love them and we are concerned about them.

It is not that we do not have charity for others, but we have to love our own people more. Do not tell me that we on this side of the issue are mean spirited, because we are not. And we are not racists.

President Clinton, along with many other politicians, talked just a few days ago about getting control of this situation. I have talked to my people in California and told them any politician who says, I am really concerned about this; we are going to do something about the border; let's hire more border guards, but is unwilling to cut off this subsidy to illegal aliens, is not telling the truth.

Today, of course, we have the head of Health and Human Services, Shalala, talking about how we are going to provide health services for illegal aliens.

I ask you this, my fellow Americans: If we are providing education benefits, education for people's children in their own language, if we are providing health care, if we are providing subsidies, why is it not that every poor person in the world is not on his way and her way to the United States of America to get these benefits?

We are offering them a treasure. There is no way the INS can control the border. There is no way the INS can control the border if we are offering a treasure of an incentive for anyone to get across the border. We can line our troops on the border and it will not do one bit of good.

□ 1540

If we care about the people of our country and we care about our constituents and we care about those people who were asked to pay the biggest tax increase in American history, if we care about those people that we are providing service to who have spent their lifetime defending those services and trying to buy those services and pay taxes for those services, if we care about them, we will ensure that we pass this amendment and amendments like it on every bill that comes through this House so that illegal aliens, who are here and have broken the law, do not syphon away these scarce resources for themselves where they should be going to our own citizens.

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

Mr. SERRANO. Mr. Chairman, will the gentlewoman yield?

Mrs. UNSOELD. I yield to the gentleman from New York.

Mr. SERRANO. Mr. Chairman, I thank the gentlewoman for yielding to me.

I must have struck a chord somewhere, because the gentleman displayed Latin temper beyond the one I am capable of displaying.

I really think that, first of all, we have to be careful about the words we use, because I am very careful never to call anybody a racist. But if the word comes up in his presentation, there must be a reason for it that I did not put on the floor when I spoke.

The fact of life is that we continue to hide from the truth. And if Members get upset, so be it. You have to face the music, and you have to face it the way it comes.

This is a mean-spirited amendment, and it will continue to be a mean-spirited amendment, when this country is confronted with so many monumental problems, and the only solution that will continue to come up on every bill, mark my words, it will come up on every bill, is to strike out at children who look differently, who cannot get services, and the people who want to serve this country.

I tell my colleagues, and I will end with these words, they can call it whatever they want. But they are dividing this country more than it is divided. And they are creating a special problem for people who are citizens of this country who look different and people who want to serve and people who want to be a part of this program.

Now, Associated Press will not carry a story tonight telling Members that 150,000 people in Latin America and in Europe and in Asia have decided not to come to this country because they cannot serve in the national service program. That is not why people do what they do.

Granted, there is a border problem. Deal with the border problem.

When we put bills on the floor to pay for more people to guard our borders, you will never vote for them. Vote for that. Deal with that. Deal with that issue. Deal with how you deal with that problem. Do not deal with telling a little child he cannot be humanized.

To really believe, and I will end with this, that we cannot say what we feel, we feel it that way and we will keep saying it. You are making a big mistake. You are being mean, and you are going to divide us even more than we are divided. And this is not the time to do it.

Please, rethink your position. Come together, and we will serve our country much better then we are right now.

Mr. MARTINEZ. Mr. Chairman, will the gentlewoman yield?

Mrs. UNSOELD. I yield to the gentleman from California.

Mr. MARTINEZ. Mr. Chairman, the last statement the gentleman made, "This is the way we feel," it seems to me that throughout our history, no matter how enlightened we have attempted to become, we seem to continue to be buried and mired in our arcane ideas.

We have worked, and people have made speeches and people have died over the idea of equal rights and the idea that we should be a colorblind society.

We have come a long way, but we are a long way from that.

This kind of event is not the first time that it has happened, in an attempt to blame illegal aliens for all of our troubles, while really looking at legal immigrants who are maybe not citizens but legal residents in this country and try to deny them services and the ability to be a part of this fabric of our society.

I know the gentleman is aware that prior to the Great Depression, that this country, with the same kind of an attitude, denied all legal immigration into this country. And for a period of years, prior to the Great Depression, more people left this country than came into this country. There was a net loss of people in this country. Yet, it did nothing about changing the economic circumstances of this country that led to the economic depression.

So I say to my friend, problems are problems, and we must deal with them in an honest way, as the gentleman has suggested.

One of the ways to deal with illegal immigration in this country is to work with those other countries to provide the conditions in those countries and the association with those governments that help us control. Because, after all, there are people coming into this country, but they are leaving that other country.

Until we recognize that immigration can only be controlled in concert with the countries whose people are fleeing to this country, we will never do it. And this bill is certainly not the place to do it.

This bill is dealing with national service, not immigration. Like the gentleman said, that amendment brings this debate into another realm of another issue that should be taken care of in another place.

Does the gentleman not agree?

Mr. SERRANO. Mr. Chairman, if the gentlewoman will continue to yield, I certainly do. Not only that, but in closing, let me just say to the gentleman that it is interesting what this bill is trying to do, to get young people in this country to feel better about our country and about their service.

The first thing that they are talking about is about telling them that they cannot service all of the people. What a message we send to young people in this country. "Serve your country, but before you do, make sure that if they look different, you leave them out, because you really don't want to service them at all."

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

PARLIAMENTARY INQUIRY

Mr. BURTON of Indiana. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURTON of Indiana. Mr. Chairman, there is supposed to be a modicum of fairness. This is the second time in just a short period of time that the Chair recognized two Members on the Democrat side of the aisle. The minority deserves fairness. The Chair is not being fair.

If the Chair is not going to be fair, then we ought to just walk off this floor.

The CHAIRMAN. Members of the reporting committee deserve the right to be heard prior to other Members on the floor under the precedent. The gentlewoman is on the committee. The other Member that the Chair recognized was the majority leader.

The Chair would extend that same privilege to the minority leader.

Mr. FORD of Michigan. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, I compliment the chairman for his alertness. I was watching. The gentlewoman is the only member of the committee from either party that was on her feet seeking recognition, and the rules have been very clear that committee members take precedence over other Members.

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Mr. Chairman, I ask unanimous consent to end the debate on this amendment at 4 o'clock.

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

Mr. BURTON of Indiana. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. FORD of Michigan. Mr. Chairman, if the gentlewoman will continue to yield, I do not want to move it, because the real purpose of the objection is to delay consideration of the bill. I would like to encourage Members who are not in the business of delay of consideration of the bill to take that into account.

What we have now is the House version of the Senate filibuster on our hands.

Mrs. MINK. Mr. Chairman, I thank my chairman for his comments.

I rise not to expand upon this issue, because Members have really expressed their deepest feelings. I have never felt so moved about any subject than this one this afternoon.

I personally have been discriminated against so many times, I cannot begin to count them on my fingers. Not because I am less American than some of my colleagues who have white skin, but only because of my color.

I have traveled across the border with my husband, who happens to be white and blue-eyed. He is allowed to go through. I am detained.

Many, many times I have sought service in this city at fine restaurants, and I am put upon to sit next to the kitchen or to the bathroom, when accompanied by people from my district.

We who are of different color suffer enormously in this country. To put upon this particular bill, which was designed to acknowledge the great contributions of our nonprofits in our society, who have made this country great, to acknowledge the services that they extend to everybody, regardless of color or station or religion or class, and to say that our young people who are being given a chance to volunteer now in these services, that they cannot provide these services unless they make sure that the people who are there seeking it are citizens, is hypocrisy.

I have just lived through a devastating hurricane in my State. I dare say that not a single one of those nonprofit organizations, the Catholic Church, the Salvation Army, the Baptists, the Mennonites, and everybody else that came into the county would have thought that this Congress would impose upon them the obligation to ask these people, who stood in line for 4 or 5 hour for water that they had not had for over 30 days or for a hot meal that they had not had because they do not have any electricity, to dare to think that this Congress would impose upon these charitable organizations the responsibility of asking such an inane, unpatriotic question is just beyond comprehension.

I ask, in the name of this Congress and this institution, to understand what this bill is all about. It is to acknowledge the nonprofits and the charitable organizations of this country that have made us great, because they understood the importance of compassion and humanitarian service, regardless of who you were.

□ 1550

If you were present in this country, it is not the color of your skin or who you are or what rank you have that entitles them to their compassionate services. If we put this kind of burden upon this legislation, we are hypocrites.

I ask all of the Members to vote down both of these amendments and rise to the occasion of our democracy.

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

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. GALLEGLY. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I find it very unfortunate every time we try to tighten down a provision dealing with illegal immigration, somebody says there is a racial overtone to it. The fact of the matter is, if we do not tighten down illegal immigration, we are going to spend almost $1 trillion in the next 10 years on illegal immigration.

The American taxpayer is drowning under a sea of red ink right now. It is going to get worse and worse and worse. We have to tighten down every single piece of legislation dealing with anything that is going to be overly expensive. One of the things that is extremely expensive right now is dealing with the illegal immigration problem.

Let me just tell the Members about this Medi-Cal program we were talking about a while ago. This was passed out along the border between the United States and Mexico by the United States Government; in other words, the MediCal program out in California. Listen to this question: "If I apply," this is to Mexicans that are coming across the border, "if I apply, will it affect my amnesty? No.

"If I am here illegally, will it be reported to Immigration? No.

"If I am going to have a baby, will it be reported to Immigration? No."

You can go ahead and have the baby and stay here. We will not tell the Immigration authorities that you are here illegally.

This is costing $25 million a month in Los Angeles County for 37,000 illegal alien babies born last year alone, $25 million a month, and that does not include the health care costs. This is an invitation to people from Mexico and around the world to come into our country and get free health care.

These laws must be tightened down. This law is no exception. This is not a racist attitude. This is not a racist attitude. This is an American attitude. We are trying to protect health benefits for the people who were born here and paid their taxes.

Mr. GALLEGLY. People of any color.

Mr. BURTON of Indiana. If the gentleman will continue to yield, we cannot bring the whole world into this place. When my colleagues say we are being racist, that is a scam. That is a smokescreen to cover up the problems we are facing, that the runaway illegal immigration must be dealt with.

Every law that comes before this body, every bill, must be tightened down so we do not encourage people to come across the borders illegally.

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

Mr. GALLEGLY. Mr. Chairman, I yield to the gentleman from San Diego, CA.

Mr. CUNNINGHAM. Mr. Chairman, this amendment says nothing about color. It says nothing about being an Irish immigrant, which I am. It says nothing about being Hispanic. It says that the people that receive these services have a policy not to give services to illegal immigrants; nothing about race. It says illegal immigrants. I resent it about offering an amendment to help people, to help the taxpayers of this country, to be branded in racism when it has nothing to do with that. I very seldom lose my temper, and the gentleman from New York [Mr. SERRANO] knows that. This is an attempt to save taxpayer dollars and stem the tide again of illegal immigrants. Should it take place in a bill, a crime bill? Yes, 22 percent of the felons are illegal immigrants; not that they are black, they are white, they are Irish, or whatever, but they are illegal.

Health care. Look at our health care. Not that they are any races, but they are here illegally. Social services, $25 million a month in just Los Angeles' services. Who is getting hurt? The people that are poor, that are not receiving these services.

This is an amendment that deals with illegal immigration. It has nothing to do with racism.

The CHAIRMAN. The gentleman from California [Mr. GALLEGLY] has 1 minute remaining.

Mr. GALLEGLY. Mr. Chairman, I would just like to say and to reiterate what the gentleman from California [Mr. CUNNINGHAM] was referring to. This is not an issue of color, it is not an issue of race. The issue of illegal immigration is an issue that is affecting every American, and the ones that are affected in the most adverse way are those that live in the predominantly minority areas that are dependent upon public health care, public housing, and other public assistance programs, and those that are responsible, that are dependent on entry-level jobs.

Mr. Chairman, I appeal to my colleagues to look at the issue of illegal immigration for what it is. It is an issue of the law and not an issue of color or race.

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

Mr. Chairman, I would hope that we would reject this amendment. I do not think there is anybody that can suggest this country does not have a serious problem with its immigration laws, and the security of its borders. However, to suggest that somehow this legislation is about immigration is to completely mislead the people of this country.

Let us not suggest for a moment that we need not do something about our immigration laws, because I happen to believe that we do. I am probably a little more conservative on immigration than most of the Members on my side of the aisle.

The fact is that this is a national service bill which is designed to provide opportunities for American citizens to share their experience, knowledge, and wherewithal with other Americans to help build communities, to take care of our natural resources, and to take care of the people of this country.

The proponents of this amendment would have us believe that somehow this is a magnet, this is an attraction for people who would come to this country illegally. To do what? To play on a playground that was developed by the Youth Corps? To drink the water from a watershed that was protected by the Conservation Corps? To enroll in a class that is taught by Teach America, a tutor in one of these programs? That is the magnet?

It is incidental. It is going to cost more to figure out who is complying than all of the services that may be rendered to an illegal alien whose house may have been taken away in a flood, whose job may have disappeared in a flood or hurricane, or whose child happens to be part of a program that is part of a much larger program.

Are we going to police the playgrounds to make sure no illegal alien ever lets their children play on that playground, because national service volunteers may have worked to construct that playground? Are we going to police every soup line in every church in this country so that if any food or service is volunteered through this act, that no one shall ever show up? How are we going to enforce this, create a bureaucracy for this purpose?

If in fact, if in fact the Members want to deal with immigration, then let us deal with immigration through the laws and the jurisdictions of the committees and the programs of this country. I am sure we will have an asylum bill on the floor, and I am sure there will be amendments. That is the proper vehicle.

National service, this amendment on this bill is an attempt to do two things: to try to heighten the political sensitivity of this issue for political purposes, and also to try to do damage to the national service program that this President has asked us to pass. He asked us to pass this program to try to heal and build America.

What do we see from the proponents of this amendment? It is an effort to try to divide and split America on some kind of conjecture that this is about billions of taxpayer dollars that through this program are going to be used to service illegal aliens. Someone suggested that the whole program would be committed to illegal aliens.

□ 1600

Really? Not so at all. But just raising the political temperature of this amendment, so hopefully they can stampede you on the basis of immigration to vote against the traditions of America, to vote against the best interests of trying to attract young people to serve in America.

This is not an amendment that should be on this legislation. This is not an amendment that deals with this legislation. It is an effort to kind of come out of the right field here and see if you can knock this legislation off course.

The Republicans in the Senate have decided to filibuster it. We do not have a filibuster so the Republicans in the House have tried to see if they can amend it to death, because they do not want this administration to have the victory of having national youth service, which is overwhelmingly supported by Americans in this country, because they believe that we should have people who benefit from living in this country to give something back to those who are less fortunate, to those who are in need, and to services that go unmet to all of our citizens. That is what this legislation is about. This is not about immigration.

This is nothing more than a cheap political trick to try to stampede people, based upon an emotional issue that needs to be and must be, must be addressed by this Congress in short order. The immigration problem cannot continue, but this is not the vehicle.

Mr. GOODLING. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto end in 10 minutes.

Mr. MFUME. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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

Mr. Chairman, I would like first of all to point out to the gentleman who just spoke ahead of me that I do not need a reason to vote against this silly bill. To pay people $25,000 a year to volunteer for America is not my idea of volunteer service.

But I do believe, I do believe that anyone who reads and anyone who pays taxes must understand that illegal immigration is a matter with which we must deal at some point. Your President has said so. Our President spoke yesterday on this, and we will be dealing with it. We will deal with it on every bill that comes along, if that is the only vehicle we have. At present this one before us is the one we are dealing with. We will not deal with this issue as a matter of convenience to the bills that you would like us to deal with. We will see it again and again.

America simply cannot afford to provide health care, and welfare for all of the world's poor, and we are inviting them in.

I am one who said just a year ago that we should encourage immigration, we will need these workers to pay for the Social Security when I retire. But it is getting entirely out of hand, and the costs are getting entirely too much.

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

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

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

Mr. Chairman, since the gentleman who preceded talked about the way the floor is handled, I think we ought to reflect also that what we are seeing here is the technique that is often used by the majority. If you stand up and try to save the taxpayers' money, you are mean-spirited. if you try to do something on behalf of the taxpayers, you are racist. If you try to do something on behalf of the taxpayers, it is a cheap political trick. That is the language that we hear consistently, that anything which is done that tries to deal with keeping the law in place, making the law function, saving the taxpayers' money, making certain that the taxpayers in fact get their money's worth for the money that is spent becomes mean-spirited, it becomes racist and it becomes cheap political tricks.

This amendment is germane. Otherwise, the Chair would have ruled it out. The chairman of the committee has had absolutely no hesitancy to strike out amendments on points of order along the way. This amendment is germane. It is entirely appropriate for it to come to the floor.

The whole issue here is whether or not this House is going to adopt an entirely legitimate, germane amendment that has the effect of protecting some taxpayer interest. That is not mean-spirited. That is not a cheap political trick, and that is not racist. It is the right thing to do.

I think the gentleman for yielding.

Mr. LINDER. I think the gentleman from Pennsylvania.

I would like to add one thing, Mr. Chairman. When this whole notion of mean-spirited came into this debate is

saddened me. I had not intended to speak on this bill. I think Members who have problems in their districts have a right to do something about those problems and represent those constituencies no matter what those problems are. And I think questioning the motives of those who do is against the good comity of this House, and I wish it had not happened.

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

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

Mr. Chairman, let me, if I might, simply begin this part of the debate on this overall issue by simply saying that this amendment will not work. I tell my good friend, the gentleman from California [Mr. BAKER], that one of the provisions in his amendment I think is very clear, and he discusses that section where he said he wants to prohibit the delivery of services to aliens who are not in lawful immigration status in the United States.

Who is it that will make that decision? I do not guess we are going to find out. I guess it is going to be somebody that they want to appoint. They have not said who that will be.

But I find that fairly interesting. You know, today in hospitals, in schools in my congressional district on the border in Texas, we are unable to find the wherewithal to provide due process hearings to children, to adults, to mothers about to give birth, to determine the legal resident status of a person that is in the United States. Hospitals and teachers really do not have time. We charge hospitals with providing care, physicians, and nurses and other health care providers with providing care to victims, to people who are sick. We charge our school teachers with teaching.

Indeed, the Supreme Court of the United States has ordered that we, all of us across America, not just in my district, but in yours too, educate the children of undocumented workers in America.

It is suggested by this amendment that our schoolteachers must now, however, call time out in the classroom and provide a due process hearing to determine the legal resident status of someone who is in that classroom. I hope not.

A lot of us along the United States-Mexico border, for example, as I suppose many of my colleagues from Boston, or elsewhere in the country understand, and New York and Chicago understand that what the issue here is, is that we know we cannot stop immigration, period.

Someone once said you show me a country with secure borders, and I will show you a totalitarian state. That is not what we want, nor what we seek.

I think that the President's statements yesterday were right on the mark. We do need to address the issue of immigration in the United States. We must not make those who immigrate legally suffer from those who immigrate here illegally. Yet I would say to my colleagues that this bill is not the proper vehicle on which to attempt this maneuver. Whether this is a maneuver intended to kill the bill, or whether it is a maneuver we are going to attempt on every bill, I suggest that this is not the appropriate place to do it.

To suggest that you can cause someone to make that decision and provide due process to determine a person's legal resident status I suggest is a joke. My colleague, my other colleague from Texas, [Mr. DELAY], said, "Give me a break," and he started citing statistics, as did our colleague from Indiana [Mr. BURTON]. I am interested in those statistics of those who suggest they know how many legal and how many illegal immigrants there are within the United States, within our borders. President Reagan, when he was President of the United States and sought passage in 1986 of the Immigration and Reform Act, could not tell us that number, and yet all of a sudden we seem to know the numbers. I suggest they are imagined. I suggest they are reading some hype from some of the organizations in this country who think they have the answer to illegal immigration. And I suspect that is called machinegun nests at every 50 meters along the United States-Mexico border or other borders. Ridiculous. Pointless.

What we need to be doing in the United States with this legislation is exactly what our colleague from Hawaii just suggested and what our colleague from California [Mr. MILLER] just suggested, and that is bringing America together for the reasons for which this bill was introduced, to have all of our young citizens in this country believe that democracy is not free, and that they do have an obligation to the United States in providing some service, if it is not military, and we are saying even that is all right, but that they could provide service in hospitals, in schools and in other places. But to somehow try to set up a roadblock and cause those in the United States to believe that they have now to provide and must provide due process hearings to determine a person's legal resident status is a farce. We should not do it to children. We should not do it to health care providers. We should not do it to schoolteachers. We should not require it of anybody in the United States unless they are set up to do that.

Do you know who does that? Another coequal branch of the Government. It is called the judicial branch. And they have much to say about due process hearings in this field and in this arena to the point, by the way, that we in Congress have even created a special category of judges in the United States. They are called immigration judges, and they are charged with that responsibility.

The discussions and the debate on the bill being presented by the President of the United States as of yesterday will be very interesting. How much of a due process hearing must we give before someone is sent back to their home country? That will be the issue, and that will be the time to debate this, not on a national service bill.

□ 1610

Not on a national service bill.

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

The CHAIRMAN. The time of the gentleman from Texas [Mr. COLEMAN] has expired.

Mr. CUNNINGHAM. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. COLEMAN] be allowed to proceed for 1 additional minute.

Mr. FORD of Michigan. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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

Mr. Chairman, I yield to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. I thank the gentleman for yielding to me.

Mr. Chairman, in order to answer the gentleman's question as to how do we tell if a person is illegal, evidently the border patrol does, because we ship back over a million illegals of every nationality every year.

Second, my wife is a principal. They are not allowed to ask and, in some cases, we cannot tell. That is why we need an identification card of some type. I would not mind carrying it, I am going to have to find another job some day. That would also protect the employers.

INS, border patrol have that right to check that. And we do have those mechanisms. But they are not strong enough. And that is what we are attempting to do here.

Mr. ARMEY. I thank the gentleman for his comments.

Mr. Chairman, I rise in support of the gentleman from California, Mr. BAKER's amendment. I have had an opportunity to watch part of this debate. I have been busy back in my office, but every now and then, noting certain of our more colorful Members of the body in the well, naturally you stop your conversation, turn up your TV and listen in. I have been a little bit disconcerted about the allegations that have been hurled, the insinuation that those of us who disagree with the thrust of this legislation have motives that are not exactly in keeping with the spirit of our body. I regret very much that flavor, that innuendo being introduced into the debate.

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

Mr. ARMEY. I yield briefly to the gentleman.

Mr. PASTOR. I thank the gentleman for yielding.

Mr. Chairman, in this term colorful, is he talking about color of skin or about a technique of conversation?

Mr. ARMEY. Well, if the gentleman does not mind, I do not think I am going to respond to that asinine comment.

Mr. PASTOR. Well, Mr. Chairman, I think that is not the question——

Mr. ARMEY. I will reclaim my time. The gentleman is totally out of order both with respect to the protocols of the House and the aspersions that he seeks to cast on me, thereby confirming exactly the point I made before.

I happen to find this body is a body that has some very entertaining Members in it, very colorful, very entertaining. Having used that expression with absolutely no intention whatsoever to even give a hint of a suggestion that I was making reference to anybody's race, only a mean-spirited partisan could have even thought such a construct could have been made from my remarks, and I deeply regret the gentleman's lack of sense of the decorum of this body.

Now, to get back to my point: The American people are very, very much concerned about illegal immigration. As much as we respect, as much as we are proud of the role that legal immigrants have made in the development of this great Nation, we deplore the hardship on the Nation and on the illegal immigrants themselves of all of the enticements that we have in current law that encourage people to risk, yes, in fact, their very lives to illegally enter this country.

And as a matter of respect for the rights of the American people to keep the resources of this Nation to be used for those people themselves who are here legally and as a matter of concern for the safety and well-being of those who are now currently risking their lives crossing our borders under the most dangerous of circumstances, the gentleman from California has quite rightly brought forward an amendment that says as you create this new entitlement program, flying it as you will under a false flag, do not commit the error of putting forth in this program even additional taxpayer-funded services that will serve as enticements to people in hapless circumstances across the border, struggling to care for their families, to find this as an allure to bringing their family over here and putting themselves and their children at risk.

The compassion in this debate, the compassion in this debate that is combined in fact with some understanding of the world in which we live, is with the gentleman from California [Mr. BAKER].

Ladies and gentlemen, compassion that is combined with understanding is often cruel and works hardships on the lives of real people.

Let us dare, as we emote over these subjects, to think as well. Is that so much to ask, at our salary level, a little thought? It is not a fact outside the realm of the public's legitimate expectations.

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

Mr. Chairman, I too agree that a little thought is appropriate here. And I come from a community that probably has as much illegal immigration and as much tension as a result of that as anyone in this Chamber. And I want to talk about a group that has not been discussed here today, and that is the legal citizens in my district that this amendment would deny services to if it passes.

That is, the people who want to have churches take advantage of this program. Do you think churches are going to take advantage of this program if this passes? No. I will tell you why.

Churches in my district have priests, and a priest takes confessions, and sometimes they hear where people were born in confession. And you as an act of the U.S. Congress would order that priest to call the INS after they take confession. No church in America is going to involve themselves in this program if this amendment passes.

Do you think hospitals are going to take advantage of this program and get volunteers in my hospitals and in my district if you pass this amendment? No.

Physicians, physicians take medical histories from patients. They learn where people are born. When they hear that, physicians are going to have to call the INS after they have set the broken leg. Do you think any hospital in this country is going to call on a volunteer in this program? No. Do you think any school in this country is going to take advantage of this program where they have one student who is legal and one who is not and have to call the INS when one brother is not? No.

No churches, no hospitals, no schools, are going to take advantage of this program if you pass this.

I say to the gentleman from California [Mr. CUNNINGHAM] his amendment will not solve this problem. His amendment says they can administer to the person, they can come to church, and they can take confession, but as soon as confession is over, the priest has got to pick up his phone and call the INS. The gentleman wants to turn this National Service Act into a national nonservice act for anybody, legal or illegal.

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

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

Mr. CUNNINGHAM. I thank the gentleman for yielding to me.

First of all, the hospitals are required under law to report illegals. Second, this amendment takes care of it, if a person does want to come to church, does want to confess, and does whatever, it takes care of that in fact. If the gentleman would read the amendment, there is no intention to do that.

When he talks about the services of his constituency, he needs to realize that what we are trying to do—this is an education bill—we are trying to take care of education. If one of your national service students or volunteers is involved with an organization and is hiring some illegals and say they are busted, then they are going to fall into that problem as well. This takes care of, also, the student.

Mr. INSLEE. Reclaiming my time, I respect the intention of the gentleman that they are prudent in this case. However, the language of his amendment does not solve the problem. The priest will be required under this amendment to pick up the phone and call the INS. If that is the gentleman's intent, it is not achieved in this amendment.

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

Mr. INSLEE. I yield to the gentleman from Texas.

Mr. COLEMAN. I thank the gentleman for yielding.

Mr. Chairman, the only thing I say to my colleague from California [Mr. CUNNINGHAM] about his statement about hospitals, Federal courts have even ordered the general hospitals in my district to not seek to make a determination about legal residence status or illegal residence status, simply because they were not able to provide due process hearings.

So, a lot of hospitals have in fact been prohibited from asking that question historically. So, I think it is appropriate to understand that that is a part of the problem with the overall amendment.

I understand what the gentleman from California is attempting to do. His district and mine share some of the same common problems. But I would only suggest this is not an easy solution and one with which I think we are going to need to deal probably through the Committee on the Judiciary, at least on a bill on immigration that I hope we will see soon, to deal with the problems outlined very well this afternoon.

□ 1620

Mr. INSLEE. If I may reclaim my time for a moment, Mr. Chairman, the point I would like to make is that there is great tension as a result of illegal immigration in my district and in many districts across this country; but the result of this amendment will gut

this act, and no one, your illegal folks or your legal folks, the legal folks you represent will simply not receive services.

Mr. HUNTER. Mr. Chairman, will the gentlemen yield?

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

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

I just want to make a point with respect to the statement by my friend, the gentleman from Texas [Mr. COLEMAN] that this would require phone calls and checking by churches and other institutions. As I am informed and in looking at the amendment, there is no requirement for making phone calls, checking up on people, investigating, et cetera. There is only a requirement of having a policy in place. So I do not think the phone calls can be or should be anticipated.

Mr. INSLEE. Well, in the real world, let us talk about the real world.

The CHAIRMAN. The time of the gentleman from Washington [Mr. INSLEE] has expired.

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

Mr. Chairman, I think that we should step back for a minute and carefully look at the direction this debate has taken. I think it has not taken a good direction, because at least listening to the rhetoric on the floor a number of people are now feeling that somehow this amendment by the gentleman from California [Mr. BAKER] and the amendment of the gentleman from California [Mr. CUNNINGHAM] are in some way slighting constituencies in people's districts. I think that is exactly the wrong position for this House to take as we address the immigration issue.

One thing that I have learned in representing most of the California-Mexican border is that all Americans have an interest in a number of things.

No. 1, they have an interest in preserving our laws with respect to citizenship. They have an interest with respect to having a border that has integrity, this is, a border that can be managed and controlled by the host nation, by the United States, and that applies going in both directions, in my case north and south, and they have an interest also in seeing to it that American taxpayer dollars go to persons who may have been defined in legislation before this body and before the various bodies of the States and not go to people who are illegally in the United States, and that includes, and let me just tell you, if you look at all the surveys that have been taken across the Southwest, that includes all groups, American citizens coming from every corner of the earth, having the backgrounds that reflect the entire surface of the earth agree on those principles.

What we have seen is a situation in which illegal immigration is overwhelming our ability for the taxpayers to fund our social service systems.

In California alone, we are spending $3 billion taking care of illegal aliens. That may be good for them, it may be beneficial for them, but the fiscal facts are that our taxpayers do not want that. They want to obey our rules and regulations. We are taught to obey the rule of law and respect the rule of law and they want to lay out rules and regulations for people who come to this country legally and accede openly to the benefits that we define for them, not to take cuts in line and get in ahead of somebody else, maybe an American citizen, maybe somebody who is a legal immigrant into this country and take part of that benefit. That is directly what the Baker amendment and the Cunningham amendment address.

I would simply ask my colleagues not to take what I think is a wrong avenue here and divide this debate up into people who support minority constituencies in their districts and people whom they accuse of not supporting minority constituencies in other parts of the United States. That is not the position to take in this case.

We should be very careful about the limited distribution of American benefits on a fiscal basis. All Americans are interested in that.

I think that the amendment of the gentleman from California [Mr. BAKER] goes to the heart of that notion that Americans want to be able to control the distribution of their taxpayer dollars, and in these cases they are very concerned about the fact, and it is a fact, that a large number of taxpayer dollars today are going to illegal aliens. Whether we like it or not, whether we want to ignore it or not, our fiscal circumstances put us in a situation where we can no longer ignore it.

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

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

Mr. MARTINEZ. Mr. Chairman, I know the area the gentleman from California [Mr. HUNTER] is from, a great number of Hispanics, most of them are not only legal residents, but most of them are legal citizens. A lot of them have the same apprehensions about illegal immigration and deplore illegal immigration for a lot of reasons, for their own security and jobs, and we would concede that.

But can the gentleman explain to me how on God's good Earth do we take a national service bill that intends to provide an opportunity for young people to commit to community service to provide—understand very clearly—to provide for unmet needs in the community all of a sudden becomes an immigration bill, or all of a sudden becomes a bill that provides nothing but services to illegal immigrants.

If somehow some illegal immigrants are served by the work that these people are doing in the communities to meet the unmet community needs, it would be rather minor and small for us to have raised the issue in debate that has taken place here.

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

(By unanimous consent, Mr. HUNTER was allowed to proceed for 1 additional minute.)

Mr. HUNTER. Mr. Chairman, let me answer my friend, and I want to commend my friend for being one of the cosponsors of the amendment we passed several weeks ago to add more border patrolmen to the border.

First, to my friend, there are many areas of life filling out insurance forms, applying for organizations, et cetera, where we regularly and administratively put down the fact that we are citizens. That is because it is required, the polities of those particular areas where we are singing up for something or getting into something require that. I do not think that is a heavy burden on American citizens.

Second, this does not say you cannot make a mistake and somebody cannot slip by. It just has to say that you have a policy that says that the taxpayers are paying for this program. You have to limit it to people who are in the United States legally. I do not see the burden, since in everyday life we commonly check that box that says "American citizen" or "legal resident or alien." I do not see why that would put an undue burden on this, beyond the rhetoric that has taken place in the Chamber. That is the answer to my friend.

The CHAIRMAN. The time of the gentleman from California has again expired.

(By unanimous consent, Mr. HUNTER was allowed to proceed for 1 additional minute.)

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, the gentleman repeated several times that he reads the amendment to be a limitation on the expenditure of Federal dollars. A quick look at the amendment, I say to the gentleman from California [Mr. HUNTER], will show the gentleman that it is a limitation on activities, without respect to how they are paid for.

So in other words, if a church had a hospital which had health aids in it under this program and it also had a soup kitchen which it pays for by contributions from its parishioners, all the programs are poisoned by the failure of the church to adopt a written policy that they will turn in anybody who shows up in any function, not just the Federal Government funded contribution, but any function of that entity to

the INS. That is one of the objections that the churches have, and that is why the United Catholic Charities are so terribly upset with the amendment.

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

Mr. HUNTER. I am happy to yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Chairman, I would just like to ask a question. It seems to me we have gotten away from the regular bill we are supposed to be considering, but there was a gentleman from my part of the country, from South Georgia who made a statement——

The CHAIRMAN. The time of the gentleman from California has again expired.

(At the request of Mr. HEFNER, and by unanimous consent, Mr. HUNTER was allowed to proceed for 1 additional minute.)

Mr. HEFNER. Mr. Chairman, if the gentleman will continue to yield, the gentleman from Georgia made a statement, I may be misled on this bill, but what is the salary for these volunteers, for these workers? Is it $25,000 a year? Do they receive $25,000 a year?

Mr. FORD of Michigan. Mr. Chairman, if the gentleman will yield, no, the $25,000 came from the same place as 25,000 new Federal employees. Neither of them actually exist.

The bill provides that the maximum salary to be paid out of Federal dollars is 85 percent of the minimum wage. It is $7,000.

Mr. HEFNER. I would think the gentleman from Georgia would want to correct his statement in the RECORD and not let the American people understand that they will be drawing $25,000 a year for these services?

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, I appreciate the valuable services the gentleman has performed by calling the attention of the American people who may be watching this to the fact that a good deal of what they have been hearing here this afternoon is cut from old cloth. It does not resemble what is in the bill, it does not resemble reality, and this is one of the examples.

□ 1630

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

Mr. Chairman, let me just preface my remarks by saying how inappropriate I think this amendment is to this bill that deals with national service.

Having said that, Mr. Chairman, let me also say to the Members of this body how deeply I pain and anguish that we are here in 1993 discussing the merits of immigration as it relates to national service, a program designed to help people to help themselves and, ultimately to help our Nation.

Mr. Chairman, someone said it ought to be in order to have a little bit of thought on this floor today. Let me take that a step further and argue that it ought to be in order to have a little history on this floor today, as well, and in a nation that was formed by immigrants it is almost hypocritical to stand here 200-plus years after that founding and to argue this notion of illegal immigrants. It is almost like a misnomer, and I, for one, do not buy it.

As my colleagues know, it is interesting in our history, and that is what we need to look back on, that we never asked anything of the Puerto Ricans when we wanted to impose citizenship there. We just imposed it because we needed people to go off in 1917 to fight and die.

My colleagues know what the deal is with the Haitians. We turn them back at sea now because we do not even want them here.

And how illegal we must look to native Americans who watched us burn, and maim, and kill in the name of democracy.

So, my colleagues, let us not be hypocrites. Thank God this amendment was not offered 200 years ago, in 1793. Half of us would not be here.

Now let me say one other thing, if I might, about this notion and this concept because, Mr. Chairman, I do not buy it. Sure, we have problems in our country dealing with our borders. But let us not couch that in our own hypocrisy.

What happened to the time when immigration was something that we cared about and that was a proud symbol of America, when we stuck a copper figure out in the New York Harbor that stands there today with a great torch in her right hand, and in her left hand she clings the Declaration of Independence close to her breast. On her head is a crown of spikes, and on her feet are broken shackles that symbolize freedom from tyranny, and, as my plane flew over her the other day, I could still hear her cry out through those silent and copper lips, "Send your tired, your poor, your huddled masses yearning to breathe free. The wretched refuse of your teeming shore," she said, "Send these, the hopeless, tempest-tost to me, for I lift my lamp beside the golden door."

But that was long ago, and we have evolved as a species and as a Nation, so immigration is not something that is beautiful anymore. We make it legal and illegal. We make it to fit our own petty desires.

The Founding Fathers of this Nation, Mr. Chairman, when they hastened to write the Declaration of Independence, and the Preamble to the Constitution, and all the other pronouncements that they issued to justify their revolution against tyranny, warned us in the clearest possible way not to run short on our compassion lest we become the victims of our own intolerance, and that is where we are today.

I say to my colleagues, "Don't couch this in the hypocrisy of wanting to save money for this Nation. We didn't hear these arguments when we were appropriating hundreds of billions of dollars to banks and S&Ls. Nobody made those arguments then. Don't talk about caring about the people of this Nation when no one comes to this well and argues day in and day out about people sleeping in the streets of this Nation. Now we care about them. All of a sudden we care about the taxpayer, the people who pay taxes, and yet 100,000 children of those taxpayers every night in this country go to bed hungry."

Give me a break. We must learn the lesson of history, and we must learn also that we are the creators and the creatures of a kind of hypocrisy that, as the gentlewoman from Hawaii [Mrs. MINK] says, brings tears to her eyes.

Give me a break, my colleagues. Are we the creatures of something strange and unusual? National service has nothing to do with immigration. Are we going to make the priests go in and ask the person that is giving confession, "Are you illegal?" Are we going to tell the Red Cross that they cannot help somebody because they do not have a card?

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

Mr. Chairman, I am very pleased to be here to support the amendment offered by the gentleman from California [Mr. BAKER]. It is long overdue, and, despite the impassioned pleas we have heard, I really do not think they are very relevant to this amendment at hand.

Mr. Chairman, this is a nation of laws, and we do allow immigration. Our laws provide a system for people to come into this country and to be treated decently, to be dealt with properly, but we are overburdened, particularly in some of the border States, with illegal immigrants, and that is stealing the future away from our citizens who depend upon having a healthy economy, and opportunities to get a job, opportunities to move ahead, and we are now being asked by their governments, both State and Federal, to make repeated sacrifices for their government in the form of higher taxes to pay for all of these illegals.

We have, I have read, some 28,000 illegal immigrants in the California State prison system as just one illustration, Mr. Chairman, of the tremendous costs that our people are bearing. Now we are going to embark on a new national service program which is an added burden to the taxpayers.

Perhaps the burden in some people's minds is justified, Mr. Chairman, but, if we are going to have such a program, however, and be doling out money for

these purposes, we ought to get serious about illegal immigration and do something about it at the grassroots, and it is perfectly appropriate, in order to advance the welfare of our people, that we have an amendment like this so that we can identify the illegals and ship them back to their own country. It is not helping them, and it is not helping us, that they are here illegally.

I commend the gentleman from California [Mr. BAKER] for actually taking to the well, taking the heat, to offer a controversial amendment like this to do something that I do not think should be controversial, which is to see the tax dollars are going to people who are citizens of this great country, that new programs that are being started by the Federal Government are helping us in our goal of enforcing the law which already is against illegal immigration. This just puts some teeth into the law, and, my word, certainly the statistics are so overwhelming and personal observations so overwhelming in our communities that we need to do something about this.

Mr. Chairman, I represent an area of northern California which is not so greatly affected directly by illegal immigration, but I can tell my colleagues that this topic is very much in the minds of my constituents, and I am very happy to join in support of Mr. BAKER's amendment.

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

Mr. Chairman, this has been a long and emotional debate, and, very frankly, I do not look forward to participating in this particular debate, but unfortunately I think there are some things that need to be brought into this consideration that to date, with the possible exception of the statements from our chairman, the gentleman from Michigan [Mr. FORD], perhaps have not been articulated.

Mr. Chairman, this amendment is very similar to the original Hefley amendment. I do not question anybody's motives here on the floor this afternoon. I think we have sincere, well-meaning people on both sides. I think we all, very frankly, want to deal with the issue of illegal immigrants in this country, or illegal aliens, and I think all, very frankly, want to deal with the problem of racism and unintended consequences.

I derive from both sides of this issue that we have good motives. I would point out, however, that I do not think the amendment is drafted to accomplish the intended goal, and I will be honest about that. The problem is that I think the intent of the amendment is to make sure that our national service programs primarily benefit citizens of the United States, both in terms of the participants and in terms of those who receive the benefits of the service.

□ 1640

I would suggest that that kind of language ought to be put into the evaluation criteria of the applicants for national service. I say that because if you look at the language here, it creates some unintended consequences in my opinion.

First of all, it says literally to receive assistance, the organization has to have a written policy that prohibits the delivery of services to aliens who are not in lawful immigration status in the United States. Well, let us understand the four primary areas that we have. We have environment, education, health care, and law enforcement.

Can you imagine a law enforcement agency in the United States having a written policy saying we will not serve illegal aliens? So the first thing they do when they get called to the scene of a murder is to find out if there are any illegal aliens at the scene. Because if there are, they have a written policy that prohibits them from providing any kind of protection or service in that regard. I do not think that is what we want in any way.

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

Mr. GUNDERSON. I will be happy to yield.

Mr. BAKER of California. Mr. Chairman, the gentleman has to continue reading. The exemptions are very clear. When there is a delivery of an emergency service, and I would assume a murder would be an emergency service, to aliens who are not in lawful immigration, all they have to do is report it.

Mr. GUNDERSON. Mr. Chairman, reclaiming my time, I will be happy to read that section.

Mr. BAKER of California. Page 2, line 10.

Mr. GUNDERSON. Let us go on to that. That is exactly where I was going to go. I believe the gentleman is well-intentioned. But you say we shall not prohibit the delivery of emergency services to aliens who are not in lawful immigration status in the United States or educational services required by law to be provided to such aliens. Then you get under the condition that if the emergency or educational services are provided by a program or organization that has a written policy of reporting the presence of such aliens to the Immigration and Naturalization Service.

Mr. Chairman, I am reclaiming my time to answer the gentleman because I think this gets at the whole basic problem. Everyone has been saying here on the floor this afternoon that hospitals already have to report any emergency care they provide to illegal aliens. We checked with the American Hospital Association, and that is simply not true. There is no requirement in Federal law today to require anyone who provides emergency health care to immediately become a reporting service to the INS. And I do not think we want that. We do not want that in terms of law enforcement, we do not want that in terms of education, and we do not want that in terms of health care.

If the goal of the gentleman is to make sure that primarily the benefits of national service go to American citizens, I am with him. But do not ask national service to become the enforcement agency of the INS. Because the minute we do, the gentleman and I both know that we will have our Republican colleagues on the floor of the House in 2 years when we consider reauthorization of this program saying there are too many rules and regulations and paperwork. We cannot get anything done.

Mr. BAKER of California. Mr. Chairman, if the gentleman will yield further, what I am trying to do in this amendment, and it very clearly states it, is to equate emergency services and all Government services with what we require private employers in the United States of America to do. If you are a plumber and you attempt to hire an illegal alien, you have to report him. In fact, if you do not fill out the report forms correctly, you will be fined $5,000. Does the gentleman want Government to be exempted from its own laws?

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

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

Mr. GUNDERSON. Mr. Chairman, I voted for the immigration bill. I do not take a second seat to anybody on that. But that is hiring illegal aliens to do permanent work. That is not what we are talking about here. We are talking about here providing emergency health care.

Nobody is running around intending to violate Federal law to provide emergency health care to someone you are most likely not going to be paid by. That is a totally different situation. So I do not think that is what we are talking about here at all.

Nobody is asking our schools to become enforcement tools of INS. Certainly no one is asking in the area of law enforcement, that before they do emergency work, they have to check someone out and say, "We will call the ambulance to take you to the hospital," at the scene of a car accident, "but the minute we do, we are going to call INS and report you."

Mr. Chairman, that is not what we want. I do not believe that. I believe the motives are sincere. I am trying to simply point out the language of the amendment does not accomplish what I believe the motives and intents are.

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

Mr. Chairman, I appreciate very much the comments that have been

presented thus far in this deliberation this afternoon. There are perhaps two words that I have learned tremendously after listening to the spoken word, so to speak, and the idea that there needs to be a little more thought, perhaps even a little more history, as it was enunciated both from the gentleman from Texas and the gentleman from Maryland.

Mr. Chairman, it saddens me that our deliberations have become somewhat mean spirited. I am sure that absolutely there is not one Member here in this body that suggests that there is some particular ulterior motive that suggests that there is a form of racism that is going on here in this august body.

Mr. Chairman, I suggest that my good friend from California [Mr. Cunningham], a very dear friend, that there is not one ounce of bad blood in him. He is a hero, he is Mr. All American, and I respect him greatly. And for offering this amendment, I have to respectfully disagree with the gentleman.

I want to share with my colleagues a little experience that I had in Vietnam. I was accompanied by a friend of mine who is an American, born and raised in America, but he happens to be Japanese. He had all the uniform as an American soldier. But, Mr. Soldier, do you know that he could not get inside that bus that said "United States." He had to pull out of his pocket his identification card to prove without doubt to that bus driver that he was an American.

You talk about mean spirited, and the idea that all of us here being great Americans, that we are trying to project the most positive aspect of what our country stands for. This American was very saddened by that experience. He could not get inside any bus that was driven by Americans simply because he did not look American, I suppose. But he had to produce an ID every time he had to get on the bus because he was Japanese and he looked like a Vietnamese. Everybody thought he was a Viet Cong.

It is a sad experience. And we talk about race, we talk about history. I think, Mr. Chairman, we all know what history has been to us.

Now, I have even heard earlier some deliberations by some of our Members here that we ought to send some of our people back to where they came from. Well, for that matter, let us all go back to where we came from. Let us give this land back to the native Americans.

I want to say that I do respect my good friend's amendment, and I know that he honestly believes in what he is suggesting and what he is trying to do here. But I think this is an issue that could probably be most taken in a more comprehensive way in the proper committee, I suggest perhaps the Committee on the Judiciary, that could really take up this issue for further deliberations, for further examination of the issue we are talking about.

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

Mr. FALEOMAVAEGA. I am glad to yield to my friend from California.

Mr. CUNNINGHAM. Mr. Chairman, I thank the gentleman for the compliments. This is not my amendment. My amendment attempted to separate it and exempt the churches in the thing. But the only thing I objected to was some of the language, meant or not meant, which was toned to mean that there was meanness in this or racial intent. There is not.

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

Mr. Chairman, the last 2 hours the Committee has been engaged in a very heated discussion—and I use that word advisedly—on the Baker amendment, which simply requires that agencies that receive funding have a written policy against servicing illegal aliens.

And those people that support this amendment have been branded racists.

I resent this. But it comes as no surprise. I was the Member who, in appropriations, introduced a similar amendment for myself and Congressman PACKARD to block illegals from receiving tax dollars.

I, too, was branded a racist. And for no other reason than that I introduced an amendment which said American tax dollars should be used for the benefit of Americans.

I resent this. I, too, am the daughter of immigrants—legal immigrants. My parents spent 35 days in crowded steerage of a ship crossing the Atlantic Ocean to reach the country to which they had chosen to immigrate. I am proud to be their daughter. I heard the gentlewoman from Hawaii, and I was moved by her comments—but I too have suffered because of my Serbian ancestry. To this day, I am attacked because of my heritage. And those attacks have wounded me as much as any slight the gentlewoman from Hawaii or my very respected colleague from Maryland has ever received. I am a proud and loyal American. No one should be attacked because of the history of their family—but that, and claims of racism, should not be any part of this debate.

This is a debate over dollars.

The United States is a great country with great people—people who have great hearts. However, we do not have the money to support everybody who crosses our borders to take advantage of that big heart of this country.

My constituents say we must conserve taxpayer dollars. A way to start is with this amendment. But, further, and more importantly, we must stop calling Members racists just because they believe in fiscal responsibility.

□ 1650

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

Mr. Chairman, we all are sons, daughters, grandsons, granddaughters, great granddaughters of immigrants. And we all have come to this Congress having different experiences, different cultures, different foods, et cetera.

Mr. Chairman, my colleague from Wisconsin, I think, was right. My colleague the gentleman from California [Mr. DREIER] was also right. He tells me in a letter, he says there are long-term solutions to this problem. He spoke about trade policies with different countries, and he talked for a need to relook at our immigration opportunities through a different manner.

As to what happened on this floor today, amendments such as this divide us. It causes us to have ill feelings among ourselves, and we are all Americans.

What is happening, Mr. Chairman, I think, is when an amendment such as this, which causes us to divide ourselves, that maybe we ought to look at politics of reason and work together on both sides to find the solution to save taxpayers money through another manner, through a new law of immigration and naturalization, a new program.

The only concern that I have is that amendments such as this will tend to divide our country, as they have divided our House.

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

Mr. Chairman, if this amendment has done nothing else, it has helped to persuade me that we ought to have more closed rules on the floor of the House to prevent mischievous and irrelevant amendments, irrelevant to the bill at hand, from wasting our time on the floor.

The bill we have before us, Mr. Chairman, is a bill to say that we should have a National Service Corps that will provide volunteers to nonprofit organizations that do worthy work in their communities. This amendment says that these organizations would have to certify that they are not serving illegal aliens, that they have a policy of not serving illegal aliens.

That is not going to save money, any taxpayers money, because the volunteers are still going to be there, they are going to be somewhere. It is going to say that the voluntary organizations, the churches, the neighborhood associations, they are going to have to have this policy. Presumably, it is not going to be just on paper. They are going to have to enforce the policy.

President Bush spoke of a thousand points of light as the glory of this country, that we have all these voluntary organizations. Now we are

going to crush those points of light. We are going to turn the National Service Act into a national inquisition act, to say that each of those organizations must run a little inquisition, that if the church or the school or the neighborhood association builds a playground, they better police that playground and make sure that no children of illegal immigrants play on the monkey bars.

They are going to say that if there is a school and the National Service Corps provides a tutor, they better make sure that none of the kids that that volunteer may be tutoring is the child of an illegal alien.

This is absurd. It is absurd, because it imposes unnecessary burdens on the private organizations, merely to meet the need of some politicians to show that they are tough on illegal aliens.

It is absurd, because this amendment would make it virtually impossible for national service volunteers to serve as tutors in public schools, because we have a Supreme Court decision in Plyler versus Doe that says that it is constitutionally prohibited to deny public school services to children based on their or their parents immigration status.

It is hard to believe, when all is said and done, that this House would want to retreat, even if it legally could, from a rule of law that prohibits penalizing small children for the decisions of their parents as to whether to come to this country or where they want to live.

Let us enforce our immigration laws vigorously. We have to patrol our borders. We have to control them. We have the right to do that. I agree we cannot afford, unfortunately to allow to emigrate into this country every person in the world who would want to do that.

It is unfortunate, but it is probably true. Let us enforce our laws intelligently and not hysterically.

If we want to debate methods of enforcing our laws, let them be on the immigration bills that go before the Committee on the Judiciary and debate it intelligently.

The President proposed a bill yesterday, in some respects it makes sense, in some respects it is far too harsh, in my opinion, but that is the bill which we should be looking at to modify and to amend to deal with the immigration problem.

Let us not take every bill to deal with every problem in this country and waste time and taxpayers money debating how that bill might have a tenuous connection, because it might provide medical services or schooling services or some service to someone who is a child of illegal immigrants.

Let us increase the Border Patrol. We just voted funding for that last week, I think. But let us not start down the road of attempting to turn each and every service provider who receives Federal funding into an enforcement arm of the INS.

Let us not demand that everyone who received any service from any private organization that gets any Federal funding in any way or that uses the services of a volunteer from the National Service Corps, that every beneficiary has to prove immigration status.

We do not want an inquisitional society. It is not necessary. It is not good public policy. It is totalitarian.

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

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

Mr. WALKER. Mr. Chairman, how did the gentleman vote on putting the totally extraneous Waters amendment into the supplemental appropriation emergency supplemental yesterday?

Mr. NADLER. Mr. Chairman, I am not going to discuss extraneous matters on this bill. We have wasted too much time and too much of the taxpayers money already.

I am rapidly being persuaded that we should have closed rules more often on this floor.

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

Mr. Chairman, I rise to support the amendment offered by the gentleman from California and the amendment that is offered by the other gentleman from California. It is a commonsense amendment that ensures that any money spent in the National Service Program goes to benefit those for whom the program is intended.

As stated, the bill prevents those who are not illegal aliens from receiving such benefits. This amendment simply says that it also will prevent organizations who might circumvent or ignore the law from also benefiting from those benefits.

America has always extended open arms to immigrants from around the world

□ 1700

We will continue to be a beacon of democracy that receives immigrants from around the world, but we must, at the same time, be certain that our policies do not encourage illegal immigration.

The comments that were made earlier about the Statue of Liberty and how many immigrants come into this country, when they came into the harbor, in her shadows is also Ellis Island, where they went and asked permission to enter this country, and sought and were given permission so they could seek and share the American dream.

There are few problems more pressing to our Nation than the rising costs of illegal immigration. I hope those Members who are opposed to spending Federal dollars on illegal aliens will support this amendment. And I point out that while this amendment eliminates moneys for most services to illegal aliens, it does make an exception for the provision of emergency medical services.

Mr. Chairman, we do not know how many illegal aliens are residing in this country today, but it is estimated it is close to 5 million. It is difficult to identify the actual costs of the activities which are being provided for these illegal aliens. Even President Clinton has begun focusing on the problem associated with illegal immigration.

I believe my colleague's amendment is a step in the right direction on immigration policies. We have to address the Federal policies that are serving as an incentive for illegal aliens to enter this country. Congress must revisit our immigration policies in a comprehensive fashion.

The people of the Third District of Georgia believe that it is time that the Federal Government stop subsidizing illegal immigration. The amendment of the gentleman from California [Mr. BAKER] is a needed improvement in the National Service Trust Act.

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

Mr. Chairman, I rise in vigorous opposition to the Baker amendment as offered, and in support of the National Service Trust Act. Please have it clearly understood that the Members on this side of the aisle are not in favor of illegal immigration or in support of same. To suggest that that has something to do, as the gentleman from Pennsylvania did, with the amendment that we voted on yesterday is a total non sequitur.

I do not come to the well of this Congress to speak often, and I have been here but 7 months. This is the first time I have spoken on the floor. I call on all of the Members of this body to lessen the acrimony and to be about the business of the people of the United States of America, who have always been supportive of those who are less fortunate than we.

It seems to me in America today that because of our own economic deprivation caused by years and years and years of inattention to the inseparable triumvirate of inadequate jobs, inadequate housing, and inadequate educational opportunity of our own citizens, that folk look for scapegoats. When we look for scapegoats, we can best describe that as xenophobia.

I decided to coin a new phrase today, as this immigration measure is attached to national service wrongfully. It is not immigration and illegal immigration, it is demagration, akin to demagoguery, that is being offered by those that would attach such an amendment. Please note, perspective needs to be added. The precedent that is being sought by this amendment would allow for inherent danger such that each measure offered by this body could have such an amendment attached, and we would spend taxpayer

money here deciding whether or not we are going to proceed on allowing for any measure in this country for illegal immigrants, or to be able to undertake or to receive benefits therefrom.

Where were these people when illegal immigrants were picking lettuce and tomatoes and people were crying out that they were under labor conditions that were wrong? Where were all of these people in the sweatshops of places in this country where illegal immigrants have come and legal immigrants have come, and they are not there to attend to the labor laws?

Illegal aliens enter the shores of Florida in my district and in the districts of my colleagues every day. When they come into this country, they cause an occurrence that we describe in south Florida as megashocks. Where were these people when those illegal immigrants were coming day after day and impacting upon the social services? Where is the money that they voted that Florida would receive its fair share of the proceeds of this Nation for having to absorb any number of immigrants?

Recently with our chairman, the gentleman from Florida [Mr. JOHNSTON], and the gentleman from New Jersey [Mr. PAYNE], as a codelegate, I visited for the first time the Continent of Africa. We went to the Horn of Africa, and it was there in Uganda and Kenya and Somalia and the Sudan and Ethiopia and Eritrea and Djibouti that I came to understand that even in their deprived conditions, Ugandans have refugees in their country. Even with the advent of disease and all of the problems that Sudan has, in the southern Sudan, Somalians are there as refugees.

In Kenya, that has a devastated economy, Somalians and Sudanese are there. In Ethiopia and Eritrea, Somalians and Sudanese, Kenyans and Ugandans, are there as refugees. Those poor countries are willing to try and help poor people.

It is divisive for us to have this kind of law. As a new member of the Committee on Foreign Affairs, I fight for money for Russia. As a new member of the Committee on Foreign Affairs, I fight for money for Bosnia. How dare we sit here in this House and stand here and debate and not take into consideration that people are dying right in front of our eyes, and we are worried about whether or not one or two people creep across our borders and add to and detract from, sometimes, the American economy.

I fight for Africans. I fight for Burmese and Cambodians. I fight for South Americans and Haitians. I fight for Cubans and Indians and Israelis and Egyptians, not because it is the white thing, but because it is the right thing.

Mr. HERGER. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment, and in frustration at the tone of this debate.

All this amendment does is require any participating organization to obey U.S. immigration laws. Is that so unreasonable? If it is, then our immigration laws have been made meaningless.

This amendment is legitimate because of the very real cost illegal immigration is imposing on our society. In my own home State of California alone, we are required by Federal law to spend more than $1.5 billion a year, and this is only what we can document, on services to illegal aliens.

It would be nice if we could afford to provide services to everyone who wants them. The bottom line, however, is that we simply can not afford to do that.

California faces an unprecedented fiscal crisis in part because we have become a magnet for illegal immigration. Moreover, this is a crisis of our own making, because we are providing incentives for aliens to come here. We, are providing them free health care, an education for their children in their own language, and a host of other benefits. This amendment tries to eliminate some of these incentives that are attracting these illegal aliens to the United States. It says simple that when we spend our own citizens' tax dollars, we will limit the pool of eligible recipients to people who are not violating U.S. immigration laws. What is wrong with that?

If we fail to adopt this amendment, it sends a signal that we in Congress are not serious about controlling illegal immigration. That would be a mistake, it would be wrong, and it would be an expense that our taxpayers can no longer afford.

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

Mr. Chairman, I had hoped that this debate would end earlier, but as it proceeded, I wanted my colleagues to know that as a representative of the city of San Diego in California, that my friends on the other side of the aisle do not represent the total perspective of that region.

I represent the Mexican-California border. No area is more affected by illegal immigration than my district and my constitutents.

□ 1710

No one. And we are working to help solve that problem. We are working with the administration, we are working together as colleagues on both sides of the aisle to deal with this.

But what the proponents of this amendment have done, and I hope to ask my good friend and colleague from San Diego, Mr. CUNNINGHAM, if he might answer some questions about that amendment, the proponents of this amendment have taken a unifying concept, a unifying concept of national service, a wonderful program which expresses mutual responsibility and concern for one's community and turned it into a divisive and ugly police and enforcement tool. And I resent that as someone who is a cosponsor of this bill.

I would ask my colleague, the gentleman from San Diego, as I understand the amendment, every school district, every local government entity, every health organization, and on and on, where we would want to place national service volunteers, or where people would want to work to help their community, the amendment requires that agency or that entity to determine, find out, report the status of the people they serve? Is that what the amendment does?

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

Mr. FILNER. I am pleased to yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, my colleague is a little bit uninformed. First of all, this is not my amendment.

Mr. FILNER. The gentleman is supporting the amendment.

Mr. CUNNINGHAM. I had a perfecting amendment that was trying to address one of Chairman FORD'S questions. But I will answer the gentleman's question.

The national service plan is an education bill, in which recipients getting the funds are going to try to pay off their college educations. If they associate with—my mom used to use the term, if you get close to a rusty fence you are going to get rust on you—and if one of the students is involved with an INS bust, say, or an organization in it, they are going to be wrapped up in that.

Mr. FILNER. Mr. Chairman, the gentleman and I know each other well, and we have worked in San Diego together. As I understand the amendment the gentleman is perfecting, and maybe Mr. BAKER could answer it, the school where your wife is principal has to have a policy in place and a mechanism in place to ask, determine, and report the status of the students that she serves. Is that what the amendment says?

Mr. CUNNINGHAM. No, that is incorrect. They have to have a policy. There is no ID requirement in there, just a policy not to do it.

Mr. FILNER. A policy that does not require them to ask and enforce?

Mr. CUNNINGHAM. In education you do not do that right now. But if they know.

Mr. FILNER. That is the point I am trying to make.

Mr. CUNNINGHAM. If the person knows that, they must report it.

Mr. FILNER. Who is going to pay for this new bureaucracy that has to be set up? If I am not mistaken, proponents of this amendment generally do not like Federal mandates which impose on local entities all of these rules and restrictions.

Mr. CUNNINGHAM. If the gentleman will yield, there is no bureaucracy. It is

the same as is in place, and again, this is not my amendment.

Mr. FILNER. I want to conclude, and then I hope my colleague from California will have a chance. The amendment would create a police agency of every local entity, every local group that is trying to help the community, and this National Service Act would be turned into an ugly police tool, and we should have no part in this as a Congress.

Mr. FORD of Michigan. Mr. Chairman, I want to try again to get a limit on time. How about 5 minutes on each side?

The CHAIRMAN. On the Baker amendment and all amendments thereto?

Mr. FORD of Michigan. We are going to have to rise at 6 o'clock, and I would ask unanimous consent that all time on this amendment and all amendments thereto be concluded in 10 minutes, equally divided between proponents and opponents of the amendment to be controlled by myself and the gentleman from Pennsylvania [Mr. GOODLING].

The CHAIRMAN. On the Baker amendment and all amendments thereto?

Mr. FORD of Michigan. On the Baker amendment and all amendments thereto.

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

There was no objection.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. MAZZOLI].

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

Mr. Chairman, I rise in opposition to the gentleman's amendment. I think we should oppose it both because of what it does, which would be to make these various agencies of Government into extensions of the Immigration and Naturalization Service, which ought not to be the case, but I would like to look at it from a slightly different perspective and a more long-range reality. We, as a Congress, will have to come together, both sides of the aisle, all sides of the spectrum, to do something about illegal immigration, to do something about the gamesmanship which is being played with the asylum system.

Just as recently as yesterday, the administration announced a bill which will be looked at on the Hill, along with other bills which will be fashioned in this Chamber to try to do something to correct this, so that we still have an asylum system for people who are, in fact, fleeing persecution, but prevent people from perverting and misusing the law.

So I would hope, Mr. Chairman, that we could move beyond this amendment, vote it down, and then in some later week all of us together take up some proper and long-needed reforms of the immigration and asylum law.

The CHAIRMAN. The gentleman from Kentucky [Mr. MAZZOLI] yields back 1 minute.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Chairman, earlier I heard in the debate the very moving words of the gentlewoman from Hawaii. And very frankly, Mr. Chairman, I was very impressed by what she had to say. And specifically, I was disturbed, and was particularly impressed with the arguments she made with respect to the ridiculous situation where charitable organizations such as the Red Cross, or the Salvation Army, or other disaster relief organizations might be in a position where they would be forced to check somebody's legal status as an alien or a citizen. And the situation she specifically brought up had to do with standing in line 4 hours waiting for water after an emergency from disaster relief. I think the point is absolutely well taken, and what I would urge the gentlewoman to do would be to offer some sort of perfecting amendment that would carve out an exemption in that situation where in the case of specific disaster relief there would be no requirement to certify that somebody was not a legal alien, because I think clearly nobody wants that kind of onerous burden on the agencies that provide that kind of relief.

At the same time, it is absolutely crystal clear that the people of our country expect us to set some standards with respect to the problem of illegal aliens, and that is what this bill is all about. That is what we are trying to do. For that reason I would urge the gentlewoman from Hawaii to make the kind of an amendment that would perfect this where there is a problem, and I urge support of the bill.

Mr. FORD of Michigan. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I rise today in opposition to the Baker amendment to H.R. 2010. The Baker amendment, to require recipient agencies to provide a written policy stating that it provides no services for illegal aliens, would impinge on the civil and constitutional rights of legal permanent residents and citizens of ethnic descent and harm service delivery organizations.

Mr. Chairman, this amendment is not workable. The amendment would handicap the organizations we are trying to assist with the national service legislation. While the intent of this legislation is to crack down on illegal immigration, its true effect is to prevent service organizations from providing emergency services to persons without asking for a victim's green card or birth certificate. State and local governments, charities, religious organizations, and nonprofit agencies would be harmed by this amendment.

This amendment would have the effect of discouraging participation of citizens of ethnic descent and engendering discrimination against all ethnic individuals based solely on their appearance and language accent.

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

□ 1710

Mr. MARTINEZ. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Chairman, representing a part of Mo Udall's district, who once said, "Everything has been said, but not everyone has said it yet," it is my turn to pile on. I would just remind my colleagues that we are dealing with a national service bill. The national service bill would deal with organizations that are required to comply with the U.S. immigration law. If they hire people, they are going to have to get the paperwork.

But what we are doing is putting an additional burden on them beyond that so that the people they provide the services to would somehow have to meet a paperwork test. That is the reason why the American Red Cross has said this is a bad idea, that is the reason why the Catholic Church has said this is a bad idea. It is a bad idea because it makes no sense, places a burden on these organizations, and it runs contrary to the entire intent and purpose of the national service bill. I think the gentleman from California offered the amendment, recognizing a valid problem, but this is the wrong form, the wrong method, and the wrong way to go about it.

Mr. GOODLING. Mr. Chairman, I yield the remaining time to the author of the amendment, the gentleman from California [Mr. BAKER].

Mr. BAKER of California. Mr. Chairman, never has a freshman had the honor of tying up the House for 4 hours on a simple, clarifying amendment.

All we have asked in this amendment is that the agencies that receive Federal funds have a policy that abides by the immigration law, a written policy prohibiting the delivery of services to aliens who are not lawful immigration status.

That is what we require of our employers. The Federal Government demands, if you are a plumber, if you are a farmer, if you own a small or a large business, that you keep intricate records of all those people you interview, those people you hire, those people you do not hire, and if you do not keep good records, "We fine you $5,000."

But when someone stands up on this floor and says, "I think the recipients of Federal funds ought not to service illegal aliens and receive our Federal funds," you are called a racist, you are called splitting the floor, you are called nonessential to the bill. Well, I

think the taxpayers have a different view.

Does this organization, this Congress, sound like it is ready to tackle the difficult immigration policies of this Nation? We cannot police our national borders standing shoulder to shoulder with guards as long as the Federal Government hands out stipends to illegal aliens through groups who attract illegal aliens. Yet we ask employers to police our national borders, but we cannot do it even with the Army.

The Federal immigration law sets up standards. Are we going to abide by those standards? Are we going to ask recipients of this new entitlement program to live by the immigration laws of the United States of America? Are these immigration laws mean-spirited because they say you can only allow so many people into this country, so many people from that country?

We are talking here about illegal aliens. I want to remind this body that we accept more legal aliens in this country than all of the countries combined in the world each year. We are not stingy or mean-spirited, but we darned well have a right to know that our Government funds are going to citizens, not to illegal aliens.

Why is everyone so angry? Let me tell you why, because in the Dear Colleague letter that was mailed out last night which attempts to say that this will prohibit police services or church services, how ridiculous. It says there on the bottom that my amendment would handicap the very organizations we want to empower through national service.

What organizations are those that deal with illegal aliens? I respectfully ask for an "aye" vote for my amendment.

Mr. MARTINEZ. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. BARCA].

Mr. BARCA. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in opposition to this amendment. There are many reason to oppose this amendment which we have had very well articulated by many previous speakers. But one of the problems that we have in society that many of these small organizations face is a sea of regulation.

Now, there are many social goals we could try to tack onto this program. We could have one on reporting child abuse, we could have one on suspected arsonists, and the litany could never end.

What we do need to do is to streamline these kinds of programs, leave off all these unnecessary regulations that are not going to accomplish their goals, to make sure that these programs are effective.

I think this will be a very effective program. I think it is a program that we can all be proud of. As long as we put forward a meaningful program that does not bury these organizations in regulations, they are going to welcome it, they are going to appreciate it, and it is going to be great for the American people.

Mr. MARTINEZ. 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. CUNNINGHAM] to the amendment offered by the gentleman from California [Mr. BAKER].

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

RECORDED VOTE

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

A recorded vote was ordered.

Mr. BAKER of California. Mr. Chairman, I rise on a point of order. Would it be helpful if I accept his amendment and then we could have only one vote?

The CHAIRMAN. A recorded vote has already been ordered.

Pursuant to the provisions of clause 2 of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the succeeding vote.

This will be a 15-minute vote.

The vote was taken by electronic device, and there were—ayes 270, noes 163, not voting 6, as follows:

[Roll No. 374]

AYES—270

Allard
Andrews (TX)
Applegate
Archer
Armey
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Browder
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Castle
Chapman
Clement
Clinger
Coble
Collins (GA)
Combest
Condit
Cooper
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner
Darden
Deal
DeLay
Derrick
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (TX)
Emerson
English (OK)
Everett
Ewing
Fawell
Fazio
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Frost
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Glickman
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hayes
Hefley
Hefner
Herger
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Houghton
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, Sam
Kaptur
Kasich
Kennedy
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kyl
LaFalce
Lambert
Lancaster
Laughlin
Lazio
Leach
Lehman
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Machtley
Manzullo
McCandless
McCloskey
McCollum
McCrery
McCurdy
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meyers
Mica
Michel
Miller (FL)
Molinari
Mollohan
Moorhead
Murphy
Myers
Nussle
Obey
Orton
Oxley
Pallone
Parker
Paxon
Payne (VA)
Penny
Petri
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Rostenkowski
Roth
Roukema
Rowland
Royce
Sangmeister
Santorum
Sarpalius
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Sensenbrenner
Sharp
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Studds
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Thornton
Torkildsen
Torricelli
Traficant
Upton
Valentine
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waxman
Weldon
Whitten
Williams
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—163

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Bacchus (FL)
Barlow
Becerra
Beilenson
Berman
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Carr
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Coyne
de la Garza
de Lugo (VI)
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Edwards (CA)
Engel
English (AZ)
Eshoo
Evans
Faleomavaega (AS)
Farr
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez
Green
Gutierrez
Hall (OH)
Hamburg
Hastings
Hilliard
Hinchey
Horn
Hoyer
Jefferson
Johnson, E.B.
Johnston
Kanjorski
Kennelly
Kildee
Klein
Klink
Kopetski
Kreidler
Lantos
LaRocco
Levin
Lewis (GA)
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McDermott
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Montgomery
Moran
Morella
Murtha
Nadler
Natcher
Neal (MA)
Norton (DC)
Oberstar
Olver
Ortiz
Owens
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Rangel
Reed
Reynolds
Richardson
Roemer
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Scott
Serrano

Shepherd
Slaughter
Stark
Stokes
Strickland
Stupak
Swett
Swift
Synar
Tejeda
Thompson
Thurman
Torres
Towns
Tucker
Underwood (GU)
Unsoeld
Velazquez
Vento
Waters
Watt
Wheat
Woolsey
Wyden
Wynn
Yates

NOT VOTING—6

Henry
McDade
Moakley
Neal (NC)
Packard
Washington

□ 1750

Messrs. KANJORSKI, BROWN of California, MARKEY, PICKETT, and CONYERS changed their vote from "aye" to "no."

Mrs. VUCANOVICH, Mrs. SCHROEDER, Ms. CANTWELL, and Messrs. HOAGLAND, McCLOSKEY, SARPALIUS, PALLONE, McHALE, ROSTENKOWSKI, CRAMER, POMEROY, EDWARDS of Texas, ZELIFF, HEFNER, JOHNSON of Georgia, BILBRAY, KENNEDY, FAZIO, CONDIT, PETE GEREN of Texas, BAESLER, and HOCHBRUECKNER changed their vote from "no" to "aye."

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BAKER], as amended.

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

RECORDED VOTE

Mr. BAKER of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 253, not voting 6, as follows:

[Roll No. 375]

AYES—180

Allard
Andrews (TX)
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Bateman
Bentley
Bliley
Blute
Boehner
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Castle
Chapman
Clement
Clinger
Coble
Collins (GA)
Combest
Cooper
Costello
Cox
Crane
Crapo
Cunningham
Deal
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Goodlatte
Goss
Grams
Greenwood
Hall (TX)
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hobson
Hoke
Holden
Horn
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kyl
LaRocco
Laughlin
Lazio
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Machtley
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Murphy
Myers
Neal (NC)
Nussle
Orton
Oxley
Parker
Paxon
Petri
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Roth
Roukema
Rowland
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Tauzin
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Traficant
Valentine
Vucanovich
Walker
Walsh
Weldon
Whitten
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—253

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Barton
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Boehlert
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (OH)
Bryant
Byrne
Camp
Cantwell
Cardin
Carr
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coppersmith
Coyne
Cramer
Danner
Darden
de la Garza
de Lugo (VI)
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Faleomavaega (AS)
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Hoekstra
Houghton
Hoyer
Hughes
Inslee
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
Leach
Lehman
Levin
Lewis (GA)
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Morella
Murtha
Nadler
Natcher
Neal (MA)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Tucker
Underwood (GU)
Unsoeld
Upton
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—6

Brown (FL)
Henry
McDade
Moakley
Packard
Washington

□ 1759

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

So the amendment, as amended, was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. BROWN of Florida. Mr. Chairman, on rollcall No. 374 I voted "nay"; however I was not able to vote on rollcall No. 375. I was in the doctor's office. Had I been present, Mr. Chairman, I would have voted "no".

□ 1800

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

Mr. Chairman, I realize it has been a long day. I just want to take a couple minutes to build on what the gentleman from Indiana said earlier in the day.

What he basically said was that he supported the Montgomery-Stump effort, but one of the things that he was concerned about was that we would be reducing the amount of money available when costs to go to a postsecondary program are increasing. That is what I have been trying to say since day one.

What I have been trying to say is that we take from those of need, and we give to those of greed. And I say that because what we do, we have to take money from other areas. We are reducing, zeroing out State grants, which go to needy. We are reducing dramatically work-study programs, which go to the needy.

If we were to take the $375 million that is indicated we need for the 25,000 people at $375 million, well, if we gave Pell grants for that $375 million, we would not be serving 25,000 people, we would be serving 174 million people.

If we were to take the $375 million for the college work-study, we would not help 25,000, we would probably help pretty close to 400,000.

Again, I repeat, basically what I am saying and said from day one, the problem is that we are taking from those of need and giving to those of greed.

Last Friday, the President, again, before the press, said we need to pass this legislation, because we need to make postsecondary education available to all. That is not the way we do that. We could not begin to afford to do it this way, if our desire is to make postsecondary education available to all.

I just want every Member to realize, we take from the needy and we give to the greedy, or we do Robin Hood in reverse.

Mr. FAZIO. Mr. Chairman, I rise in strong support of H.R. 2010, the National Service Trust Act of 1993.

Passage of the President's national service bill will serve our citizens on a number of fronts—it will provide educational opportunity, enable us to strengthen our neighborhoods and communities and also help to promote a strong sense of responsibility and citizenship.

For years, the right to a college education has been slowly drifting out of financial reach for millions of young Americans. And, for so many Americans in so many communities, the quality of life is slowly eroding.

National service will enable participants to work in programs that address unmet human, educational environmental, and public safety needs—needs that have been systematically aggravated and unattended to. It will involve the most diverse range of Americans, from high school students to our oldest citizens, and will serve populations as diverse. And, in exchange for their service, participants will receive financial assistance for their education.

State and local programs will be defined and driven by the needs of their own communities. Program participants will teach, tutor, and care for small children, run recycling programs, aid homebound individuals provide home care for senior citizens, and clean up our parks and playgrounds. Communities will be served through Head Start centers, family support programs, community health centers, police departments, schools, conservation organizations, and in many other ways that work to meet the needs of that community in that community.

At the end of a term of service, the service participant will have earned $5,000 which can be applied towards past, present, or future educational loans. This will not only help participants pay their way through college, but it will help promote self-discipline, responsibility, and a strong work ethic.

The program is consistent with America's legacy of national service and will grow to include more and more Americans over time. Next year up to 25,000 people will be brought into the national service fold, which has the potential to expand to include up to 150,000 participants over the next 4 years. If this bill is passed, more people will have worked full-time in national service at the end of 5 years than the total number of Peace Corps volunteers in the entire 33-year history of that program.

National service will enable participants to become involved in programs that incorporate leadership training and special service projects. Earlier in my own career, I had the opportunity for such an experience as a fellow of the Coro Foundation. Through the Coro experience, I and other Coro fellows were able to appreciate how the diverse sectors in our society—public, private and non-profit—interact and work together in service to our communities. I believe that it is through this kind of comprehensive experience that those in service can both understand the full scope of national service and realize their own full potential. Service training, such as that provided by Coro, is what helps prepare our young people to serve effectively—not just for a year—but for a lifetime.

This bill harnesses the best in the American spirit—the spirit of reciprocity and commitment to change. I urge my colleagues on both sides of the aisle to support final passage of the National Service Trust Act—to invest in America's students and communities and to reward individual responsibility.

Mr. SKAGGS. Mr. Chairman, every week I receive letters from Colorado students and their families asking me to help prevent further reductions in vital educational programs like Pell grants, Perkins loans, Federal work-study and other campus-based aid programs. I tell them that I support full funding of these programs, which are the bread and butter of educational opportunity in America, and that I too believe all eligible students should have access to needed educational assistance.

The President and his Democratic supporters in Congress are committed to overturning a dozen years of neglect for education and other investment priorities. Yet at the same time, we're fighting to get the deficit under control, responding to calls to cut spending first. Fiscal discipline is easy to demand in theory, but painful to practice. And for me, deciding how to vote on the National Service Trust Act has been a difficult and frustrating lesson on the tough choices we're facing.

I fully support the President's goal of fostering a commitment to and respect for public service and his efforts to expand educational opportunities for the youth of America. But there just isn't the money available to initiate a major new Federal program, no matter how valid the purpose, unless we're ready to identify offsetting cuts. That's because so-called discretionary spending has become a zero-sum proposition. Every dollar we put into a new program will have to be taken out of an old one. The budgets for valuable existing educational programs—like Pell grants and Stafford loans are already underfunded and would be squeezed even tighter to make room for national service. I believe we need to fulfill valid current commitments before undertaking new ones.

I'm not saying that the Federal Government can't do more to improve educational opportunities and foster public service. On the contrary, there's plenty we can do and are doing. Provisions in the House-passed budget reconciliation bill would expand the options for student loan repayment to make the burden of repayment more manageable. Student borrowers could choose an income-contingent plan, meaning that their repayment schedules would be stretched out over a very long time if they take a low-paying job after graduation. This flexibility should remove much of the current disincentive for graduates saddled with heavy loans to join professions like teaching or social work, or other public service work, which traditionally do not pay as well as private-sector jobs.

I'd also note that the budget includes support for at least 24 volunteer and service efforts. VISTA, the Peace Corps, the Indian Health Service, and the National Guard Civilian Youth Opportunities programs will receive roughly $1.2 billion in fiscal year 1994.

When we can't meet our responsibilities to the many important educational and volunteer programs already authorized, I don't think it's time to launch a major new initiative. It's my view that Congress should hold off on authorizing this new program until we have resources sufficient to fund it. My "no" vote is based on fiscal realities in practice, not on the merits of national service in theory.

Mr. CARDIN. Mr. Chairman, I rise today to express my strong support for President Bill Clinton's National Service Program.

It was more than 30 years ago that a generation of Americans was called to service by the immortal words of John F. Kennedy: "Ask not what your country can do for you; ask what you can do for your country."

The goal of President Clinton's National Service Program is to change the direction our country has been going, toward a new direction. The hope is to lead more and more Americans to seize the opportunity for a college education and, at the same time, to serve their communities. We need more Americans to take the responsibility to help address our unmet educational, environmental, human, and public safety needs.

The process of transforming the world in which we live will not occur overnight, but only by working person by person, block by block, community by community, city by city.

Volunteer Maryland was selected as one of eight national service demonstration projects. Participants in the program come from all economic, social, and cultural backgrounds. Here is a sampling of what the participants at Volunteer Maryland are doing:

Peggy Napoli, a 24-year-old college graduate, is recruiting and training volunteers to provide day care in two women's shelters and to mentor homeless families as they move into permanent housing.

Mike Stephens, an 29-year-old environmental studies major from the University of Maryland Baltimore County, is working to increase the volunteer force at Maryland Save Our Streams [SOS] by transforming the occasional volunteer into the regular volunteer and reestablishing a system of key volunteer coordinators in every county to lead SOS activities.

Greg Walsh, a 30-year-old quadriplegic, is recruiting computer junkies to run computer workshops to train individuals with disabilities to use computer technology to become more independent.

Maria Feit, a 23-year-old from Baltimore, is creating a volunteer run fetal alcohol syndrome prevention education program for middle school students.

Mr. Chairman, I believe the National Service Program has the potential to unleash the human potential necessary to address the unmet needs of our society as we enter a new century.

Mr. SANDERS. Mr. Chairman, I rise in strong support today for the National Service Trust Act, H.R. 2010. The function of this legislation is to provide educational opportunity to all. It is not to lower the wage scale of those

people who are presently working, as some previous speakers have suggested today.

Recently there was a very interesting article in the New England Journal of Medicine, which received some national publicity and what it said is that low income people without good educational opportunity live shorter lives than those people who have more money and better educational opportunity. So today when we are discussing education, it's not simply somebody graduating Harvard and somebody dropping out of high school. The issue is that the better educated you are the more money you are going to earn—the better life you are going to live—and the longer life expectancy you are going to have.

Mr. Chairman, it is my strong belief that all Americans, regardless of their income or wealth, should have equal access to educational opportunities. It is simply not acceptable that millions of young people are denied access to higher education because of the limited income of their families, yet during the 1980's the cost of attending college soared by 126 percent. A college education now ranks as one of the most costly investments for American families, second only to buying a home.

What an enormous loss this country is suffering by the fact that millions of American people—working class people, low income people—are not able to expand their knowledge and their opportunity and skills by getting a better education. It is not just the individual who loses, it is our Nation who loses. We are not going to be able to compete with Japan and Europe if we don't have as well an educated society.

Mr. Chairman, today's debate is about priorities. I suspect that some of my colleagues who voted for the superconducting super collider and the space station will raise the specter of the deficit as their reasoning for opposing this legislation. It is beyond me as to how they can justify these priorities to the working families across America.

Today we are discussing a bill, the National Service Trust Act, that will help remove some of the economic barriers to attending college by allowing students to pay off their student loans by working in their community on important educational, environmental, and poverty programs. By paying students for their work and enabling students to pay off their loans, this bill recognizes the current situation for most college students—namely, most of them are currently working. In fact, nearly half of all full-time students in the 16–24 age group and 62 percent of students in all age categories work—often as much as 35 hours a week. Our higher education policy must continue to serve college students as they are, not as we imagine them to be.

The truth is our college students and their families are paying the price of an unconscionably declining Federal commitment to higher education. Today we have a small chance to improve that. But, in addition to approving this very important program, we must guarantee our full commitment to existing education programs. Since its earliest involvement in higher education policy, the Federal Government's ultimate goal has been to guarantee an equal opportunity for Americans to attend and graduate from college. If we continue to pare back our commitment to Pell grants as we have this year, our students will have little opportunity to attend school without facing enormous debt. We must offer college students both national service and a solid commitment to Pell grants, work study, supplemental educational opportunity grants, Perkins loan programs and the State student incentive grants.

In addition, we must continue to recognize our changing student population and the obstacles currently preventing them from completing college. National service recognizes and addresses many of those obstacles. Today about 43 percent of our students are over the age of 25–40 percent are enrolled on a part-time basis—and more women than men attend college, as has been the case since 1979. By making awards to full and part-time students, providing family leave to participants and by allowing States and other grant recipients to fund their own health insurance policy and make child care available, this legislation removes additional barriers that would have prevented much of our diverse student population from participating in national service.

Mr. Chairman, national service is an important piece of a Federal package that can enable all Americans to attain as much education as they need. By enabling students to help some of the 5 million children living in poverty—by encouraging students to help preserve our precious environment—by supporting those students that can help rebuild our deteriorating housing programs—we are advancing the needs of communities across America and entitling students to the education they deserve. We are enabling them to address some of the enormous problems facing this country and to be part of the solution, rather than being part of the problem themselves. In so doing, it is not just the individual who benefits, but our entire Nation.

This bill does two important things. No. 1, it says to middle class young people, "Don't give up on the possibility of getting a college education because the government is prepared to help you get that education." More importantly, it says to the young people of America, "We want your intelligence, we want your energy. There are enormous problems facing us, we want your help in addressing those problems. And as you go out into communities and as you improve life for other people, you will be fulfilling a crucial part of your educational experience."

The idea of national service is good, and when combined with other programs it is a significant step forward in making sure that all of our people will get the education that they are entitled to, improving their own life and life in America.

Let us get our priorities straight. National service and other Federal programs providing aid to students are funding priorities that this Congress can no longer afford to ignore.

Ms. NORTON. Mr. Chairman, I rise in strong support of H.R. 2010, the National Service Trust Act. Interest rates in this country are down—way down. But as usual that means opportunity for buyers. When interest rates go down, it is time to invest in the future. When interest rates are down, opportunity is cheap and safe.

I am not talking today about the interest rates community banks get in this country. I am talking about the interest rates community service gets in this country.

Our community interest rates are down, and that means it is time to invest, time to plant again. We are fortunate to have a President who means to invest, who intends to force the spring, who hopes to drive community service interest rates back to an all-American high.

The National Service Trust Act is an important first step in reengaging our young people to the community. This plan will work, and as people see it working, it will grow. And with it, interest rates in our community will rise, with benefits to all.

I know it will work because a similar, smaller program, the D.C. Service Corps, is working right here in our Capital today, and working well. The young members of this program are doing valuable work in many areas, and are for the first time getting to know others from different parts of the community and country. Out of 104 participants in the D.C. Service Corps, one-quarter described their families as upper income, while about one-third said they came from lower income families. They are learning that we truly are all in this together. They are learning to care about each other's worlds, and about the community we share together.

Does anyone doubt that the community interest rates of these young participants have shot up dramatically? Listen to Kieran McGrath, a D.C. Service Corps member, who in December said: "Before I joined the Corps, I had never had a friend that lived in a housing project. I had never had a friend my age who was responsible for raising children. I had never had a friend who had spent time in a correctional facility." Kieran said the opportunity to serve "developed a sense of responsibility and duty to help the D.C. community in the future * * *." And listen to Jutata Jackie Basnight, a D.C. Service Corps member who went from unemployment to helping others full-time: "I have learned about real community service which I will do for the rest of my life. * * * By working together we can't help but understand each other and work together to shape the future."

Interest rates in community service are way down after a 12-year slide. But when interest rates are down, the safest thing to do is—invest. Let us force the spring, let us invest in our community, let us pass this National Service Trust Act, and let us watch the new generation grow.

Mr. GALLO. Mr. Chairman, I rise today to express my opposition to H.R. 2010, the National Service Trust Act.

An estimated 80 percent of all Americans are presently committed in some volunteer capacity to address unmet needs in their communities. I am truly heartened by this trend and by the renewed enthusiasm I see for community service among young people in our country.

While I ardently encourage student participation in order to further strengthen national volunteer efforts, I cannot support the legislation before us today.

Proponents of this legislation have rightly assessed the program's substantial benefits for the limited number of students eligible to participate. But unfortunately, less than 1 percent of our entire postsecondary student population would be able to serve in this program.

I am also concerned about the overwhelming majority of students who will not be able to participate in this program and for whom a college education will remain financially unattainable. Under the proposed national service plan, no consideration would be given to financial need in awarding educational assistance. Yet to expand the program and extend this opportunity to the 7 million students who currently receive financial aid, taxpayers would have to pay as much as $150 billion each year.

Mr. Speaker, our resources can be stretched no further. This generous offer of educational assistance is not equalled under existing aid programs. The average Pell grant award, which goes to 4.4 million of our Nation's neediest students, is just $1,450. And, ironically, as Congress considers this legislation, five student aid programs—including Pell grants—are under threat of funding cuts. These same programs will, in future years, have to compete directly for funds with the National Service program.

At a time when volunteer efforts are flourishing in our Nation and when countless students do not have the financial means to attend college, I feel this program, while perhaps worthy in concept, cannot be justified from a fiscal standpoint.

I urge my colleagues to vote no.

Mr. HUGHES. Mr. Chairman, I rise in support of H.R. 2010, the National Service Trust Act, which we are considering today. As a cosponsor of this legislation, I am proud to support this initiative which represents a creative and innovative approach to a myriad of challenges we face as a society.

First and foremost, national and community service will provide new opportunities for people of all ages to pursue higher education. Students will no longer have to contend with a complex and confusing system of financial assistance which by any standards is not user-friendly. Instead, students may elect to serve in areas of unmet human, educational, environmental, or public safety needs and receive educational awards of $5,000 for each term of volunteer service.

Educational awards can be used by students to repay student loans, pay for college education, pay for expenses for participating in an approved school-to-work program, and pay for interest that accrues during a period of forbearance in a repayment of a student loan.

Second, under the National Service Trust Act, beleaguered public service programs designed to meet specific needs within our communities will receive a boost after years of budget reductions which drained program resources and staff.

As a Nation, we have struggled in our efforts to deal with the serious problems undermining the social fabric of our society. Escalating school dropout rates, high unemployment, and continuation of the welfare cycle, violent crimes and the scourge of drugs, the lack of common morals and values, and the total disregard for human life, are no longer isolated concerns, but problems which plague us as a nation.

National and community service will offer an opportunity to involve young people everywhere in activities which will assist in the development of self-esteem and commitment to the community as well as the kind of personal fulfillment that comes from setting goals, working hard, and accomplishing objectives. While performing community service, many of our most challenged citizens will benefit from the discipline of a program schedule and the personal instruction and motivation received from program supervisors who have a stake in their success. Program participation will also expose individuals to a variety of new experiences and may generate an awareness or interest in a particular field which a volunteer may choose to pursue.

And most important, serving in our neighborhoods and in our cities will foster the development of values such as hard work, sacrifice, and the importance of human life, while instilling a positive sense of community.

National and community service will not be the panacea that solves all our social problems. However, if this program positively redirects the lives of just a portion of its participants—by all standards we will have created a success.

National and community service is one of those investments which will yield both immediate and future economic and social benefits, not to mention the savings in future expenditures on social welfare and law enforcement programs.

As chairman of the older Americans caucus, I am particularly pleased that the National Service Trust Act will utilize the knowledge and experience of our older Americans. This act combines ACTION, which houses VISTA and older American volunteer programs, such as retired senior volunteers program [RSVP] and foster grandparents, with the Commission on National and Community Service.

As our elderly population continues to grow, it is important that we focus on programs which enable older Americans to be active and productive members of our communities.

The National Service Trust Act of 1993 expands the opportunity to pursue higher education, provides assistance for underfunded and understaffed public service programs, and presents an opportunity to improve the job skills and ensure the competitiveness of future generations.

The National Service Trust Act of 1993 is a win-win proposal. I strongly urge my colleagues to take decisive action today for America's future and support this important initiative.

Mr. HOAGLAND. Mr. Chairman, I rise today to express my support for the administration's National Service Corps proposal. These are troubled times, a time for change. On the education front, crime in the schools seems to be increasing, college tuitions are rising, and our families seem to be fragmenting from our traditional sense of national commitment and community. President Clinton's program proposals here address some of these problems.

As a Nation, we need to join together to invest in our future. The National Service Trust Act of 1993 does that. It would encourage Americans of all ages and from all walks of life to complete college education and subsequently to work to improve our country—in schools, forests, hospitals, and inner cities. The stipend and health benefits proposed would make it possible for those from middle-class families, who would otherwise be unable to afford to work without pay, to contribute. That the program is not means-determined permits all to participate. Students from all over America will go to school together and work together. These experiences will bind us together in a growing community. We will be a Nation united, not divided. Together we will all work for and invest in our Nation's future and in our individual futures.

It has been said that this program resembles entitlements. This is an unfair characterization. Do we begrudge our veterans the education vouchers they receive at the end of their tours of duty? No. We're proud of their achievements and their desire to continue to learn. Nor should we begrudge the domestic participants in this new program their benefits. They will have earned what they are given.

This program encourages personal responsibility. The men, women, and youth who participate will learn skills and build the strength of character that will make them more productive, more responsible citizens. They will work hard—and it is the hard-work ethic upon which this Nation has depended through the years. They will work hard to improve not only themselves, but also to improve America. They will benefit, and so will the Nation.

Of course, this program should not replace needs-based college financial aid. Those programs are vitally important. The financial credit that the National Service Trust Act would grant is not the primary focus of the bill. This is a service bill, first and foremost. However, the reward would give many Americans the opportunity to learn, while supplying America with an educated and skilled work force, without which we will not be able to compete in tomorrow's international marketplace. It is a way for men and women to receive the aid they need to educate themselves. They will have earned all that they were given, for with their work, they will have given even more back to us.

And as I have said before, Mr. Chairman, investing in our country's future also means that we need to do something to stop the increasingly violent crime our citizens are subjected to. We need to pass crime legislation to give our communities the tools and resources to make our streets safe again.

The National Service program encourages Americans to work together so that our Nation will continue to be strong and successful. Please vote in favor of the National Service Trust Act, an important proposal to improve America's future.

Mr. PORTMAN. Mr. Chairman, today we resume consideration of H.R. 2010, the National Service Trust Act of 1993.

This bill provides participants in the National Service program a minimum-wage stipend, health and childcare benefits, and up to $10,000 in education assistance for 2 years of community service.

I strongly support the concept of community service. Voluntary service to our Nation and communities is a noble tradition as old as our Republic. I am deeply troubled, however, with the creation of yet another large Federal program, costing an estimated $2.8 billion over 5 years, while we are in the midst of a monumental struggle to get control of our massive Federal debt. The benefits created by this program come at a great cost to the beneficiaries and their children—an ever-growing national

debt that mortgages their future. I also question why such a program is necessary when the Federal Government is already funding at least 24 existing service programs spread throughout six Federal agencies at a cost of $1.2 billion each year. We have to do more to encourage service to our country, but not by creating yet another Federal program.

Furthermore, student aid programs now in place are already suffering financially. Pell grants, for example, help millions of students who have legitimate financial needs pursue a higher education. The Pell Grant Program was cut in 1992 and faces further reductions this year. At the same time, the proposed National Service Program would aid all students, regardless of their need, forcing Pell grants and other proven student aid programs to compete for scarcer Federal resources.

Last week our colleague, SUSAN MOLINARI, offered an amendment to delay financing for the National Service Act until certain funding levels for other student aid programs had been met. Regrettably, this attempt to protect the Pell grants and other worthwhile student aid programs was defeated, an action which I feel makes enactment of H.R. 2010 even less desirable.

Mr. Chairman, I have to vote "no" on the National Service Trust Act. It is costly, unnecessary and, as crafted, will ultimately not be a service to the American taxpayer.

Mr. KOLBE. Mr. Speaker, I rise today in reluctant opposition to the National Service Trust Act. I say reluctant because I fully understand and agree with the goal of boosting our Nation's sense of service to the community, however, I fundamentally disagree with the manner in which this law achieves that goal.

H.R. 2010 establishes a new corporation for national service to serve as the primary grantmaking and oversight agency for the national service program similar to the one President Clinton spoke of during his campaign and early in his administration. The program allows students, ages 17 or older, to perform up to 2 years of community service—either before, during, or after college—in exchange for a $5,000 voucher each year to cover education or job training costs. Participants in the program would also receive a stipend and some health and child-care benefits.

After listening to several days of spirited debate over the last few weeks about this legislation, I have come to two simple conclusions. First, it is not the time for the Federal Government to establish a costly new program. The Congressional Budget Office estimates that H.R. 2010, when fully funded by Congress, will cost $1.2 billion over 3 years. But even with full funding, this proposal will help less than one-half of 1 percent of the population, less than 1 percent of the 16 million students currently enrolled in post-high school education, and less than 4 percent of the 4 million students currently eligible for financial aid.

Supporters of the bill claim that the program will help thousands of Americans who may not have the resources to attain a postsecondary education achieve that goal. However, given the costs associated with this plan and the needs of our college students, Congress should do more to make college more affordable for everyone by focusing on funding for Pell grants and other need-based programs.

Federal resources are so scarce that the House voted to reduce campus-based student financial aid and totally eliminate the State Student Incentive Grant program—a program essential in my home State of Arizona. In addition, the Appropriations Committee reduced the maximum Pell grants from $2,300 to $2,250. Under these circumstances, the reasons for creating a new Federal college assistance program, especially one not based on individual student need, elude me.

We have a responsibility to our students to be good stewards of the money we allocate for Federal education-assistance programs. We can play budgetary games with the account for the National Service Trust Act and fund it out of the VA/HUD Appropriations bills, but in the end it all comes from one account—the tax dollars of the American public. And, in the end it obligates funds to a new program other than our existing, successful, Federal education-assistance programs.

My second point is that there is no clear evidence that Americans lack the volunteer spirit, nor is there any evidence that the Federal Government must act to foster that spirit. Volunteer efforts are flourishing in thousands of communities, and I see the tremendous effects of voluntarism and service in my district. In 1991, 94.3 million Americans, aged 18 and over, volunteered in some capacity—many of them young people. I have many working in my congressional office as volunteers—from high school teenager to retired senior citizens.

There is no obvious need to create a costly new program to encourage Americans to do what they are already doing. According to a Gallup Poll and the group Independent Sector, Americans are giving more time and money to charities. This is not happening because the Federal Government is encouraging it, but because Americans cherish service. Former Director of the U.S. Census Bureau Bruce Chapman said:

> It is precisely because real service is such a vital part of American life that nationalizing it and distorting its moral content through government should be most strongly resisted.

The spirit of voluntarism and service is embodied in President Kennedy's famous statement, "* * * ask not what your country can do for you; ask what you can do for your country." The passage of H.R. 2010 most assuredly does not reinforce that message.

The financial needs of citizens seeking a higher education are clear, and the National Service Trust Act does not meet those needs. It is not the time for a new and expensive Federal program, no matter how well intended. I urge my colleagues to vote against this bill.

Mr. FRANKS of Connecticut. Mr. Chairman, the Clinton administration and some of my colleagues here in the House are arguing that this national service plan has many outstanding goals. I agree that we in Congress can play an important role in providing educational opportunity to Americans and in fostering community service. However, I do not believe that creating an expensive, bureaucracy-laden Government program is a good way to achieve these goals. In fact, passage of this plan will send a disturbing signal to the millions of volunteers in this country that community service needs a Government imprimatur to be legitimate. This act would also undermine the American idea of community service by paying people to help others. Finally, this bill, expensive as it is, can only play a very limited role to open educational opportunities to our Nation's college students. This bill is just another make-work summer jobs program, except this program is intended to make work for social activists on our Nation's campuses.

First, I want to make clear that I believe that volunteer community service has been and is an intrinsic quality of the American people. In 1991 94.3 million adult Americans volunteered in some way to our communities and averaged more than 4.2 hours of service a week. No country can be a utopia, and therefore even our great Nation is indebted to people who are willing to make our communities better and help those who through no fault of their own are in need. However, I believe that many of our Nation's problems can be solved through the local level within the community. In contrast, President Clinton is subverting community service with his idea of national service: creating a federally directed volunteer organization designed to fulfill a national political agenda.

Since high school I have been actively involved in community service in Waterbury, CT. I feel that by being what former President Bush called a point of light, every American can contribute to make this country a better place. President Bush had a sense of duty and compassion common to all Americans who have volunteered for community service. His words were not idle rhetoric. Ironically, those who once mocked points of light are now fully behind the creation of a national service bureaucracy.

This national service plan has other philosophical flaws. If a person gets genuine compensation for doing work, that person is doing a job. The first definition of job in the Merriam-Webster Dictionary is "a piece of work; especially a small miscellaneous piece of work undertaken on order at a stated rate." Mr. Chairman, this bill undermines the entire idea of helping others without compensation out of empathy for fellow members of the community. Participants in national service will receive an hourly minimum wage, a $5,000 stipend, and federally subsidized health care. College students who have children can receive federally subsidized child care. I haven't received monetary compensation and benefits for my service—I thought my service transcended materialism. This plan will truly destroy the spirit of service.

Let me discuss the cost of this program and the percentage of students it will actually benefit. National service will cost $7.4 billion over the next 4 years. The Peace Corps has received less than half of that sum in its 31 years of existence. While this sum provides between $15,000 and $20,000 in taxpayer money to each participant, remember that much of the money will go toward a massive new Federal bureaucracy and clone bureaucracies in each State. By 1997, when the bureaucracy begins to mature, national service will cost over $22,600 per participant. Who knows how high the Federal deficit will be in 1997? To at least limit the costs of this program, I will support Congresswoman MOLINARI's amendment to eliminate the minimum

wage stipend, the federally subsidized health care, and the federally subsidized child care for students.

Few of my constituents will benefit from this national service plan. Even after $7.4 billion is spent creating jobs for students, only 150,000 will be involved in 1997. This year more than 16 million students were enrolled in some form of higher education. Who will be the special people that get this Government ride for their education? This program is going to be highly susceptible to cronyism, discrimination, and abuse. I will support Congressman GOODLING's amendment to make educational awards under this program need-based.

This program is also subject to abuse from labor unions and interest groups with pointed political agendas. This bill will allow labor unions to be involved in the approval process for an applicant's grant. While this seems fair on the surface to prevent participants from taking jobs, it has a different meaning when one finds out that, under this bill, unions can apply for the same grants themselves. I will vote for Congressman BALLENGER's amendment to prevent this conflict-of-interest from occurring. Nevertheless, I am still concerned that this national service plan could create a pool of potential secretaries for political lobbyists.

Some Members on my side of the aisle support this national service plan because it allows students to pay for their education by working. I say to these Members: If President Clinton was concerned about giving students an opportunity to finance their education, why didn't he propose to use the existing college work study program as an administrative framework for providing paid community work? Why the creation of a new Corporation for National Service. The educational benefits of the National Service Trust Act are a cover for bigger Government and the creation of a phalanx of taxpayer-funded political activists. I will vote against this bill.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Mr. FIELDS of Louisiana, 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. 2010) To amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes, pursuant to House Resolution 217, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. WALKER. Mr. Speaker, I demand a separate vote on the so-called Stump amendment, the so-called Solomon amendment, and the so-called Porter amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

If not, the Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: page 79, strike lines 18 through 23 and insert the following:

"(a) AMOUNTS GENERALLY.—Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of service in an approved national service position shall receive a national service educational award having a value, for each of not more than 2 of such terms of service, equal to 90 percent of—

"(1) one-half of the aggregate minimum basic educational assistance allowance calculated under sections 3013(d)(1) and 3015(b)(1) of title 38, United States Code (as in effect on July 28, 1993), for a member of the Armed Forces who is entitled to such an allowance under section 3011 of such title and whose initial obligated period of active duty is two years; less

"(2) one-half of the aggregate basic contribution required to be made by the member under section 3011(b) of such title (as in effect on July 28, 1993).

Mr. WALKER (during the reading). Mr. Speaker, I ask unanimous consent that 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 Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

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

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes recorded votes on the other amendments, if ordered.

The vote was taken by electronic device, and there were—ayes 419, noes 6, not voting 9, as follows:

[Roll No. 376]

AYES—419

Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts

Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—6

Abercrombie
Brown (CA)
McHale
Mink
Sanders
Waters

NOT VOTING—9

Carr
de la Garza
Harman
Henry
McDade
Mfume
Moakley
Packard
Washington

□ 1821

Messrs. BLACKWELL, CONYERS, SCOTT, NADLER, KENNEDY, and MANN changed their vote from "No" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MCNULTY). The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment:

Page 247, after line 3, strike the close quotation marks and the final period.

Page 247, after line 3, insert the following new subsection:

"(d) Specification of Budget Function.—The authorizations of appropriations contained in this section shall be considered to be a component of budget function 500 as used by the Office of Management and Budget to cover education, training, employment, and social services, and, as such, shall be considered as related to the programs of the Departments of Labor, Health Services, and Education for budgetary purposes.".

Page 284, after line 4, insert the following new paragraph:

"(5) Specification of Budget Function.—The authorizations of appropriations contained in this subsection shall be considered to be a component of budget function 500 as used by the Office of Management and Budget to cover education, training, employment and social services, and, as such, shall be considered as related to the programs of the Departments of Labor, Health and Human Services, and Education for budgetary purposes.".

Mr. WALKER (during the reading). Mr. Speaker, I ask unanimous consent that 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 Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

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

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the Chair's prior announcement, this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 385, noes 38, not voting 11, as follows:

[Roll No. 377]

AYES—385

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
Cooper
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Foglietta
Ford (MI)
Ford (TN)
Fowler
Franks (CT)
Franks (NJ)
Frost
Gallegly
Gallo
Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Montgomery
Moorhead
Morella
Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Rahall
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Royce
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Valentine
Vento
Volkmer
Vucanovich
Walker
Walsh
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—38

Becerra
Beilenson
Brown (CA)
Clay
Collins (IL)
Coppersmith
Engel
Flake
Frank (MA)
Furse
Gibbons
Gonzalez
Hefner
Hoyer
Jefferson
McDermott
Mollohan
Moran
Natcher
Olver
Pelosi
Porter
Price (NC)
Rangel
Roybal-Allard
Rush
Sanders
Smith (IA)
Stokes
Swift
Unsoeld
Velazquez
Visclosky
Waters
Watt
Waxman
Woolsey
Yates

NOT VOTING—11

Bachus (AL)
Brewster
Conyers
Gephardt
Henry
McDade
Moakley
Packard
Ramstad
Sabo
Washington

□ 1832

Messrs. BROWN of California, PRICE of North Carolina, HEFNER, RUSH, MOLLOHAN, RANGEL, MCCLOSKEY, JEFFERSON, and FLAKE, and Mrs. COLLINS of Illinois, changed their vote from "aye" to "no."

Mr. CARDIN and Mr. SCHUMER changed their vote from "no" to "aye".

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. McNULTY). The Clerk will report the last amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE V—LIMITATION ON LIABILITY OF VOLUNTEERS

SEC. 501. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) within certain States, the willingness of volunteers to offer their services has been increasingly deterred by a perception that they thereby put personal assets at risk in the event of liability actions against the organization they serve;

(2) as a result of this perception, many nonprofit public and private organizations and governmental entities, including voluntary associations, social service agencies,educational institutions, local governments, foundations, and other civic programs, have been adversely affected through the withdrawal of volunteers from boards of directors and service in other capacities;

(3) the contribution of these programs to their communities is thereby diminished, resulting in fewer and higher cost programs than would be obtainable if volunteers were participating;

(4) the efforts of nonprofit organizations, local government, States, and the Federal Government to promote voluntarism, and community and national service, are adversely affected by the withdrawal of volunteers from boards of directors and service in other capacities; and

(5) because Federal funds are expended on useful and cost-effective social service programs which depend heavily volunteer participation, protection of voluntarism through clarification and limitation of the personal liability risks assumed by the volunteer in connection with such participation is an appropriate subject for Federal encouragement of State reform.

(b) PURPOSE.—The purpose of this title are to promote programs of community and national service, to promote the interests of social service program beneficiaries and taxpayers, and to sustain the availability of programs and nonprofit organizations and governmental entities which depend on volunteer contributions, by encouraging reasonable reform of laws to provide protection from personal financial liability to volunteers serving with nonprofit organizations and governmental entities for actions undertaken in good faith on behalf of such organizations.

SEC. 502. NO PREEMPTION OF STATE TORT LAW.

Nothing in this title shall be construed to preempt the laws of any State governing tort liability actions.

SEC. 503. LIMITATION OF LIABILITY FOR VOLUNTEERS.

(a) LIABILITY PROTECTION FOR VOLUNTEERS.—For purposes of satisfying the requirement specified in section 129(a)(5) of the National and Community Service Act of 1990, and except as provided in subsections (b), (c), and (d), a State shall provide by law that any volunteer of a nonprofit organization or governmental entity shall incur no personal financial liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization or entity if—

(1) such individual was acting in good faith and within the scope of such individual's official functions and duties with the organization or entity and such functions and duties are directly connected to the administration of a program described in section 122(a); and

(2) such damage or injury was not caused by willful and wanton misconduct by such individual.

(b) CONCERNING RESPONSIBILITY OF VOLUNTEERS WITH RESPECT TO ORGANIZATIONS.—Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(c) NO EFFECT ON LIABILITY OF ORGANIZATION.—Nothing in this section shall be construed to affect the liability of any nonprofit organization or governmental entity with respect to injury caused to any person.

(d) EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—A State shall impose the following conditions on and exceptions to the granting of liability protection to any volunteer of an organization or entity required by subsection (a):

(1) The organization or entity must adhere to risk management procedures, including mandatory training of volunteers.

(2) The organization or entity shall be liable for the acts or omissions of its volunteers to the same extent as an employer is liable, under the laws of that State, for the acts or omissions of its employees.

(3) The protection from liability does not apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's license is required.

(4) The protection from liability does not apply in the case of a suit brought by an appropriate officer of a State or local government to enforce a Federal, State, or local law.

(5) The protection from liability shall apply only if the organization or entity provides a financially secure source of recovery for individuals who suffer injury as a result of actions taken by a volunteer on behalf of the organization or entity. A financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the entity will be able to pay for losses up to a specified amount. Separate standards for different types of liability exposure may be specified.

SEC. 504. DEFINITIONS.

For purposes of this title—

(1) the term "volunteer" means an individual performing services for a nonprofit organization or a governmental entity who does not receive compensation, or any other thing of value in lieu of compensation, for such services (other than reimbursement for expenses actually incurred or honoraria not to exceed $300 per year for government service), and such term includes a volunteer serving as a director, officer, trustee, or direct service volunteer;

(2) the term "nonprofit organization" means any organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(3) the term "damage or injury" includes physical, nonphysical, economic, and noneconomic damage; and

(4) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

Mr. WALKER (during the reading). Mr. Speaker, I ask unanimous consent that 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 Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

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

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the Chair's prior announcement this is a 5-minute vote that may be followed by additional votes on this bill. Members are requested to remain in the Chamber.

The vote was taken by electronic device and there were—ayes 362, noes 61, not voting 11, as follows:

Roll No. 378

AYES—362

Ackerman	Carr	Fazio
Allard	Castle	Fields (LA)
Andrews (ME)	Chapman	Fields (TX)
Andrews (NJ)	Clement	Filner
Andrews (TX)	Clinger	Fingerhut
Archer	Clyburn	Fish
Armey	Coble	Ford (TN)
Bacchus (FL)	Coleman	Fowler
Baesler	Collins (GA)	Frank (MA)
Baker (CA)	Collins (MI)	Franks (CT)
Baker (LA)	Combest	Franks (NJ)
Ballenger	Condit	Frost
Barca	Cooper	Gallegly
Barcia	Coppersmith	Gallo
Barlow	Cox	Gejdenson
Barrett (NE)	Cramer	Gekas
Barrett (WI)	Crane	Geren
Bartlett	Crapo	Gibbons
Barton	Cunningham	Gilchrest
Bateman	Danner	Gillmor
Bellenson	Darden	Gilman
Bentley	de la Garza	Gingrich
Bereuter	Deal	Glickman
Berman	DeFazio	Goodlatte
Bevill	DeLauro	Goodling
Bilbray	DeLay	Gordon
Bilirakis	Derrick	Goss
Billey	Diaz-Balart	Grams
Blute	Dickey	Grandy
Boehlert	Dicks	Greenwood
Boehner	Dixon	Gunderson
Bonilla	Dooley	Gutierrez
Borski	Doolittle	Hall (OH)
Boucher	Dornan	Hall (TX)
Browder	Dreier	Hamilton
Brown (CA)	Duncan	Hancock
Brown (FL)	Dunn	Hansen
Brown (OH)	Durbin	Harman
Bryant	Edwards (CA)	Hastert
Bunning	Edwards (TX)	Hayes
Burton	Emerson	Hefley
Buyer	English (AZ)	Hefner
Byrne	English (OK)	Herger
Callahan	Eshoo	Hinchey
Calvert	Evans	Hobson
Camp	Everett	Hochbrueckner
Canady	Ewing	Hoekstra
Cantwell	Farr	Hoke
Cardin	Fawell	Holden

Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, Sam
Johnston
Kaptur
Kasich
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klug
Knollenberg
Kolbe
Kreidler
Kyl
LaFalce
Lambert
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Manton
Manzullo
Margolies-Mezvinsky
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
Meehan
Menendez
Meyers
Mfume
Mica
Michel
Miller (FL)
Mineta
Minge
Molinari
Montgomery
Moorhead
Morella
Murphy
Murtha
Myers
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Reed
Regula
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—61

Abercrombie
Applegate
Becerra
Bishop
Blackwell
Bonior
Brooks
Clay
Clayton
Collins (IL)
Conyers
Costello
Coyne
Dellums
Deutsch
Dingell
Engel
Flake
Foglietta
Ford (MI)
Furse
Gonzalez
Green
Hamburg
Hastings
Hilliard
Hoagland
Inslee
Johnson, E. B.
Kanjorski
Kennedy
Klink
Kopetski
Lancaster
Mann
Markey
McDermott
McNulty
Meek
Miller (CA)
Mink
Mollohan
Moran
Nadler
Payne (NJ)
Reynolds
Rush
Scott
Skaggs
Smith (IA)
Stark
Stokes
Swift
Synar
Traficant
Unsoeld
Waters
Watt
Woolsey
Wynn
Yates

NOT VOTING—11

Bachus (AL)
Brewster
Gephardt
Henry
McDade
Moakley
Packard
Pelosi
Rangel
Sabo
Washington

□ 1838

Messrs. RUSH, BLACKWELL, and COYNE changed their vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1840

MOTION TO RECOMMIT OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. MCNULTY). Is the gentleman opposed to the bill?

Mr. GOODLING. In its present form, yes, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GOODLING moves to recommit the bill, H.R. 2010, to the Committee on Education and Labor.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. FORD of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 275, noes 152, not voting 7, as follows:

[Roll No. 379]

AYES—275

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bishop
Blackwell
Blute
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Hoekstra
Holden
Horn
Houghton
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Klug
Kopetski
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Montgomery
Moran
Morella
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skelton
Slattery
Slaughter
Smith (IA)
Snowe
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Walsh
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—152

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cantwell
Castle
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gingrich
Goodlatte
Goodling

Goss	Manzullo	Royce
Grams	McCandless	Santorum
Grandy	McCollum	Saxton
Greenwood	McCrery	Schaefer
Hancock	McHugh	Schiff
Hansen	McInnis	Sensenbrenner
Hastert	McKeon	Shaw
Hefley	McMillan	Shuster
Herger	Meyers	Skaggs
Hobson	Mica	Skeen
Hoke	Michel	Smith (MI)
Huffington	Miller (FL)	Smith (NJ)
Hunter	Molinari	Smith (OR)
Hutchinson	Mollohan	Smith (TX)
Hyde	Moorhead	Solomon
Inglis	Myers	Spence
Inhofe	Nussle	Stearns
Istook	Oxley	Stump
Johnson, Sam	Paxon	Sundquist
Kasich	Petri	Synar
Kim	Pombo	Talent
King	Porter	Taylor (NC)
Kingston	Portman	Thomas (CA)
Knollenberg	Pryce (OH)	Thomas (WY)
Kolbe	Quillen	Vucanovich
Kreidler	Ramstad	Walker
Kyl	Ravenel	Weldon
Levy	Regula	Wolf
Lewis (CA)	Ridge	Young (AK)
Lewis (FL)	Roberts	Young (FL)
Lightfoot	Rohrabacher	Zeliff
Linder	Roth	Zimmer
Livingston	Roukema	

NOT VOTING—7

de la Garza	McDade	Washington
Dingell	Moakley	
Henry	Packard	

□ 1859

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2492. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes; and

H.R. 2493. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2492) "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KOHL, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. BYRD, Mr. BURNS, Mr. MACK, and Mr. HATFIELD, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2493) "An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes" request a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BUMPERS, Mr. HARKIN, Mr. KERREY, Mr. JOHNSTON, Mr. KOHL, Mrs. FEINSTEIN, Mr. BYRD, Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. GRAMM, Mr. GORTON, and Mr. HATFIELD, to be the conferees on the part of the Senate.

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

S. 1295. An act to amend the Rehabilitation Act of 1973 and the Education of the Deaf Act of 1986 to make technical and conforming amendments to the Act, and for other purposes.

The message also announced that pursuant to Public Law 102-240, the Chair announces on behalf of the Republican leader, his appointment of Thomas E. Mulinazzi of Kansas, as a member of the National Council on Surface Transportation Research.

GENERAL LEAVE

Mr. MARTINEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2010, National Service Trust Act of 1993, the bill just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. PACKARD. Mr. Speaker, had I been present for the following rollcall votes, I would have voted "yes" on rollcall votes numbered 373, 374, 375, 376, 377, and 378.

I would have voted "no" on rollcall votes numbered 371, 372, and 379.

Mr. MFUME. Mr. Speaker, I missed rollcall vote 376. I was unavoidably detained in a meeting with the President and was unable to make my way to the House floor in time for the vote.

Had I been present, I would have gone on the record voting "aye."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1420

Mr. BACCHUS of Florida. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from the bill H.R. 1420.

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

There was no objection.

□ 1900

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2330, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1994

Mr. BEILENSON, from the Committee on Rules, submitted a privileged report (Rept. No. 103-195) on the resolution (H. Res. 229) providing for consideration of the bill (H.R. 2330) to authorize appropriations for fiscal year 1994 for intelligence and intelligence-related activities of the U.S. Government and the Central Intelligence Agency Retirement and Disability System, 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. 1964, MARITIME ADMINISTRATION AUTHORIZATION ACT FOR FISCAL YEAR 1994

Mr. BEILENSON, from the Committee on Rules, submitted a privileged report (Rept. No. 103-196) on the resolution (H. Res. 230) providing for consideration of the bill (H.R. 1964) to authorize appropriations for the Maritime Administration for fiscal year 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT REGARDING FILING OF AMENDMENTS ON H.R. 2401, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

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

Mr. BEILENSON. Mr. Speaker, this is to notify Members of the House of the Rules Committee's plans regarding H.R. 2401, the National Defense Authorization Act for fiscal year 1994. The committee is planning to meet the week of August 2, 1993, to take testimony on the bill. In order to assure timely consideration of the bill on the floor, the Rules Committee is considering a rule that may limit the offering of amendments.

Any Member who is contemplating an amendment to H.R. 2401 should submit, to the Rules Committee in H-312 in the Capitol, 55 copies of the amendment and a brief explanation of the amendment no later than 12 noon on Monday, August 2, 1993.

A Dear-Colleague was sent to all Members and committees earlier today informing Members of this request.

The Armed Services Committee completed its markup yesterday and will file its report on Thursday or Friday. A draft bill and report are available for members and staff to examine in the Armed Services Committee offices in

room 2120 of the Rayburn Building. Legislative counsel should also have a copy of the bill.

We appreciate the cooperation of all Members in this effort to be fair and orderly in granting a rule for H.R. 2401.

COMMUNICATION FROM HON. DOUGLAS APPLEGATE, A REPRESENTATIVE FROM OHIO

The SPEAKER pro tempore laid before the House the following communication from Hon. DOUGLAS APPLEGATE, a Representative from Ohio:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 27, 1993.

Hon. THOMAS S. FOLEY,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the Court of Common Pleas of Coshocton County, Ohio related to a civil lawsuit involving a constituent.

After consultation with the General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and precedents of the House.

With best regards, I remain.

Sincerely yours,

DOUGLAS APPLEGATE,
U.S. Congressman.

TRIBUTE TO PAUL SWEITZER

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

Mr. HOUGHTON. Mr. Speaker, when people think about flying, they usually think about people, people like Glenn Curtiss or the Wright brothers. There is another family that is very important in flying. It is not motorized planes, but lighter than air planes, and that is the Sweitzer family. They are extraordinary people. Interested in gliding since the three brothers, Ernie, Bill, and Paul, built a sail plane in 1930. They have been involved with gliders ever since. They built a wonderful company.

Mr. Speaker, I would like to talk about one of those brothers tonight, Paul, because just a few days ago he was 80 years old, and he is still going strong. Man can usually enjoy work, but seldom the fruits of work. But that is not true with Paul. He has been an extraordinary guy. He has built the Sweitzer Aircraft Co., along with his brother Ernie and his brother Bill. And by the end of the production of the sail planes in 1984, the majority of sail planes manufactured in the United States had been manufactured by this little company, a great quality company, in Elmira, NY.

He has been a visionary. He is a great human being. And when children open books and dream their dreams of space and its history, I hope they will not forget the name of Paul Sweitzer.

□ 1030

INTRODUCTION OF MFN TERMINATION LEGISLATION FOR CROATIA

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

Mr. WOLF. Mr. Speaker, today I am introducing legislation which would cut off most favored nation [MFN] trading status between the United States and Croatia.

First let me say that I introduce this legislation with great reluctance. When I began contemplating terminating Croatian MFN, my first thought was for the people and how it would affect them. I have the utmost concern for the people of Croatia, but the unfortunate situation is that the Government of Croatia is now actively working with the Government of Serbia to cleanse Moslems from Bosnia. This is unacceptable to me and it should be unacceptable both to the U.S. Congress and to the Clinton administration.

I visited Croatia in September 1991. This was a critical period in the history of that nation, which at that time had not been recognized as an independent nation by the West. Yugoslavia was fracturing along ethnic lines, the European Community's cease fire plan for the region was a failure and it was becoming clear that millions of people were about to be plunged into a full-scale civil war. Croatia was taking a pounding from Yugoslav Army forces; entire villages and towns had been burned and blown up by the advancing Serb-dominated Yugoslav Army, creating a sea of thousands of refugees flooding into Western Europe.

Nowhere that I visited in Croatia was the devastation more severe than in the town of Vucovar which was, at that time, under siege and later fell to Serb forces. I witnessed first hand the conditions within a bomb shelter in Vucovar—an old wine cellar where 160 people huddled for weeks, too fearful of Serb snipers and aerial attacks to risk leaving.

While in Zagreb, I met with Croatian President, Franjo Tudjman. At that time, Croatia was under attack from the Army of Yugoslavia and its leaders were attempting to head off an onslaught by Yugoslav federation troops on its borders. President Tudjman pleaded for military restraint and for European and American-backed peace negotiations. After meeting with the Croatian President, I was convinced that the Government of Croatia was on the right track toward democracy and that the United States should recognize Croatia as a free and independent nation.

Upon my return, I met with then-Deputy Secretary of State Lawrence Eagleburger, encouraging him to push the Bush administration toward recognizing Croatian independence. I placed one important condition on United States recognition: Croatia must respect the rights of ethnic people both within its borders and in the surrounding areas. I spoke with Secretary Eagleburger and National Security Advisor Brent Scowcroft on numerous occasions about the worsening situation in Croatia and Bosnia.

Unfortunately, the events have changed dramatically in Croatia. I am deeply concerned by the growing alliance between Croatian President Franjo Tudjman and Serbian leader Slobodan Milosevic as well as the cooperation between the Serb and Croat armies both in their attacks on Moslems and in their efforts to cut off humanitarian aid to Moslem-held areas of Bosnia.

For the first time, the United Nations has stated that Croatian Army troops are fighting within Bosnia against Moslem-Bosnian forces. These are Croatian regular forces, under the command of the Government of Croatia. They are not ethnic Croatians who live within Bosnia, who we know have been receiving military aid from the Government of Croatia.

I ask unanimous consent that I be permitted to add to the CONGRESSIONAL RECORD copies of several articles about Croatian ambitions in Bosnia. One of these articles appeared in the Washington Post on Thursday, July 22, 1993, in which U.N. peacekeepers in Bosnia who stated that "heavy movements"—possibly involving several thousand Croatian troops—are fighting in Bosnia.

Even more troubling is that it now appears that the Croatian Government, at the highest levels, is coordinating its military strategy with the Government of Serbia. The Washington Post reports that "Serb and Croat units earlier this month began cooperating with Serb forces in attacks on Moslem positions in central Bosnia." Keep in mind that these same Croatian troops which were being attacked by Serb militia just a year ago are now working together to target and destroy Moslem villages.

Croatia is now also halting the flow of humanitarian aid to Bosnia. According to the United Nations, more than 100 trucks loaded with food and medical supplies destined for central and eastern Bosnia are now being detained by Croatian military forces. These forces have been successful in cutting in half humanitarian aid to Bosnia.

The most shocking example of Croatian efforts to rid Bosnia of Moslems are reports of ethnic cleansing by Croatian troops. Last week, the New York Times reported that near the town of Medjugorje, Bosnia, Croatian forces are "driving at least 30,000 Moslems from their homes at gunpoint and herding many of them into detention camps." This wholesale deportation of Moslems

could not be taking place without the knowledge, and the direct support, of the Government of Croatia.

These events lead to one important conclusion: Croatian President Franjo Tudjman and his government are now allying themselves with the Serbs as they prepare to carve up Bosnia. They have decided to gain every possible territorial advantage over Bosnian Moslems before U.N.-brokered peace talks resume.

Just as I believed in 1991 that Croatia should become a recognized member of the international community, I now believe that we must use every tool at our disposal to put pressure on the Government of Croatia to stop the killing in Bosnia and to end its alliance with Serbia. In a tragic irony, the Government of Croatia is now actively involved in many of the same activities that Croatia charged the Serbian Government with committing just 1 year ago.

Terminating MFN for Croatia is consistent with my position that Croatia should respect the rights of Moslems in Bosnia. On September 11, 1991, I stated in the CONGRESSIONAL RECORD, "President Tudjman and the Croatian Government must constitutionally guarantee the human rights of the Serbs and all citizens and put the force of the Croatian Government behind this bill of rights."

I repeated that plea again on May 13, 1992, in the CONGRESSIONAL RECORD, stating that "It is important that Tudjman stand up and support Bosnia, allowing Christians, those of the Jewish faith and the Moslem faith to live together in peace in Bosnia." Clearly, President Tudjman has failed to do that.

What is the United States willing to do to end the conflict in Bosnia? We must act in a manner which sends a powerful message to Croatia. We must immediately suspend preferential trade treatment for Croatia.

Congress passed the legislation which I introduced last year to suspend MFN for Serbia. As long as Croatia maintains its aggressive posture toward Bosnia, then Congress must work to deny MFN to Croatia. Should Croatia take affirmative steps to cease these aggressive activities, then I would no longer seek passage of this bill. The decision rests with Croatian President Franjo Tudjman.

I hope all Members will join me in supporting this legislation.

For the RECORD, I include the following articles.

[From the New York Times, May 17, 1993]

CROATIAN GUNS POUND BESIEGED MUSLIMS

(By Chuck Sudetic)

MOSTAR, Bosnia and Herzegovina, May 16—Croatian guns pummeled crowded Muslim neighborhoods on the left bank of the Neretva River today while Bosnian Serbs pounded the northern town of Brcko in an attempt to widen the only supply route between Serbia and swaths of Serbian-held land in Bosnia and Croatia.

On Saturday night, international aid workers and civilians here said, Croatian troops rousted 22 Muslim townspeople from their homes and loaded them on buses carrying 240 Muslim refugees. The refugees, who were forced from their homes in nearby villages a year ago by Bosnian Serbs, had taken shelter in Mostar.

"So far they are still missing," an international aid worker said.

The worker expressed fear that Croatian forces might have forced out other Muslims unnoticed.

A spokesman for the United Nations military force said, "Part of today's attack was the most intense yet on the Muslin quarter," adding that the ratio of Croatian to Bosnian shells fired was about 10 to 1.

"The front lines have not moved at all," the spokesman said, explaining that the Bosnian Army forces, mostly made up of Muslims, still controlled several neighborhoods on the right bank of the river despite heavy Croatian attacks. Bosnian Army forces in Mostar counterattacked at bout 5 P.M., he said.

The international aid worker, speaking on Croatian-controlled territory near Mostar, said: "It's been full-scale war since 11 A.M. Now it's deadly to go on the other side."

The Serbian and Croatian commanders in Bosnia signed a cease-fire agreement today, covering the whole republic and taking effect at noon on Tuesday. But Bosnian Serb forces, ignoring a previous cease-fire arranged by the United Nations, attacked Bosnian Government forces for the fourth consecutive day around Brcko in northeastern Bosnia.

Backed by howitzer and machinegun fire, the Serbs tried to broaden a supply corridor linking territories they control in Bosnia and Croatia with Serbia, a spokesman for the United Nations peacekeeping forces said.

Today's Croatian attack and Saturday night's renewed expulsions of Muslims from Mostar provide clear indications that the nationalist militia known as the Croatian Defense Council is still bent on taking full control of territories it claims as Croatian.

Under a proposed United Nations peace plan, Mostar would fall into a predominantly Croatian province, although it has a Muslim majority since thousands of refugees flooded in.

The Croatian Defense Council and its main backer, the Government of Croatia itself, have been buffeted by international criticism since last month when Croatian forces lunched a brutal wave of forced expulsions of Muslim civilians from villages near Vitez and other central Bosnian towns.

Croatian militiamen expelled about 1,800 Muslims and Serbs from their homes on the right bank of the Neretva in Mostar a week ago after launching a strike against the Bosnian Army forces in the town at dawn.

Later in the week, Croatian officials returned hundreds of the expelled civilians to their homes.

At least 700 remain in detention at a nearby helicopter base, however, and today a Croatian Defense Council worker and a Muslim man released from detention said the Croats had bused some 250 Muslim detainees to the Muslim quarter on the Neretva's left bank.

Croatian leaders regularly deny that they are driving Muslims from Mostar and complain that Muslim forces have hundreds of Croats surrounded near the towns of Jablanica and Konjic. International aid workers, however, have not been allowed into the areas and could not confirm the Croats' account.

A PARALLEL IS DRAWN

Though international relief workers condemn the forced expulsion and mistreatment of Croats by Muslim fighters over the last month, they have drawn a clear parallel between the forced exclusion of Muslims by Croats and the "ethnic cleaning" of the Muslims by Bosnian Serbs who have seized 70 percent of Bosnia and Herzegovina.

In Mostar today, a 46-year-old post office worker released from detention said he saw his wife and two children taken away.

"I saw them through the window," he said. "The Croatian Defense Council police told me they were taken to the other side, the left side."

Croatian Defense Council authorities have begun handing expulsion notices to Muslims in Kiseljak, which would fall in a mostly Muslim province under the United Nations peace plan, according to an internal field report of the United Nations High Commissioner of Refugees dated May 8.

"They clearly do not intend to welcome back the Muslim owners who fled," the report said.

[From the New York Times International, June 28, 1993]

SERBS AND CROATS MOUNT JOINT ATTACK ON MUSLIM TOWN

(By Chuck Sudetic)

SARAJEVO, Bosnia and Herzegovina, June 27—Serbian and Croatian militias, once bitter enemies in the struggle over the carcass of the former Yugoslavia, are fighting together against the mostly Muslim forces of the Bosnian Government near the central town of Maglaj, United Nations officials and radio reports said today.

The radio broadcasts from Sarajevo said defenders of Maglaj were resisting a "joint attack" by units of Bosnian Serbs and Croats. A spokesman for United Nations forces in Zagreb said that the three factions fought on Saturday with artillery, machine guns and small arms. Another United Nations official said that fighting between the Bosnian Serbs and Croats had virtually ceased throughout the country as their militias focused on predominantly Muslim forces, and that United Nations personnel had seen hundreds of Croatian troops in buses passing through areas controlled by the Serbs.

Intense battles for territory have continued for days around Maglaj, Zavidovici and the nearby Croatian-controlled town of Zepce, which lie along the main north-south road linking central Bosnia and Sarajevo to Croatia.

The road has been blocked for more than a year at the town of Doboj, which is controlled by Bosnian Serbs. The commander of the Bosnian Government forces, Rasim Delic, sent a protest to the United Nations military force complaining that a Croatian attack on Zavidovici constituted a major violation of a cease-fire signed on June 15 by all three sides in Bosnia's 14-month war.

Croatian militia forces prevented United Nations military monitors from entering Maglaj on Saturday, said José Gallegos, a spokesman for the United Nations force in Sarajevo.

The Croatian Defense Council, as the militia of the Bosnian Croats is known, once proclaimed loyalty to the idea of a united, multi-ethnic Bosnia and Herzegovina and described itself as an ally of the country's ethnically mixed but mostly Muslim army.

But over the last seven months, the forces of the Bosnian Croats, like the Serbian nationalist militia that has overrun 70 percent of the country, have worked to seize territory for a separate republic, brutally expelling Muslims from Prozor, Vitez, Mostar and other towns. In recent weeks, the Muslims retaliated by forcing Croatian civilians to leave the town of Travnik and nearby villages.

Two weeks ago, President Slobodan Milosevic of Serbia and President Franjo Tudjman of Croatia presented a plan for dividing Bosnia into Serbian, Croatian and Muslim republics joined in a loose confederation. The move bolstered reports that the two Presidents plotted the carving up of Bosnia at a secret meeting more than two years ago.

Bosnia's President, Alija Izetbegovic, who has sought to preserve the country as an ethnically mixed, secular state, staunchly opposes the ethnic partitioning, warning that it would pave the way for the creation of a Greater Serbia, a Greater Croatia and a landlocked Muslim territory crowded with thousands of people uprooted from their homes.

Mr. Izetbegovic said he would not attend the United Nations-sponsored talks on the partition plan in Geneva on Monday. One of the top three leaders of the Bosnian Serbs, Nikola Koljevic, told Yugoslavia's official news agency today that the six Serbian and Croatian members of Bosnia's 10-member presidency were expected to agree at a meeting on Monday to discuss the "territorial aspects" of the partitioning, which have not been made public.

Serbian commanders continued today to block access to the besieged eastern enclave of Gorazde, where as many as 60,000 mostly Muslim refugees are encircled by Serbian forces and short of crucial supplies. The town was declared a "safe area" by the United Nations last month, but relief convoys have repeatedly been prevented from crossing Serbian lines.

Sarajevo was mostly quiet today as relatives held funeral services for seven young people who were killed on Saturday when a mortar shell landed in their backyard. Residents said the shell came from Serbian gun positions on the hillside above Bistrik, a neighborhood in the old quarter of the city.

[From the New York Times International, July 4, 1993]

ETHNIC CLEANSING IN BOSNIA INTENSIFYING AFTER A PAUSE

(By John F. Burns)

SARAJEVO, BOSNIA AND HERZEGOVINA, July 3—Emboldened by the resolve of the United States and its European allies not to intervene here militarily, the nationalist Serbs and Croats who have already seized most of this country are pushing forward in a new and possibly final chapter in the "ethnic cleansing" of Bosnia's Muslims.

Ten weeks ago, President Clinton's warnings of military action by the United States and its NATO partners—perhaps in the form of the bombing of Serbian artillery positions around Sarajevo and other besieged strongholds of the mainly Muslim Bosnian Government—appeared to have shaken the Serbian nationalist leaders.

For a while, Serbian political and military chiefs appeared ready to halt the seizure of territory and the raping, killing and expulsion of Muslims that began when the Serbian military campaign began in April 1992.

But the hopes that flared briefly in April for an internationally brokered peace settlement preserving Bosnia as an independent country shared by Serbs, Croats and Muslims have died.

DEFERRING TO EUROPEANS

Instead, United Nations officials say, Mr. Clinton's decision to bow to European nations like Britain and France in their reluctance to launch military strikes or lift an arms embargo against the outgunned Bosnian Government has caused the fighting and the suffering on civilians to worsen rapidly.

Now, these United Nations officials say, the prospect is for the "ethnic cleansing" to continue, with thousands of new casualties, and to halt only when the Serbian and Croatian forces have seized still more land for mini-states that can eventually be annexed to Serbia and Croatia.

Although Serbia and Croatia have proposed carving Bosnia up into "ethnic states" for Serbs, Croats and Muslims that would nominally be partners in a loose Bosnian confederation, the pattern of recent fighting has suggested that even this may be a ruse, disguising more ambitious aims.

Privately, senior United Nations officials here are saying that what the mainly Muslim leaders of the Bosnian Government have been saying for a year may be true: that there may be no end to the suffering until Bosnia has been extinguished as a state and most of its 1.9 million Muslims killed or driven from their homes.

END OF A COMMUNITY

This would mean that Muslims, who have been the biggest group in this republic with roots going back 500 years to the conquest of the Balkans by the Ottoman Turks, would effectively have been destroyed, or at least dispersed, becoming what one United Nations official described as "the Palestinians of Europe."

Because of the political sensitivities, no United Nations official was ready to repeat for the record the dire forecasts that many of them are making in private conversations. But at news briefings in recent days several senior United Nations officials have said in effect that they feel powerless to mitigate the suffering imposed by the warring factions, particularly by the Serbs and Croats, and that their last hope of halting the killing, uprooting and slow starvation of Muslims disappeared when Mr. Clinton decided not to commit American military force.

"Clearly, the pressure that was on the factions to cooperate is not on them any longer," said Peter Kessler, an American who is the spokesman here for the principal United Nations relief agency, the United Nations High Commissioner for Refugees. Mr. Kessler said the collapse of the intensive diplomatic efforts this spring, which ended with Mr. Clinton accepting the European countries' refusal to use military force, had brought a a new confidence among the Serbian and Croatian forces. "They feel that they can do anything they want," he said. "They know that they have won."

VANCE-OWEN PLAN PROVISIONS

Under a peace settlement brokered by the United Nations and the European Community, known as the Vance-Owen plan, Muslims would have been given control of about 31 percent of the territory of Bosnia, and Serbs 43 percent, divided into a jigsaw of nine ethnic provinces in which the Croats would also have had separate areas.

But the plan was pronounced dead last month by Lord Owen, one of its authors, after the Serbian nationalist leaders put it to a referendum and it was rejected by more than 90 percent of the Bosnian Serbs who voted.

Now negotiators for the United Nations and the European Community are urging the Muslim leadership of the Bosnian Government to accept the Serbian and Croatian plan to partition the country into three ethnic states. The Serbian and Croatian plan would effectively legitimize the outcome of the war, leaving Muslims, accounting for nearly 44 percent of the population before the fighting, with about 15 percent of Bosnia's territory.

Serbs would keep close to 70 percent, and Croats would get the rest. But recent fighting has suggested that even this may not reflect the real aims of the Serbian and Croatian forces.

ATTACKS AND COUNTERATTACKS

While Bosnia's 10-member collective presidency wrestles with a bitter debate over whether to accept the new plan, Serbian and Croatian forces have mounted new strikes against Muslim-held areas. In some cases the Serbs and Croats have actively coordinated their attacks. Muslims, striking back, have mounted offensives of their own, mainly in areas with mixed Croatian and Muslim populations.

The main focus of the Serbian attacks has been on two of the six safe areas designated in May by the United Nations Security Council in the last of more than a dozen United Nations resolutions aimed at restraining the fighting and protecting civilians.

Gorazde, the last Muslim stronghold in eastern Bosnia that has not been overrun or neutralized by the Serbian forces, has been shelled intensively for the last month, so heavily this week that United Nations military observers spent hours sheltering in bunkers. United Nations military commanders say they fear that the city and the 60,000 Muslims who live in and around it may quickly be overrun.

Another Serbian target has been Sarajevo, the Bosnian capital. Serbian leaders have said that they want control of half of Sarajevo, which is the biggest of the Muslim redoubts, and they underlined that goal today by resuming heavy artillery attacks on civilian neighborhoods, starting at dawn.

United Nations officers said that 1,200 shells had fallen by mid-morning, the heaviest bombardment in weeks. The attack was accompanied by a new parade of casualties at the city's hospitals, with scores of wounded and at least 20 people killed.

But the clearest sign of Serbian territorial ambitions have come in attacks on the area around Maglaj in north-central Bosnia, where a pocket of Muslim-held territory juts into territory that has previously been subjected to "ethnic cleansing" by Serbian forces. United Nations officials have said that a month of Serbian attacks have already driven 10,000 Muslims into the surrounding mountains, and that 100,000 more may follow.

"There are 10,000 people right now who are moving along footpaths through the mountains, settling overnight in villages, then moving on," said Mr. Kessler, the United Nations relief spokesman. "They have nowhere to go."

INTERFERENCE WITH CONVOYS

Serbian and Croatian pressure on Muslim strongholds have included new efforts to strangle the lifelines run by the United Nations that have kept hundreds of thousands of people in besieged towns from starving.

Harassment of relief convoys by Serbian and Croatian militias has been rampant since the early stages of the war, but has

worsened in the last month, to the point that United Nations officials have held a series of news briefings in recent days warning that severe hunger, possibly even starvation, may lie ahead, particularly in Sarajevo and Gorazde.

"We would like to get the message to the world: Sarajevo is rapidly dying," said Anna Cataldi, an Italian who is a spokeswoman for the United Nations Children's Fund.

[From the New York Times International, Apr. 20, 1993]

BELEAGUERED BOSNIA FACES NEW BATTLE AGAINST CROATS

(By John F. Burns)

SARAJEVO, BOSNIA AND HERZEGOVINA, April 19—In an explosion of fighting that appears to have further diminished the prospects of peace in Bosnia, two armies that have been linked in a nominal alliance against the Serbian nationalist forces have opened what amounts to a full-scale war.

The fighting between the Bosnian Government Army and the Croatian nationalist force known as the H.V.O. has engulfed a broad arc of territory north and west of Sarajevo, the capital, causing hundreds of casualties and featuring the kind of brutality often associated with the Serbian forces.

United Nations officers in the area have spoken of families being machine-gunned as they fled through open fields, of men in ski masks bursting into basements of homes and executing people cowering there, and of entire villages being emptied of their inhabitants and burned.

DANGER TO SARAJEVO DEFENSE

If efforts by the United Nations to halt the fighting fail, as they have done so far, it could spread to other areas, including the strategic town of Mostar in the southwest and even to Sarajevo. There, H.V.O. units guarding key stretches of the front lines against the Serbian forces besieging the city have until now remained loyal to their alliance with the Bosnian army. If the alliance in Sarajevo should collapse, Bosnian officers believe that the city's defenses could be weakened in important ways, tempting the Serbian forces to renew efforts to overrun the vulnerable western district of the city.

At the least, the fighting appears to have done further severe damage to the peace plan for Bosnia drawn up by negotiators for the United Nations and the European community.

The plan has been accepted by leaders of the Croatian minority, and by the Muslim leaders who control the Bosnian Government, but rejected by Serbian nationalist leaders who have continued to push for their own separate state in Bosnia. Now, with Croatian and Muslim fighters attacking each others' towns and villages, the peace plan appears more than ever to be a dead letter.

WHOSE FLAG TO FLY?

Paradoxically, it appears to have been the acceptance by the Croatian and Muslim leaders of the peace plan that precipitated the fighting. According to British officers serving with the United Nations force in the area of the current fighting, the spark for the explosion was lit when Gojko Susak, Defense Minister of the neighboring republic of Croatia, visited the mixed Muslim and Croatian town of Travnik last Monday and demanded that the red-and-white checkerboard flag of Croatia, be flown over the city alongside the Bosnian flag.

Mr. Susak's reasoning, according to Capt. Lee Smart, a British military spokesman at Vitez, near Travnik, was that the peace plan designates the region around Travnik as part of what would be a Croatian-controlled province under the plan. The flag demand followed an earlier decree by the Croatian nationalist forces that Bosnian army units in western Herzegovina, a region with a Croatian majority that would fall under Croatian control under the peace plan, either hand over their weapons or agree to be merged into the H.V.O., the Croatian nationalist army.

Captain Smart, reached by telephone from Sarajevo, said Mr. Susak's demand for the raising of the Croatian flag had been followed on the same day by an outburst of violence in Travnik in which five Muslims had been killed. This had set off violence that spread quickly east of Travnik, to the towns of Vitez and Zenica, west to Novi Travnik, and south to Jablanica and Konjic, which lie on the crucial road connecting Sarajevo to Mostar and the Croatian coast.

Incidents described by the British officers included the abduction of a Croatian military commander in Zenica, a predominantly Muslim town, by Muslim soldiers of the Bosnian Army, and retaliatory abductions of Bosnian solders by Croatian troops in Vitez, where Croats slightly outnumber Muslims. Captain Smart said that both sides had issued ultimatums, and that the cease-fire agreement negotiated by British officers, scheduled to have taken effect at midnight on Sunday, had been ignored, with fierce fighting continuing throughout the area.

So far, the town worst hit by the violence has been Vitez, a hitherto sleepy junction on a mountain-flanked plateau that is crossed by another key road leading westwards toward the Croatian coast. British officers chose Vitez for their forward headquarters in Bosnia last fall because they considered it relatively safe, but captain Smart said today that British officers believed that between 150 and 200 people had been killed in and around the town in the last three days, and that bodies were lying uncollected in the town's streets, as well as on the road leading to Zenica. He said the casualties could be higher, because no United Nations officer had been able to reach villages around Vitez where some of the worst fighting had occurred.

From the British officer's description, and from information given by other United Nations officers in Sarajevo, both sides in the fighting appeared to be engaging in their own versions of "ethnic cleansing," the policy that has been associated primarily with the Serbian nationalist forces who have claimed two-thirds of Bosnia as an exclusive Serbian domain by attacking centers of Muslim and Croatian population and killing or driving out their inhabitants.

The United Nations officers said that bands of armed men had been marauding through towns and villages throughout the area terrorizing families, in some cases demanding that they leave their homes immediately, in others killing them, then burning the homes to the ground.

[From the Washington Post, Jan. 26, 1993]

WAR OF BOSNIA'S TORMENTORS

The part of the Yugoslav mess thought to have been pasted together now threatens to come apart. This is the war that broke out in 1991, when Croatia declared itself independent but did not consult or provide for the rights of its Serbian minority, which at once drew to its defense the avenging army of Serbia proper. To the resulting war the United Nations applied a diplomatic patch in 1992. But last weekend the Croats, claiming (correctly) that the Serbian minority was muscling aside U.N. peacekeepers and persecuting non-Serbs, went on the attack. Serbs at once geared up for war.

On the surface it looks like a propaganda windfall for Serbia. Incontrovertibly the villain in Bosnia, it now leaps to depict itself, however improbably, as a victim in Croatia. But the strategic situation is more complex and even, in a sense, more promising. Already meeting increasing Muslim resistance in Bosnia, Serbs would be stretched thin on a second front if they also had to engage a strong force in Croatia. It would be that much more risky for them to open a third front in Kosovo or Macedonia.

In short, a moment may have come that, if exploited, could produce a better result than what is now in the cards. Further war between Serbia and Croatia carries its own heavy costs and risks. But Serbia and Croatia are not only antagonists; they are the senior and junior partner respectively in carving up Bosnia. In the mutual distraction of its two principal tormentors lies the prospect of more relief than bosnia can reasonably expect from any foreseeable actions by the United Nations, Europe or the United States.

The United States cannot be in the business of promoting war. But it also cannot miss an opening for a new emphasis on promoting peace. That means in the first instance resisting the forcible separation, dispersion and "cantonization" of the Yugoslav peoples. It means asserting and protecting their minority rights in their old homes: the rights of Muslims, Serbs and Croats in Bosnia (all are minorities there), of Serbs in Croatia, of Croats in Serbia and so on. This is where the Clinton administration's contribution to Balkan diplomacy could be made.

[From the New York Times, May 14, 1993]

U.N. PRESSES CROATS TO FREE 1,500 MUSLIMS CONFINED AT BASE

(By William E. Schmidt)

CITLUK, Bosnia and Herzegovina, May 13—Watched by armed guards and locked behind bolted doors, more than 1,500 men, women and children, nearly all of them Muslims, remained crowded inside a former military base near here today while the United Nations and relief agencies pressed their Croatian captors for their release.

The day after warring Bosnian Croats and Muslims signed an agreement promising to muzzle weapons, open roads and free civilians taken into custody during several days of heavy fighting, key provisions of the accord were still not being carried out by local commanders and soldiers scattered across this rugged region of south-central Bosnia and Herzegovina.

Small arms and occasional mortar fire echoed from the steep mountain valley surrounding the embattled city of Mostar, and local Croatian and Muslim units were still blocking roads into nearby mountain valleys, closed since tensions between the two sides worsened a month ago. The United Nations wants the roads opened to allow passage to its aid convoys and peacekeeping patrols.

Officers with the United Nations High Commission for Refugees complained late today that they had been barred from moving food or other supplies to the Muslim civilians detained by Croatian forces. The civilians are held inside a military jail, two gymnasiums and a school building that are part of a former army base outside Mostar, in the Neretva River valley 40 miles northeast of the Adriatic coast.

The Croats assured relief workers that they would release many of the Muslims soon, and had delayed doing it sooner only because they could not guarantee their safety, as the security situation around Mostar remained precarious. About 200 Muslims detainees whose safety was personally guaranteed by local Croats were released over the last two days, a relief worker said.

But Croatian soldiers manning roadblocks refused to allow journalists access to the base where the civilians are held, amid growing complaints from Croatian officials, now repeated by many soldiers in the field, that reporters are unfairly portraying them as the villians in the recent surge in fighting in Mostar.

In a measure of their growing sensitivity, Bosnian Croat military policemen today seized a two-man crew from Reuters television, confiscated their videotapes and escorted them across the border into Croatia, after they stopped inside the village of Ljubuski, about five miles south of here, to film a mosque that appeared to have been destroyed overnight. Later, the police in the town also detained three other journalists, holding them for four hours, after they came to the headquarters to ask permission to visit the military base where the Muslims are being held.

At a checkpoint closer to Mostar, a Croatian militiaman with a hand grenade hanging from his belt berated reporters, saying they were writing only about the fate of the Muslims but ignoring Croats he said were trapped in mountain villages behind Muslim lines.

"Why don't you get out of here and go to Konjic?" he asked, referring to a mostly Croatian village cut off from Mostar for the last month.

In recent days, tension in the small towns around Mostar has risen sharply. Outside the barracks where Spanish troops serving in the United Nations peacekeeping force are billeted, soldiers on Wednesday were piling sandbags against windows and reinforcing a guard post with heavy timber, amid fears of possible reprisals by angry Croats who regard the United Nations as unsympathetic to their cause.

CROATS MOVE IN FORCES

Meanwhile, the Bosnian Croats have been moving fresh soldiers into the area. On Tuesday night, a large military ambulance rumbled past, marked with the distinctive red cross. But inside there were more than a dozen armed soldiers, and the ambulance was towing a recoilless rifle.

Tension between Bosnia's Croats and Muslims, once nominal allies against the rival Serbs, has been rising sharply in recent weeks.

Under the peace plan drafted by Lord Owen and Cyrus R. Vance, which would the republic into 10 semi-autonomous provinces, this part of Bosnia and Herzegovina would almost certainly come under Croatian control, with Mostar as its capital.

FEW COMPLAINTS OF ABUSE

While the area still officially remains a part of Bosnia, the Bosnian Croats, abetted by Croatia next door, have already declared their own minirepublic of Herzeg-Bosnia, complete with its own automobile license plates and postal stamps.

According to workers who have been inside the compound, more than 70 percent of the Muslim civilians in custody are men, many of whom are viewed as possible combatants by their Croatian captors. The rest are women and children, many of whom were moved on Wednesday to a school building to ease overcrowding in two gymnasiums.

Relief workers said few of the Muslims they had interviewed felt that they were being abused or mistreated by their captors, although they complained of inadequate food supplies and poor sanitary facilities, including overflowing toilets. On Wednesday, the only food many people received were two biscuits and a cup of milk.

A spokesman for the United Nations Protection Force, based in Zagreb, said fighting inside Mostar had eased today, as Croatian and Muslim commanders tried to enforce a cease-fire that they signed on Wednesday with Gen. Philippe Morillon, the commander of United Nations forces in Bosnia.

Casualty figures from the fighting remain uncertain, but Croatian commanders said today that they had counted 23 dead and more than 160 wounded since the fighting began. At least 10 Muslim soldiers are believed to have been killed, and as many as 100 people have been treated for wounds at a Muslim dispensary inside Mostar.

While there were periods of heavy fire during the day today, including occasional exchanges of mortar fire, most of the fighting involved small arms and sniper fire. In parts of the city, people lounged outdoors in the spring sun, despite the shooting.

CROATIAN TROOPS IN BOSNIA, U.N. SAYS—REGULAR ARMY REPORTED SUPPORTING MILITIA UNITS NEAR MOSTAR

(By David B. Ottaway)

VIENNA, July 22—U.N. officials confirmed publicly for the first time today that Croatian army troops have crossed the border into Bosnia to aid Bosnian Croat militia units battling with Muslim-led Bosnian government forces around the southwestern city of Mostar.

Barry Frewer, spokesman for the U.N. military command in Bosnia, said that U.N. observers had seen what he called "heavy movements" of Croatian troops around the Bosnian town of Ljubuski a few miles southeast of Mostar—a mixed Muslim-Croat city that has been the scene of months of fierce fighting between the two rival Bosnian factions.

Frewer declined to estimate the size and strength of the Croatian army contingent involved, but diplomats in Zagreb, the Croatian capital, said they had received reports that as many as several thousand troops may have been deployed in an operation to help local Croat nationalist forces secure control of Mostar.

Croat militia forces in Bosnia have long received weapons and logistical support from Croatia—just as Bosnia's Serb nationalist faction has been supplied by Serbia—but the Zagreb government has consistently denied that any of its troops were involved in the war there, despite strong suspicions of international observers.

Serbia and the new Yugoslav state it controls have been subjected to U.N. sanctions as aggressors against Bosnia's weakest faction—the poorly armed government and the Muslim community it chiefly represents—and some U.N. members have been pressing for sanctions against Croatia as well. Their arguments have been buttressed in recent weeks by reports that Bosnian Croat gunmen have been expelling Muslim civilians from Mostar by the thousands.

Muslim and Croat forces—former allies in the 15-month-old war against he more powerful Bosnian Serbs—have been battling each other since January for control of mixed-population towns west and south of Sarajevo, and Croat units earlier this month began cooperating with Serb forces in attacks on Muslim positions in central Bosnia.

In Mostar—whose prewar population of 125,000 was one-third Muslim, one-third Croat, and one-third Serb and other minorities—heavily armed Croat forces have driven virtually all Muslim residents to the east side of the Neretva River, where about 35,000 are said to be hemmed in with little food, water or medical supplies.

In Sarajevo, meanwhile, the Muslim-led Bosnian government announced that its plans to take part in a new round of peace talks with the Croat and Serb factions Friday in Geneva had been delayed by a heavy bombardment of the Bosnian capital by besieging Serb forces. Government official asked that the talks be rescheduled for Sunday, and Bosnian Croat and Serb leaders agreed, U.N. officials said.

The talks are expected to focus on a Serb-Croat proposal to partition the republic into three separate states, a prospect the embattled Muslim faction has long opposed, but which it may be forced to accept in the absence of greater support from the international community.

Bosnian President Alija Izetbegovic had said that he would not attend the talks so long as the Serbs press their attacks on Sarajevo and Serb and Croat forces continue to block humanitarian aid from reaching the city. Serb and Croat leaders had agreed to these demands, but it was unclear today whether local militia commanders would comply.

ORDER OF BUSINESS

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the special order requested by the gentleman from New York [Mr. SOLOMON] be exchanged with the special order requested by the gentleman from Arizona [Mr. KOLBE] for today.

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

There was no objection.

ORDER OF BUSINESS

Mr. FLAKE. Mr. Speaker, I ask unanimous consent that the special order for the gentleman from Illinois [Mr. LIPINSKI] on July 28, 1993, be allocated to the gentleman from Oregon [Mr. KOPETSKI].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. FLAKE]?

There was no objection.

ORDER OF BUSINESS

Mr. FLAKE. Mr. Speaker, I ask unanimous consent to change the 60-minute special order on July 29, 1993, for Mr. BONIOR to a 5-minute special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. FLAKE]?

There was no objection.

PRESERVING AND PROTECTING THE INTEGRITY AND INVIOLABILITY OF SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BACCHUS] is recognized for 5 minutes.

Mr. BACCHUS of Florida. Mr. Speaker, one of the greatest of the many legislative accomplishments in the history of our Republic was the creation of Social Security. For more than half a century, Social Security has liberated Americans from a life spent in fear of deprivations in their old age and lifted them from the degradations of poverty in their senior years.

Mr. Speaker, my mother receives Social Security. My grandmother receives Social Security. They both need and depend on their Social Security checks. Tens of thousands of my constituents receive and need and depend on Social Security. No one is a stronger supporter of Social Security than I am.

I want to preserve and protect the integrity and the inviolability of Social Security. I want to keep the Social Security trust fund separate and safe. I'm cosponsoring a bill to help the notch babies who have been treated unfairly in the payment of Social Security benefits. I do my very best every day to help each and every one of my constituents who has any difficulty in obtaining the Social Security benefits to which they are entitled by law. I am and I will always remain an ardent advocate for Social Security.

It is for this reason that I am outraged by the distortions and the outright lies of many of those who oppose the Social Security provisions in President Clinton's economic plan. In a partisan effort to oppose the President, many who know better are causing fear among many senior citizens who have nothing at all to fear and much to gain from the President's plan.

It is long past time to look beyond the rhetoric of the fearmongers and examine the facts:

The fact is, if you don't pay taxes on your Social Security benefits now, you will not pay taxes on your benefits once the President's plan is enacted. At present, 80 percent of Social Security beneficiaries do not pay income taxes on their benefits. They won't under the President's plan. For example, seniors earning less than $25,000 currently pay no taxes on their Social Security benefits; under the President's proposal, they still will not pay taxes on those benefits.

The fact is, the additional tax on Social Security benefits proposed by the Senate—and since endorsed by me with my vote and by the overwhelming majority of the House—applies to only 13 percent of Social Security recipients. These 13 percent are the most affluent by far, with an average net worth of at least $1 million. Taxing them is fair. Clearly, these are not impoverished seniors surviving on meager fixed incomes.

The fact is, the President's plan would not hurt the needy. It would not touch COLA's on Social Security on which needy seniors depend. I would oppose any plan that would cut COLA's for needy seniors, because that would plunge half a million Americans into poverty overnight. I would oppose any effort to try to balance the budget on the backs of needy seniors. The President's plan would not do that.

The fact is, this is not a confiscation of Social Security benefits but merely an inclusion of more of the benefits of the most affluent recipients for purposes of calculating their taxes at the customary rates. If you are paying taxes on your benefits now, then, under the President's proposal, 85 percent of your Social Security benefits will be included in calculating your taxes at the appropriate rate, instead of the current 50 percent. If you are not paying taxes on your Social Security benefits now, you will be completely unaffected by the President's proposal.

The fact is, this is not double taxation. The average wage earner gets back in Social Security benefits every penny he puts in Social Security payroll taxes during this entire working life, plus interest, in less than 5 years. Everything received beyond that is simply a transfer payment from current workers to retirees—over and above what the retirees paid in and would have otherwise accrued in interest. Eighty-five percent of the benefits that the average recipient receives over his lifetime are over and above what that recipient paid into the system while working, plus interest—which is precisely why that specific percentage of benefits was chosen for inclusion in taxation.

The fact is, the President's proposal may actually provide tax relief for some seniors on Social Security. The Senate proposal to which the House of Representatives recently agreed—and which I favor—creates new and higher income thresholds of $32,000 for single taxpayers and $40,000 for married couples before any Social Security benefits are taxed. An increase to 85 percent of the amount of Social Security benefits subject to tax would apply only to income above these new and higher thresholds. This means that fewer people will be paying taxes on their Social Security under the President's proposal than are paying taxes on such benefits now.

These are the facts. And I am confident that the vast majority of my constituents and the vast majority of the American people are smart enough to respond to the facts and not to the fears inspired by those with purely partisan motives. Once this plan is enacted, come next April, when they pay their taxes, seniors will know they have been mislead—but not by me and not by the President.

The fact is, most Federal spending is for Social Security and other mandatory and entitlement programs. Many of those programs benefit seniors. All of them must be maintained. Yet it is undeniably true that all Americans, including those seniors who can afford it, must share fairly in some needed sacrifice to restrain Federal spending, reduce our Federal budget deficit, and restore our economic health as a Nation. Otherwise, over the long term, we won't be able to afford Social Security.

□ 1910

INTRODUCTION OF A COMMUNITY DEVELOPMENT BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. FLAKE] is recognized for 5 minutes.

Mr. FLAKE. Mr. Speaker, tonight I rise to announce the introduction of a community development bill, last week sponsored by myself and the gentleman from Iowa [Mr. LEACH] and other Members, so that we might be able to take from the President's bill, which has been introduced to try to, first of all, put on the radar screen an area of our Nation that has long been neglected. That is those urban committees and rural communities that have not had access to proper capitalization.

I would like to praise the President, because I think this is a bold step. It is a visionary step. It moves us, for the first time in about 30 years, to a position where we might be able to say to the distressed communities of this Nation, "We are not only concerned about you, but we are prepared to do whatever is necessary to assure that you have access to the same capital that other communities do."

At the same time, provide a credit so that we might crate jobs in the small sector area while at the same time rebuilding communities that have so long been ignored.

Mr. Speaker, I think it is appropriate for us in understanding this administration's commitment to assure that this is the best bill possible, that it speaks to each and every condition that has been identified in those communities that in so many instances contribute so much to the deficit that is a part of this Nation by virtue of the social welfare costs.

In reality, what the President has done is said, not only is this a vision but we intend to make it a reality.

Mr. Speaker, I am taking the bill a step further by introducing the Bank Enterprise Act Amendments of 1993. I have done so because out of my 17½ years as a community developer, one of the things that I take note of is the fact that in too many instances, communities that could be viable do not have benefit of proper credit.

They are communities that, if banks looked at them properly, would represent new investment opportunities in this country similar to the kind of investment opportunities that are made in nations abroad.

In reality, we in America have created a Third World nation within our borders, if we conglomerate all of the rural and all of the urban communities in this Nation who are not able to provide the basic necessities for people who are part of those communities.

These severely distressed communities are addressed in H.R. 2707, sponsored by myself, the gentleman from Iowa [Mr. LEACH], the gentleman from Pennsylvania [Mr. RIDGE] and others that we might be able to assure that the persons living in those communities will have access to proper credit.

The President has done an excellent job, as I stated earlier. My bill is not a rival bill. This is a bill that enhances what the President has tried to do.

It also addresses the question of community reinvestment. Many of the banks in this Nation who have been under the Community Reinvestment Act for 16 years have not done a great job, as it relates to making funds available to these communities.

I provide so that the Community Reinvestment Program is given another look, one in which we create some quantitative and qualitative measurement which says to a bank that we are prepared to give you credit if you are willing to invest in those communities that have been so long ignored.

We provide for them a safe harbor, the safe harbor by virtue of the fact that over a 3-year period they have those investments. They have received a 1 rating, outstanding rating for their community reinvestment. And what we do is allow them to be able to merge or to move forward in other banking interests without the necessity of having to deal with a community group.

The reality is, though, we have not excluded those community groups. Those community groups come in at the front end of the process. They are able to say to the bank, these are the things that these communities need in order to survive, in order to grow, in order to create jobs and in order to be able to rebuild commercial strips that have long been ignored.

Mr. Speaker, I think this is important, if we are indeed concerned about all of America, if we are indeed concerned about development of small sector jobs, if we are indeed concerned about what is to happen with the Nation as a whole, as opposed to taking care of the responsibility of a few.

This gives us an opportunity to mainstream. The Bank Enterprise Act opens up the possibility for accessing all of the millions of dollars and billions of dollars that are available in the banking community. It allows us to be able to set some long-term economic goals, and it allows every community to be a participant in the building of a greater nation.

And so to the President, who has had the vision, and to those who have shared with me in crafting this piece of legislation, my commendations to you. It is my hope that the Members of the U.S. House of Representatives will join with us in being cosponsors of H.R. 2707 so all Americans will realize that every community in this Nation represents a land of opportunity.

□ 1920

THE IMPACT OF NAFTA ON AMERICAN JOBS

The SPEAKER pro tempore (Mr. LAROCCO). Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, this is not the first time I have come to the floor to speak out against the North American Free-Trade Agreement, and it most certainly will not be the last time. I will speak out against NAFTA over and over again until the message reaches this country loud and clear that NAFTA threatens American jobs. NAFTA threatens to gobble up American jobs faster than the dinosaur in the movie "Jurassic Park" gobbled up people.

Removing barriers to fair and free trade between countries is in principle a good idea. That is why I supported the American-Canadian Free-Trade Agreement, and that is why it has worked for us with Canada, because we have similar economies, similar social, economic, and political structures.

There is something dreadfully wrong with rushing into an agreement that links together two countries whose economies, whose basic political systems, and environmental standards are as vastly different as ours and Mexico's. We cannot rush into an agreement like this overnight.

When we talk about lost jobs, the underlying facts are undisputed. Anyone with the least bit of common sense knows they will spell trouble for the American worker. Mexico's minimum wage is 58 cents an hour. It is a mere fraction of the U.S. wage. Even the best manufacturing jobs in Mexico pay less in a day than United States workers earn in an hour. Think about that. The best jobs in Mexico pay less in a day than United States workers earn in an hour.

Productivity. Why are Mexican wages so low? Some would say, and we will hear this argued often, that wages are low in Mexico because productivity is low. They say, "We will lose only low-wage, low-skill jobs that a modern economy like ours should probably do away with anyway." The people who say that could not be more wrong.

Prof. Arlie Shaken of the University of California at San Diego did a report which shows that wages are kept low in Mexico in spite of rapidly rising productivity. He documented how the newer plants in Mexico are every bit as efficient and high technology as the plants here at home, like Ford's $500 million stamping and assembling plant in Hermosillo, Mexico, which, by the way, moved there from Michigan, putting people out of work in my home State; like the Matrix Co., a $250 million aircraft maintenance and repair facility in Tijuana; or the General Motors facility and assembly plant in Mexico, which won the J.D. Powers bronze quality award last year. Production at that plant consistently gets among the highest quality ratings of any GM plant in North America.

Last year high technology plants in Mexico exported almost 1.3 million automotive engines, making Mexico the world's largest exporter of engines.

No, Mexican wages are not low because of the productivity. The multinationals are pouring in literally billions of dollars of investment into Mexico, giving Mexico the best plants and the best equipment that money can buy, producing the very same goods we should be producing here while our plants in the United States are left to crumble and to rust.

Our basic question really remains unanswered: Why are Mexican wages so low, less than 10 percent of manufacturing wages in the United States?

We have already seen that it is not because of low productivity. Wages in Mexico are low because the Mexican Government has a systematic policy of keeping them low. They are actually a result of a wage level agreement between the Mexican President, the corporations that operate there, and many labor leaders in Mexico who, in reality, are only allowed to run their unions as long as they do so at the President's bidding.

When workers try to organize independently for better wages or working conditions, the Government steps in to squash them. I have already related to my colleagues on the floor here the story about Agapito Gonzalez, a union organizer who was thrown in jail for 6 months on false charges of tax evasion. What was his real crime? Doing too good a job, pressing the maquilladora owners for better wages for their workers.

I have already told the story of Juan Carranza and Alma Molino, two workers from Juarez fired and blacklisted, barred from ever working in factories again in that area, because they had the nerve to meet with other workers after hours off the plant site to talk about how to get decent wages and safer working conditions.

Juan Carranza worked for TDK Corp. making magnetic components. He earned $8.50 for a backbreaking 9-hour

day, $8.50 for a backbreaking 9-hour day. Alma Molina, a young mother, earned $4.50 for a 9-hour day at the Clarostat Corp. She had to work with toxic chemicals like phenol and epoxy resin without gloves, without a mask. She had to risk basically her health and her life for $4.50 a day.

Is it any wonder, is it any wonder, that companies have already moved to Mexico in droves, guaranteed low wages, high productivity, poor health and safety standards, a work force that is not even allowed to organize? Of course companies are moving there.

Now we want to endorse all of this and invite even more relocations by rolling out this big red carpet called NAFTA. The vast majority of Americans know NAFTA is bad news for the American worker. When we look at Mexico's low wages and weak standards, it is just common sense that companies will want to move there. However, the corporate elites, the media elites, keep trying to tell a different story. They just do not understand that we get it, we understand this is not common sense.

A special advertising supplement that appeared in the New York Times last week, the second in a series of seven such supplementals, showed what kind of hatchet job they are doing on this very issue. This supplemental, combined with articles and opinion pieces, was disguised to look like the news, with advertisements touting NAFTA's benefits. They had items about how much money could be made by investing in telecommunications and shipping and banking in Mexico. They had profiles of companies that have already hit the jackpot by moving to Mexico. The list of advertisers reads like "Who's Who" of the corporate elite in America.

The supplement itself is shameful enough, but here is what really outrages. When groups that are opposed to the North American Free-Trade Agreement tried to place an ad in the same section to tell their side of the story, the story that I am trying to tell this evening, the side of the story about what NAFTA really means for working people, the New York Times said, "No, you cannot come in. We will not let you." The groups were willing to pay the same rates that the pro-NAFTA people paid, but the Times would not let them.

When opponents of NAFTA tried another approach and asked if they could place an op-ed on the regular opinion page to at least give some kind of balance to the advertising supplement, they were again denied. I ask, is that journalistic integrity? I wonder how much money they made off of that advertising section? If that is not biased coverage, I do not know what is. The New York Times, the supposed standard-bearer of professional journalism, with a motto that says, "All the news that's fit to print," should be embarrassed out of the business for the job they are doing on NAFTA.

While I am at it, let me mention another op-ed piece that I noticed appeared both in the Los Angeles Times and the Washington Post, by the same author, the exact same op-ed piece. The reason I raise it is because it is highly, highly unusual, and in fact, I have never seen it done, where two distinguished leading national publications like the Los Angeles Times and the Washington Post will run the same op-ed piece.

Of course, this was Henry Kissinger advocating NAFTA, and Mr. Kissinger has a lot of clout and a lot of weight, and obviously was able to get a lot of coverage which is not available to people in this business or in other sectors of our society who would like the same type of access to the editorial op-ed pages of these two distinguished papers.

Regardless of what eventually happens with the North American Free-Trade Agreement, it surely should not be at the top of our legislative agenda. We have too many other pressing issues to tackle. After jobs and the general state of the economy, which we hopefully will finish by passing the President's economic package next week on the House floor, I cannot think of any issue that is more important than health care. That is what the American people said to us last November: "Deal with the economy and jobs, and then deal with health care." That was the mandate they gave to us and the President.

□ 1930

No one in my district has ever come to me and said, "You know, Dave, I want you to go back to Washington lickety-split and make sure you pass that free trade agreement with Mexico because I'm not going to sleep at night until that thing gets done, I'm so worried about it."

But a whole lot of people in my district in Michigan, young and old, families and single parents, those who are getting ahead, and those who are struggling to make ends meet, they all tell me they want us to tackle the high cost of health care, and give people a sense of security again that their health care needs can be met, and that their health insurance will not be taken away from them. People do lose sleep wondering how they will get the bills paid if their child gets sick. Seniors do lose sleep wondering if they will be able to afford the medicine they need.

That is why we sent to the President yesterday, 106 of us, a letter that was signed urging him to submit his health care package and allow us to work on it and pass it before we submit legislation to implement NAFTA. Most of the people who signed the letter oppose NAFTA. Some are still undecided and some even support NAFTA. But everyone who signed that letter agrees that health care is a priority that must come first. There just plain is not any need to rush into NAFTA.

The European Community. The roots of the European Community where they have a common market go back 40 years. Their economies are a lot more like ours than they are like Mexico's. The disparity between the richest and the poorest of the European Community is somewhere in the neighborhood of 3 to 4 to 1, whereas ours with Mexico is somewhere in the neighborhood of 10 or 12 to 1.

The European Community has spent 40 years, 40 years working on a free-trade relationship. They have been spending a bundle of money to make that agreement work.

Between 1989 and 1993 they will spend nearly $100 billion, $100 billion on worker retraining, on economic development programs for poor regions in Europe. And guess what? The difference in wages and living standards between the richest and poorest areas in Europe, Germany and Portugal, is less than half as big as the gap between the United States and Mexico.

And how much do you think it will cost us to deal with worker dislocation, the cost of retraining, the cost of economic development, the cost of environmental cleanup, the cost of lost tariff, and the list goes on and on? The bill is expensive.

Too many questions remain unanswered. Yet in spite of these unanswered questions, there are those who think we can negotiate this thing on a fast track. You may have heard the term "fast track." In less than 2 years from the date anyone even started to think about this, put this into effect before this year's end, and somehow we are going to come out ahead. Europeans, 40 years on this, hundreds of billions of dollars, and they are just getting to the point where it makes it work. And we have got this tremendous disparity with Mexico, and we are going to do this overnight, in 2 years.

Former President Bush rushed to finish the basic negotiations last year so that he could have a completed agreement ready in time for his campaign. U.S. negotiators rushed, and they sold the U.S. flat glass industry down the river, according to congressional testimony given by John Reichenbach of PP&G industries.

We need to take time to make sure we understand what we are getting into before the President submits legislation to implement it.

On jobs, a Commerce Department report last year, remember, said that we would lose 40 percent, 40 percent of our autos, steel, and apparel jobs in this country if this thing goes through. Think about that, 40 percent. That will devastate sections of our country.

Let me just say a word about agriculture, and then I am happy to yield to both my colleague from Ohio and my friend from California and Arizona, if they wish to participate this evening.

NAFTA has the potential to impact us all in intangible ways in our daily lives, and unfortunately for most of us, that impact I believe is negative. The people who work in the factories, of course, and those whose paychecks depend upon those factories, stand to lose the most. But when the factories shut down, we all suffer. It hits the neighborhood gas station, the local restaurant, the clothing store, the hardware store, the school system. And if you do not understand what I am talking about, you ought to take a little side trip to the heartland of America, the industrial Northeast, or North Central States. Go through McKeesport, PA, Youngstown, OH, Flint, MI, Watsonville, CA, where Pillsbury recently shut down a major food processing plant, and look at the devastation in these communities caused by plants that have relocated overseas.

And there is another way, by the way, in which we will all be affected by NAFTA. We all depend on the American farmers' ability to deliver a nutritious, healthy, safe, and affordable food supply to our kitchen tables. But how secure can we feel about our food supply when agricultural production and food processing moves to Mexico under NAFTA?

Well, think about it. Consumers and environmental advocates in this country fought for years to make sure that our food supply is not poisoned by toxic pesticides and unsafe growth hormones. But many of these dangerous chemicals are still used in Mexico today, and there is absolutely no guarantee that NAFTA will prevent food treated with these chemicals from winding up in the pantries and the refrigerators across America.

States that have tough State laws against certain pesticides to keep unsafe Mexican food products out could be accused of erecting unfair trade barriers under NAFTA. Local and State health and safety laws passed at the request of local citizen groups could be unduly preempted and nullified by NAFTA.

Mr. DREIER. Mr. Speaker, will the gentleman yield on that particular point?

Mr. BONIOR. I will come back in a minute.

Mr. DREIER. I am trying to keep up with all these points.

Mr. BONIOR. Make your notes, and we will have a good discussion.

At least 17 pesticides not legal for use in the United States are regularly and legally used in Mexico. I am going to mention one, Triazophos. Triazophos is used widely on potatoes in Mexico. The EPA has found that Triazophos attacks the central nervous system, may cause nausea, diarrhea, headaches, and other health hazards such as twitching, and sometimes full convulsions, and even death.

Another chemical, Pirimicarb, used in apples and beans, citrus fruits and peppers, also has been found to cause vomiting, blurred vision, slurred speech, distressed breathing, and yes, even death in higher concentrations, and these standards are multiplied 10 times over during processing where sanitation standards in Mexico are much lower than they are here.

When you couple food production costs in Mexico with even lower processing costs because of low wages and lax standards, you see just how much food we might be importing from Mexico under NAFTA. And how are we going to inspect it all to see that it meets our standards? Even without NAFTA the United States Department of Agriculture can only inspect 2 percent of the food products brought in from Mexico. When the flood of imports really starts up, we will be lucky to inspect even 1 percent of what is coming into this country.

So I would just like to conclude my remarks by suggesting to my friends and colleagues that this is not a good agreement for America. It is not timely. It is not right. It is not safe. It cheats our workers who have worked so hard to develop a standard of living for their families. It will chase jobs south of the border, and for those that are remaining here north of the Mexican border, all of the benefits will be bargained down on the threat of leaving and going south to Mexico.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to my friend, the gentleman from Ohio, and then I will yield to my other colleagues.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman for yielding.

I think when the gentleman talked about what is the hurry, I think that is really the key to this issue. Back 2½ or 3 years ago when fast track passed this House of Representatives and passed the Senate, then-President Bush was saying we have to hurry, we have to hurry, we have to hurry.

Then in 1992, when an agreement was wrapped up with the Presidents of Mexico and Canada, President Bush wanted to get that in front of the American people, because he thought it would help his reelection.

Mr. DREIER. If the gentleman will yield on that particular point, he is absolutely wrong. President Bush said that he wanted to take the time. Fast track simply granted him the authority to negotiate an agreement which would not be modified greatly by this House.

Mr. BROWN of Ohio. Fast track, if I can take back the time, says two things. It says that you can give something to Congress with no amendments, and it also speeds up the process. And it is clear in this whole process from President Bush's activities to Trade Representative Kantor's activities to our new President's activities that they want to see this passed much faster.

If you look at the historical context, which you should in trade agreements, you understand, as Mr. BONIOR said, that the European Community took 20, 25, or 30 years to put its agreement together, and that is when they had wage ratios of only 2 or 3 to 1. And that was the poorest wage earners, the poorest countries in Europe, Greece, and Spain and Portugal. Their wages were about one-third on the average of the wages in the wealthier countries and more industrialized countries. Here we are looking at a ratio of 10 to 1, and we are trying to do something in 2 or 3 years that took the European Community 20 or 25 years. And in Europe the major things that they worked on, that they finally agreed to, that Spain, and Portugal and Greece finally agreed to was free elections, and free labor unions, free trade unionism, and various kinds of guarantees that these countries would move into the economic mainstream, and more into the political reform mainstream with the rest of Europe.

The question is what is the hurry to Mr. Kantor? Why are we hurrying, Mr. President? In this agreement we have things like truck safety to work out, we have things like peso devaluation to work out, we have all of the clean food issues to work out, as you said, Mr. BONIOR, and we have all of the issues like the environmental issues, and the labor safety standards, and all of the different kinds of issues that are so complicated, let alone the huge wage differential.

□ 1940

Twenty-five years ago Mexican workers made one-third of what American workers made on the average. Today Mexican workers make between one tenth and one twelfth of what we are making here. And that is after American wages have slightly declined. It means wages have dropped, simply plummeted in Mexico. So that that is a nation that is going in the wrong way on their wages.

That is a nation not going to create a middle class. And you cannot have free trade without a middle class, you cannot have free trade without elections.

President Salinas is giving us no guarantees that he is going to have either free elections or free trade unionism.

As a Nation, we have no business—we do in fact have a trade problem with Mexico. The problem is their tariffs are too high. I say to President Salinas, "Bring down your tariffs, and then we

will negotiate, and then we will talk when the tariffs are roughly equal." But why should we give the store away when our tariffs are already lower than his so that he will bring down his tariffs?

Mr. BONIOR. I thank my colleague for those comments.

I yield to my friend from Arizona.

Mr. KOLBE. I appreciate the gentleman yielding, and I hope that we can have a dialog here tonight. My own hour on this subject follows this, and if we do not finish during this time, I will certainly yield at any time at any point during the discussion because I think really the American people do benefit from having a discussion of this.

There have been several points made that I would like to follow up on. But immediately, one I just wanted to ask the gentleman from Ohio [Mr. BROWN] when he talked about fast track causing this to be sped up and to be done in a hurried fashion. We have been negotiating the Uruguay round of GATT under fast-track rules since 1986. Is that the gentleman's definition of something that has been hurried up and sped up and done in too fast a fashion? That is fast track?

Fast track has to do with the process, for once it is done, for consideration on a particular timetable within the House. The most critical thing, as you know, it that it does not get amended on the floor, or in the committee, but is considered as a package. We have learned that trade negotiations cannot be done that way in the Congress, and that is why Congress, I think rightly, in the 1970's set up the process of fast track.

Mr. BROWN of Ohio. There has been a frenetic atmosphere or frenetic environment around the Bush and Clinton administrations to rush toward this trade agreement. Beginning in 1989, 1990, 1991, 1992, 1993, they want this agreement quickly. They do not want to deal with the issues of wages, of the environment, with the pace of devaluation, with truck safety; all these issues that are central to the American people and to their way of life.

Mr. DREIER. Mr. Speaker, with all due respect to my good friend, my new friend from Lorain, he is a new Member of this House. Messrs. BONIOR, KOLBE, and I and many others were here in 1991 and played a role in the establishment of the fast-track authority. At that time we knew that it did only one thing: It said that when that package came back to the Congress, we would have an up or down vote on it. As we proceeded with establishing fast-track authority, we said time and time again that we wanted the process to work its way. We wanted all of these provisions to be raised. Quite frankly, more than a few of the items raised by both of my friends as they relate to pesticides, environmental area, and other items, clearly are addressed in the NAFTA agreement itself. We know that this administration made a decision in looking at labor and the environmental areas, they would be side agreements. That negotiating process is under way.

We hope very much that there is a good package which will, frankly, bring about the support of both the gentleman from Tucson and from Claremont, CA, and my friend from Mt. Clemens and my friend from Lorain, so that we can have a bipartisan agreement here on a very good package.

Quite frankly, it is very fascinating for Mr. KOLBE and I to be standing here defending President Clinton, defending our U.S. Trade Representative, Mr. Kantor, and my two friends on the other side of the aisle obviously being, as Mr. BROWN just was, critical of Mr. Clinton and my friend, Mr. Kantor. It seems to me that we want to do this in a bipartisan way. I am very happy that there are more than a few Democrats who have joined in recognizing the elimination of these trade barriers is clearly going to do the opposite of what the opening words of my friend, the gentleman from Michigan [Mr. BONIOR], were, and that was, NAFTA defeats jobs.

It seems to me that NAFTA is going to create jobs right here in the United States of America. We have to recognize that.

Now, the examples to which my friends have referred——

Mr. BONIOR. Let me respond to that, and then I will yield and we will have debate on the examples.

First of all, I should tell my friends that the distinguished gentleman, Mr. BROWN, from Ohio, is not a neophyte to politics. He is a former secretary of state of the great State of Ohio, and he has been one who has been a leader in this community and in this Congress on these very important issues as they relate to jobs in Lorain and throughout the industrial heartland of the Midwest.

So, he is one of the most articulate and knowledgeable people with respect to workers or their rights and jobs and the economy in the region from which we both come.

The second point I want to respond to is the point the gentleman from California made with respect to side agreements. The gentleman thinks side agreements can improve this. Some of my friends on this side of the aisle believe side agreements can improve this so-called NAFTA.

Mr. DREIER. I did not say that the side agreements can improve this, I said I believe the side agreements may play a role in getting the votes of some of my friends from the other side of the aisle.

Mr. BONIOR. All right, I will accept that, I will accept that as well.

Where I come from, and I believe Mr. BROWN comes from, is that this agreement, this treaty is unfixable, it is fatally flawed. And the reason it is flawed, if I could repeat the argument I made just a second ago, is that the basic institutions in Mexico that are needed for us to have free trade—the political system, the economic system, the judicial system—are either terribly corrupted or inefficiently run.

Now, all you have to do is look at the history of electoral fraud, all you have to do is look at the way labor is not able to freely organize in order that they can increase wage standards or they can increase safety standards for their workers, to understand that.

Until you have a society in which you have free elections, in which labor can organize and help raise the standards for the workers, you will not have a society in which you will develop a middle class.

For a free-trade agreement to work, you have to have a middle class on both sides, as we do in Canada and the United States, as the European communities have developed.

So, what I believe will happen is that if this treaty is adopted, if we pass the implementing legislation, we will institutionalize the existing political and economic structure in Mexico, and those millions of Mexicans who care about real political reform, real economic reform, real reform of the labor movement, will again be shafted, will be left out in the cold, and we will perpetuate this ongoing system in Mexico of low wages and elite privilege, thereby not providing us with any opportunity to gain on our side of the border from the free-trade agreement. But in the contrary, we will be losing more and more of our jobs to those low-wage-paying, high-productivity, low-wage-paying areas.

Mr. BROWN of Ohio. That point is exactly on target, the Mexican Government is the longest reigning dictatorship in all of the Western Hemisphere. The Mexican Government has been in power, this political party has been a one-party plutocracy since 1929. This political party, under the leadership of President Salinas, solicited its richest corporate friends for $25 million each in contributions and then backed off when it was brought to light that he probably should not do that in light of the North American Free-Trade Agreement negotiations and the side agreement, and the political problems with getting it through the U.S. Congress.

It is a country where 30 families control 50 percent of the wealth. If President Salinas and my new friend from California and Arizona, if they are really serious about wanting a North American Free-Trade Agreement, then let the two of those gentlemen, who seem to be enamored of President Salinas, let President Salinas come forward with real electoral reforms.

□ 1950

Let him show he is interested in real democracy. Let him show to us that he

in fact is a democrat with a small "d," that he is going to let people assemble freely, that he is going to stop some of the drug trade, that he is going to do some of the things that we expect from leaders with whom we engage in free trade. You cannot have free trade without free elections.

Mr. DREIER. Mr. Speaker, will the gentleman yield just for a question, and then I will let the gentleman from Arizona take over.

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

Mr. DREIER. We stood in these exact same spots a few weeks ago. My friend accused me of being a defender of the political system within Mexico.

I would simply like to ask the question that I tried to raise at that time as we stood here. Does my friend believe that there has been any improvement within the past decade in the political situation that exists within Mexico?

Mr. BROWN of Ohio. Fundamentally, I do not think there has been.

Mr. DREIER. The gentleman is totally wrong. If we look at the facts, the opposition party is now holding governorships and mayoralties throughout Mexico, especially in the northern part of the country. If you look at the fact that there has been a rise of political pluralism within the country, again not perfect, and I always find it very ironic and my friend from Arizona just said it to me, as we talk about the fact that the Institutional Revolutionary Party has controlled Mexico's Government since 1929. We like to point to the fact that that is the only other country in this hemisphere, or practically in the entire world with the exception probably of South Africa and Japan, ours is the only other country other than those three that has had its legislative body controlled by one political party for a longer period of time.

Mr. BONIOR. That is not correct, and the gentleman knows it is not correct.

Mr. DREIER. Now, again, I am not likening the political situation in Mexico to the United States. I am not saying that that degree of political freedom is identical in both countries.

Mr. BONIOR. Mr. Speaker, I am not going to let the gentleman get away with that. The gentleman knows that is not correct, that the Congress has not been controlled by the Democrats for 40 years. The Republicans controlled the Senate for a good number of years during the Reagan years. That is not accurate.

Mr. DREIER. The House of Representatives, the People's House that has all the responsibility for taxing and spending.

Mr. BONIOR. Mr. Speaker, I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I find it ironic that my colleague, the gentleman from California, who continues to say that he is not an apologist for President Salinas, all of a sudden compares our legislative branch with Mexico's legislative branch.

I find that is almost un-American to say that we in this Chamber are similar to what happens in Mexico. The Mexican Senate, the only legislative body in Mexico, I might add, that gets to vote on this agreement, the House of Representatives in Mexico does not, is controlled by the majority party 61 to 3.

Salinas is a smart man. He went to Harvard, after all. He must be smart. Salinas is good. He has given a few bones to the opposition party so that people like my colleague, the gentleman from California, can stand up on the floor of the House of Representatives in this country and say that Salinas is a reformer. Things are getting better.

Things are not getting better. Wealth is concentrated at the top. The middle class is even smaller in Mexico than it was. Wages have gone down in Mexico.

You cannot have free trade without free elections, and as the gentleman from Michigan [Mr. BONIOR] says, you cannot have free trade if you do not have a middle class, and they are moving away from a middle class, not building up toward a middle class.

Mr. BONIOR. Mr. Speaker, I yield to my friend, the gentleman from Arizona.

Mr. KOLBE. On this question of the political reforms, to the gentleman from Ohio I would suggest that the gentleman would do well to study, at least take a look at the electoral reforms that have been made in Mexico. As we have found in this Congress, and I do not say this in a partisan sense, reforms come more slowly perhaps than some of us would wish. Many of the freshman Members on both sides of the aisle have expressed some frustration about that. Reforms come more slowly, and we are certainly dealing with a political system that is entrenched down there, but you have a President who is clearly committed to making changes. They have an electoral law that I think is a very good electoral law. The registration of voters down there has been endorsed by the political parties on the left, the right, as well as the PRI and the center there as one which is reasonable, allows for the registration of all voters, allows for access to the voter list.

It is not perfectly implemented in every State, and we know in our communities election laws are not perfectly implemented, but changes are taking place.

I would suggest, as the gentleman from California has pointed out, that there are changes taking place down there. Certainly more numbers, this is not just bones being thrown, but the number of municipalities now that are in the control of the opposition, the number of those in State legislative bodies that belong to the opposition, and the number of the Chamber of Deputies and the number of Governors is unprecedented since 1929 when the PRI took control of Mexico. So it is changing and it is changing gradually.

I think if you know something of the history of Mexico, you understand why gradualism and change means a lot to them.

Ten percent of the population of Mexico died in the revolution in the early part of this century. There is no one in Mexico who does not remember having relatives who perished in that revolution. They are not anxious to repeat that.

I think the changes they are making in Mexico today is taking them along the road to democracy in the way that we would want them to do.

The basic question that I would ask—I will stop and we will resume this debate—but the basic question we have to ask is, will we enhance those political reforms, leave aside the economic changes now, will we enhance the political reforms if we say no to Mexico in terms of economic cooperation?

I think the answer is fairly obvious. No, we do not help those kinds of political reforms.

Mr. BONIOR. We have had just the opposite reaction, I will tell my friend, the gentleman from Arizona. We have met with Mexican workers, Mexican political leaders, average Mexican workers who have told us the only way the system in Mexico will change so that the President and the PRI party do not control the judiciary, they do not control the media, they do not control labor law, is if we defeat NAFTA, send a message that things have to change in Mexico in order for us to get a good deal in terms of trade so we do not lose our jobs here in the United States. That is the message that we have heard.

Mr. Speaker, I yield to my friend, the gentlewoman from Ohio [Ms. KAPTUR], who has been so vigilant and outstanding on this issue.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman from Michigan for giving me the opportunity to join this evening and bring some additional facts to bear on this NAFTA debate, especially to try again to draw open the drapes, in some ways an iron curtain, that separates the United States and Mexico with the type of information and the type of living conditions that really exist in that country.

I think our press has been very lax in terms of opening up to the full view of the American people what is actually happening south of our border.

Last spring I led a group of women Members of Congress, along with my cochair, Congresswoman HELEN BENTLEY of Maryland, a bipartisan delegation of women on a factfinding mission to Mexico.

The title of our mission was "The Human Fact of Trade."

We really wanted to take a look at how the over 2,000 U.S. companies that have located south of the border, what their impact has been on the people. We know what the impact has been on the people of our communities in lost jobs. But what were they actually doing down there south of the border. What was happening with living conditions.

We asked ourselves if this trade treaty is signed with Mexico, how much more of the same will we see?

I think that by some of the photos I am going to show this evening, as well as the data that we collected from actual test samples that we took from various communities that we walked through, we found worker after worker who related personal stories of subsistence pay, very, very low wages, dangerous working conditions, exploitation by American managers and denial of labor rights.

In addition to that, we found a massive continental cleanup problem that no one wants to talk about and for which no money has been dedicated.

The samples that we took, the environmental samples were contaminated with toxic industrial pollutants, including lead and mercury, benzene, and xylene, and some concentrations were so great that they would be considered a hazardous-waste site here in our country, and we took the samples from shallow drainage ditches that ran unfenced behind both residential and industrial areas where livestock grazed and where children played.

Tonight I want to go through those samples that we took; but what is very interesting is today here in Washington the President of our country had lunch with the chieftains from some of the major corporations here in the United States, the same group that is a major part of the support group for the U.S.A. NAFTA coalition, the pro-NAFTA coalition.

In fact, 10 of the top leaders in that coalition are among the top 30 U.S. releasers of toxics in 1992.

DuPont ranks first, Monsanto third, and 3M is eighth.

Now these companies are working with the U.S.A. NAFTA coalition so they can go to Mexico and pollute even more there.

Imagine what this means, what it has meant to the people of our country when we try to clean up our Superfund sites, and what it means to the people of Mexico who do not have this kind of forum in which to bring their complaints and to have their Government respond.

Mr. BONIOR. That is an important point, I just want to interrupt for a second, because as the gentleman from Ohio [Mr. BROWN] said, they cannot discuss NAFTA in their House of Representatives. They can in the Senate and the Senate, as the gentleman from Ohio [Mr. BROWN] has correctly stated, is controlled 61, I believe, to 3 by the ruling party. So there is no discussion like this there about what this will do to the American workers and people as the gentlewoman is so eloquently laying out for us tonight.

□ 2000

Ms. KAPTUR. Mr. Speaker, I think the gentleman is absolutely correct. In fact, the people whose pictures we took asked us, "Please bring us back to the United States," and to debate this in our Congress because it would be the only place on the continent where a full and open debate would occur.

Now the first set of samples we took were industrial samples from industrial sites. We went just south of our border, to Matamoros and Reynosa, Mexico. These samples, the first that we took, were from an open ditch, and, if you go up the stream, there are chemical companies that have been operating there for years. General Motors operates a plant right across the street here. The sample that we took there and had analyzed contained enough petroleum hydrocarbons to qualify it as a hazardous waste site four times over. High levels of mercury were also present. The sample was also contaminated with benzene, toluene, ethyl benzene and xylene, again at levels which qualify it as a hazardous waste.

Further east along the same canal, and, by the way, here is a picture of a cow drinking out of the water, we found chickens, cows, people who were grazing their animals along these ditches, and then these families, who are so very low income, take this cattle, have it slaughtered, and they eat it after these animals have consumed out of the same ditch. It was absolutely appalling.

We went further upstream, and we came to an area alongside the chemical plants, right across from where children live along railroad tracks, and we took sample No. 2 there. It was closer to residential areas. We took a sludge sample that we had tested, and it contained mercury at 145 times acceptable levels. These industrial pollutants cause brain damage, and birth defects, and other health problems.

Mr. Speaker, it was really awful to see that, what we have learned about the environment here. We thought we had taught our companies something, and we, as a society, had reached a certain level. But, going down into Mexico and to see these same companies doing what they have done to our regions of the country which they have now abandoned I think is a true continental tragedy, the dimensions of which have not been fully understood here in the United States, and I think a part of this debate that we need to focus more on is who is going to pay, not for the future cleanup in Mexico by our companies, but who is going to pay for the past. We estimate; the gentlewoman from Maryland [Mrs. BENTLEY] and I were talking, and we were talking about perhaps a $100 billion cleanup problem there. Now who is going to pay for all of that past damage?

The second set of pictures I would like to demonstrate this evening are from residential areas. This is where the people live that work in those plants that our country sent down there. This was in Reynosa, Mexico. This is a typical area where families in Mexico live, in the colonias, the areas around these companies, and we took samples there, too, of the water that the people were using. One water sample from this area was contaminated with coliform bacteria rates at 400 times U.S. standards. I took another sample across the street from that. It was contaminated at 1,500 times U.S. standards.

Essentially, Mr. Speaker, what we have is people living in these areas. It rains, and the outhouses wash out. They are literally living in filth and sewage around these developments, not 50 people, not 500 people, but thousands and thousands of people living in these degrading and inhuman conditions.

Mr. DREIER. If my friend would yield on that point, I would simply like to say implementation of NAFTA is the best way in the world to counter that terrible situation.

Ms. KAPTUR. Mr. Speaker, I did not yield to the gentleman from California. However I have plenty to say on that score.

And this is a final sample that we took, and this was taken near a water outlet. This is the family whose home was sampled. These people work for Zenith, and the woman and the husband work in a company. I will not even tell my colleagues what he has to do, but any OSHA inspector would close the place down in the United States of America.

Seven people live in this little hut. It is a one-room hut. This was in the backyard. I took a sample. This little girl was running. They have running water, which means a hose in the backyard connected to an outlet that runs up the lane. I took a sample from right here. She is running with no shoes on, and that particular sample was contaminated with coliform; that means raw sewage, at rates over 100,000 times U.S. standards. Coliform bacteria indicates the presence of human fecal material, and exposure is linked to cholera and typhoid.

Now, as I see this, what is amazing to me is that our companies and the other foreign companies that have located in northern Mexico would have allowed this type of situation to develop and that the Government of Mexico would not have stood up for its own people, and in fact as someone said to me, "Well, Marcy, you know the Government of Mexico doesn't stand up for its own people because it doesn't look at

its people as consumers. Rather they look at their people as producers, and they are willing to impose on them tremendous wage restraints in order for their shareholders and large corporations to make more money to pay back the $106 billion of debt that is owned to international banks."

What is sad about this situation, Mr. Speaker, is that up the street from where these people live in that filth, 24 hours a day operates Zenith Corp., General Electric, General Motors, TRW, and a host of other U.S. companies.

I really believe NAFTA has to be defeated, and in its place we must negotiate a trade agreement that genuinely addresses the terrible conditions of the border regions including tough enforcement of international standards and secure and dedicated funding sources adequate to cover cleanup of both present, as well as future, contamination, and I really appreciate the gentleman yielding me some time this evening.

Mr. BONIOR. Mr. Speaker, I thank my colleague, the gentlewoman from Ohio [Ms. KAPTUR], for her exposé on what she saw firsthand and filmed firsthand in her visit, and I guess the question, and this would be a good time to ask my friends from Arizona and California, is:

How can they justify, first of all, the actions of American corporations with respect to those health problems down there, and, second, the toleration of this by the Mexican Government? I mean how in heaven's name can they justify these multinational, wealthy corporations poisoning these people, paying them so meagerly, and then allowing the Mexican Government to continue to allow this to happen?

Mr. Speaker, I yield to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, I appreciate the gentleman from Michigan [Mr. BONIOR] yielding to me.

First, Mr. Speaker, I will respond to that question if I might go back to something, and I hope, if we continue this dialogue in the next hour, we can actually have the debate, but the point I wanted to make is in response to the statement about the Senate proving this just to clarify that point, the Senate does ratify the agreement, but very much like we do. Both the House and the Senate implement the agreement so they both must pass the legislation to implement it.

Mr. BONIOR. Well, we met with some members of an opposition party today, and we were told just the opposite. These were Mexican Congressmen who told us that in their house they have no say whatsoever on the NAFTA issue and that the senate was the only body.

Mr. KOLBE. Well, many of the changes that would be required by NAFTA in Mexico are constitutional changes, and those do have to be adopted in both houses and then by the appropriate numbers of State legislatures, but to answer the point, to go back to the question that the gentleman raised there, how can we tolerate this, I do not believe that the gentleman is suggesting that any of us endorse the idea of bad or poor environment or poor environmental enforcement. I also do not think, and I hope the gentleman does not suggest, that everything in the United States is perfect when it comes to an environmental enforcement or that we are that many years away from a Love Canal.

For example, I would just point out that in Mexico I think you will find very few—let me just finish my point.

I certainly would suggest that, if you look at developing countries around the world, you will probably not find any country that has done as much as Mexico or spends as much on a per capita basis as Mexico does on environmental protection.

Now, American companies for the most part follow American standards in Mexico. What we have seen in some of these pictures is what happens when it is outside the plant, where there is not a system that can deal with the problem outside the plant. There are certainly companies that violate standards, and there are——

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. KOLBE. If I might just finish the sentence, there are, as my colleague knows, enforcement standards in Mexico that are actually powers of enforcement on the environment in Mexico that actually go beyond our powers, and an inspector can come in and close down a plant on the spot.

□ 2010

That cannot happen in the United States. So I think that there is certainly not only a desire, but a willingness to try to do a great deal more. And Mexico is doing more when it comes to the environment. They are spending a lot of money on environmental cleanup. They are making tremendous strides in that area.

Just to cite one specific example, in Mexico City a couple of years ago, the President closed down the largest oil refinery in the city, that employed 5,000 workers there, because it was adding so much to the pollution. That was not an easy decision to make when you have 5,000 jobs in a country that needs jobs so desperately. So I think there is a commitment, and I think they have demonstrated that commitment.

Mr. BONIOR. I yield to my friend from Ohio.

Ms. KAPTUR. I thank the gentleman for yielding.

I would say to my good colleague from Arizona, in the community that we were in, in Matamoros, Mexico, which has approximately 76 maquiladora plants in operation, I would ask the gentleman to just take a guess as to how many of those have treatment?

Mr. KOLBE. Well, I daresay very few of them have treatment at the level that we have here. But one question you might want to ask is to what degree are they complying with Mexican environmental laws, or are they moving to meet those standards that are required?

Ms. KAPTUR. The gentleman said that they conformed to U.S. standards when they operate in Mexico. I asked how many of the plants have treatment in that city. One. And that was after 3 years of community pressure, General Motors was required to spend $2 million, which is peanuts for all it saves in terms of low cost labor there, millions of dollars a year, only after substantial community pressure. One plant out of over 75 plants in that one town, which incidentally has the highest wages of any maquiladora area in Mexico.

So I know the gentleman wants to do what is right, but I would beg of you, please, do not try to paper over the serious problems that we face, both in our country and there, by trying to be an apologist for the Government of Mexico.

Mr. BONIOR. I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. My colleague from Arizona and my colleague from California seem to enjoy defending Mexico by tearing our country down. I mean, it is defending Salinas by comparing the U.S. Congress to them. It is defending Salinas, defending the Mexico environment by saying, "Well, our country's environmental laws aren't perfect either."

You are darn right, ours are not perfect. But, you know, as the gentleman from Michigan [Mr. BONIOR] said earlier, we have reached a consensus in this country, in State legislatures, in city halls, in county courthouses, and on the floor of this House and our Federal Government, we have reached a general consensus that we do fight for clean water, we fight for clean air. We have generally pretty good environmental laws. And there is a real chance, because of Judge Richey's decision and the overriding that NAFTA might do of local and State laws, that we are going to lose some of that consensus, that we are going to be dragged down to Mexico's level in the environment, and dragged down to Mexico's level on wages, and dragged down to Mexico's level on worker safety.

Mr. KOLBE. Will the gentleman tell us how NAFTA changes our environmental laws?

Mr. BROWN of Ohio. I can give you an example with truck safety, for instance.

Mr. BONIOR. I yield to the gentleman from Florida [Mrs. THURMAN].

Mrs. THURMAN. I believe we heard testimony recently that it is called

trade barriers, and if anything is different on that side or our side and it creates a trade barrier, there is a mediation panel that they must go to that will be made up of Mexico and Canada and the United States, with no other recourse.

Mr. KOLBE. But not having to do with environmental laws.

Mrs. THURMAN. Absolutely. That is where your whole food safety issue comes into play.

Mr. BROWN of Ohio. If I could take some time, pretty clearly, the commission, the trilateral commission that our President and our Trade Representative are trying to negotiate in some of the environmental side agreements, if there is in fact a trilateral commission that can find one country or another guilty of violating environmental law, it is not clear at this point whether Canada and Mexico can vote against us and call it an unfair trade practice. Whether it is environment, whether it is truck safety, where these huge Mexican trucks with 18-year-old drivers that generally are not as well-trained as ours can drive their triples and their very heavy, very long, overweight trucks, on American roads and outcompete our drivers because of those laws, one after another after another. That is why we have to slow down on this agreement and do it right.

Mr. BONIOR. I yield to the gentlewoman from Ohio and then my friend from California.

Ms. KAPTUR. I thank the gentleman.

I want to read into the RECORD what a woman who works at the Sony plant in Mexico said to me.

I have worked there for 15 years. We used industrial solvents and we used them without any protection. We put up hot metal in the solvent and the vapors of the hot metal you breathed in, and there were never any exhaust systems that worked. There was never any protection for yourself. The factory has been there for 20 years and we have been soltering in the middle for that period of time, always observing the smoke and the exhaust system never worked. The smoke goes in your face, and I have had many coworkers that have had x rays that have been able to detect the smoke in their lungs. The doctor tells them they should stop smoking, but they have never smoked. The smoke from the soltering is affecting their throats. We have had a lot of premature births and low birth weight babies, abortions, too, as I personally had a miscarriage of the baby while I was working.

That is one woman, who can only speak out in this Congress because she is not allowed to speak out in the nation of Mexico.

Another woman in Mexico:

Sometimes I am concerned that the managers arrive at the plant with the smell of alcohol on their breath, and they raise their voices to my coworkers, and my coworkers are pinched by the managers. The Commission for Health and Safety at the plant are not allowed to work as they should. There are a lot of leaks in the building because it is old and the leaks fall on top of the equipment that we are trying to work on, electronic equipment. Some of my coworkers have had electrical charges from the leaking onto the machinery, and there are no emergency doors. That is a little bit of what I have lived through.

Mr. BONIOR. I yield to the gentlewoman from Florida, because our time is short and you will have an hour.

Mrs. THURMAN. This is actual testimony that came here to Congress before the Government Operations Committee on Housing and Employment. We actually had four Mexican workers come to speak before this committee. And I have to tell you that they did it with a lot of stress, because they were very concerned about themselves and the kind of retaliation that would be given against them by their Government, and in fact in their employment opportunities within Mexico.

I will not go into all of this, other than the fact she talked about earning a minimum wage of about $4.50 for a 9-hour day. But the thing that was really very concerning to all of us was she said:

You know, we were just a group of us that wanted to improve our working conditions on safety and wages at this company that we worked at. We were working with such things as thionyl and epoxy resin, but there were no masks provided. The chemicals were irritating our skin. So there were six of us that tried to organize so that we could get better working conditions.

She goes on to talk about what happened to her. And she got fired from her job for trying to participate in these kinds of things, but then went on that she got another job, and 7 days later she was brought in to the manager and she was told that in fact she was going to be fired because she was an undesirable.

She looked at him and said, "I am not a criminal, but I thought that workers' rights should be respected. I am not a drug addict and I am not a thief. I am just trying to make things better in my country for my people."

Mr. BONIOR. That is what this issue is really all about, is that woman who is struggling to make life a little better for herself and for her family. And if we say no to this agreement, if we say no to the implementing legislation, we will be sending the most powerful message that we could sent to ordinary Mexican men and women, who have struggled for years for human rights, for decent health and safety standards, for decent wages. We will have sent them a message of hope that we are not going to buy into this system, which I believe is basically corrupt. And when we do that, they will have the power and they will have the hope of their people, so that they will in fact come into power in Mexico and change this system, which will allow average working people to earn a decent wage, which will allow a middle class to develop on a broad scale. And then it will be time for us to sit with the Mexicans and decide upon how we are going to engage in free and fair and open trade.

I would like to conclude by yielding to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Thank you for yielding to all of us some of your time to discuss this very important issue. And I especially thank the American public that is watching us again tonight discuss the North American Free-Trade Agreement.

The proponents of NAFTA have been funded with over $25 million from the Mexican Government, millions more by the pro-NAFTA-USA group, which is basically large corporations in America. The only way to defeat this is calls and letters to Members of Congress from all of you out there. And that means get as many of your friends as oppose NAFTA to write letters to all of us in Congress, to call us, to let us know that you think NAFTA is a job killer, that NAFTA is a small business killer, that NAFTA hurts our communities, because it makes a difference in all our lives.

Mr. BONIOR. I thank my colleagues for joining me.

NAFTA is an important issue for us for jobs, keeping jobs in our country, and for the well-being of our citizens, and I urge my friends to respond in a positive manner to defeat this effort.

□ 2020

IN SUPPORT OF THE NORTH AMERICAN FREE-TRADE AGREEMENT

The SPEAKER pro tempore (Mr. LAROCCO). Under a previous order of the House, the gentleman from Arizona [Mr. KOLBE] is recognized for 60 minutes.

Mr. KOLBE. Mr. Speaker, may I say to my colleague from Michigan, the gentlewoman from Ohio, the gentleman from Ohio, and the gentlewoman from Florida that I hope those that can will stay around to engage in this dialog, because I hope we understand that this is an important one. I think all of us believe that it is important that the American people understand what this issue is about.

I would begin with answering some things, when we did not have some time in the last hour to respond to. I want to respond specifically to something that the gentleman from Ohio spoke about, and it is really kind of reflected in this map which is shown over here.

He asked the question, why should we take the brunt of it; why does not President Salinas lower the rates, the tariff rates in Mexico?

The fact of the matter is, of course, tariff rates have been coming down substantially from a top rate of 100 percent to a top rate now of 20 percent and from an average rate of 50 percent to an average rate of 10 percent in Mexico.

The result of that, as I am sure the gentleman from Ohio must know, because you could hardly escape the statistics, they are so dramatic, is that United States exports to Mexico, that is that sale of goods from the United States to Mexico, has increased in 1987 from $16 billion to $43 billion in 1991. That is a 180-percent increase in the course of 5 years.

Now, economists may differ and you and I may differ on exactly how many jobs are created by each $1 billion of exports, but I do not think there is any disagreement that every $1 billion of additional sales to Mexico or to any country creates jobs. So the fact of the matter is that we have had a dramatic increase in the number of jobs created in this country, as a result of the additional trade that we are doing with Mexico.

The estimate is 400,000. That is direct jobs, not indirect jobs, but 400,000 jobs since 1987 have been created in this country as a result of the additional business that we are doing with Mexico.

And today, we ourselves are in the position of having the largest surplus, I think I am correct on this, largest surplus with any nation in the world today is with Mexico. The most dramatic change that has taken place in our trade in the last 10 years has been with Mexico.

We have gone from a deficit of over $4 billion in our trade with Mexico in the mid-1980's to a surplus of nearly $6 billion in our trade with Mexico.

Mr. Speaker, I yield to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I am glad that the gentleman has brought up the topic of exports, because the chief export from Ohio to Mexico has been the export of our jobs in the form of 100,000 jobs.

I heard the gentleman's figures. I have studied these figures in detail. Major exports from all of the States in the Union to Mexico mostly go down there and then they come back here in the form of transshipped goods. In other words, automotive parts that used to be made in Ohio are now made down there or an Ohio company will ship a component part down to Mexico. It is put in something and rather than being sold into the Mexican market, it comes back here.

In fact, in the area the gentleman has the most interest in, consumer goods, we, in fact, are running a huge trade deficit with Mexico of $3 billion. It has been growing simply because they cannot afford to buy our products.

I appreciate what the gentleman is trying to do there. The major area where we have had the increase is in capital goods. I know the gentleman knows what is happening. We are actually exporting our productive capacity and putting it in northern Mexico.

Our plants are being exported. Our machine tools, our equipment, that is where those numbers come from.

Mr. KOLBE. Reclaiming my time, and I will continue to yield, because I think this debate is very helpful, let me just again remind the gentlewoman from Ohio that her State is one of those that has had one of the most dramatic growths. It is over 100 percent since 1987 and 1982, of exports to Mexico.

You talk about this being things that go down there and then come back to the United States. Well, if it is an automobile part that goes down to Mexico and the automobile comes back to the United States, it is nonetheless a product that is being made, somebody in Ohio is being employed making that. If you did not have the capacity to do that in Mexico, to share some of this production, the chances are that part would be made in South Korea and then assembled in Taiwan or assembled in Japan and being brought to the United States. So what is fair is fair.

All the trade figures are counted the same, whether it is exports going to Japan, to an American subsidy in Japan, or an American subsidy in Mexico.

The fact is, consumer goods have increased even more dramatically. We have a higher proportion of consumer goods being sold to Mexico than we do to most nations.

Mr. Speaker, I yield to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, let me first make just a couple of statements.

First, I have an extraordinarily high regard for my Democrat colleagues. I have worked very closely with my friend from Toledo, OH, on a wide range of issues, and I know that she is very sincere in pointing out the problems that exist with businesses in Mexico and the problems of pollution.

I happen to feel very strongly that if we do nothing, if we do not implement the North American Free-Trade Agreement, we will be encouraging the perpetuation of this kind of behavior.

I happen to think that the best way for us to respond to this kind of action is for us to implement the agreement. Why?

Because very clearly, a study was just released this week that came out from the Pacific Research Institute for Public Policy, which clearly looks at the Richey decision and refers to the fact that environmental improvement is going to take place in both Mexico and the United States.

My friend from Lorain has said we are going to see the United States fall down to a low level that is like that in Mexico. I do not believe for 1 second that implementation of NAFTA is going to in any way denigrate the environmental quality and environmental standards of the United States. The reverse is going to happen.

My friends have pointed to some horrendous horror stories. I in no way, I know none of my colleagues would want to be an apologist or do anything to perpetuate them. From our perspective, we happen to believe that the best thing we could do to counter it would be implementation of the agreement.

My friend from Toledo referred to the fact that the greatest export from Ohio to Mexico has been jobs. Suspecting that she might be here, we looked at the tremendous number of jobs that are in her district today that are there in large part due to the export of goods and services to Mexico. I have a list of those. I would just like to mention a couple of them.

Dresser Industries in Toledo, OH, has pointed to the fact that what they call their Jeffrey Division on Locust Street, they are an underground mining machinery operation. They employ 400 people, and one of the greatest things that they do is that they export to Mexico.

E.R. Advanced Ceramics, which is also in Toledo, employs 50 people, and these jobs are not going to Mexico. It is goods that are being manufactured by people who live in Toledo that are going to Mexico. Luma Electric Equipment Co., which is on Coining Drive, which is in resistance soldering equipment, electric etchers and demagnetizers. They have 20 employees. A great part of their business is exporting to Mexico.

Ms. KAPTUR. Mr. Speaker, if the gentleman will continue to yield, I would be very curious to know the end use and who purchases those products and to what extent those products come back to the United States. If they go into Mexico and it is the development of a true consumer market, I am all for it. So long as it does not displace production.

It is very interesting the gentleman does not have on his list, perhaps he does, companies like Dura Corp., which have shut their doors in Toledo, OH, and moved down to Mexico. Thermatru Corp., which has shut its doors after it threatened its workers to take a $3-an-hour cut in pay from $9 an hour. The gentleman is not concerned that over 3,000 Ford workers and Libby Glass workers are threatened by this agreement.

Mr. DREIER. Has implementation of NAFTA caused that?

□ 2030

Mr. KOLBE. I yield to the gentlewoman from Ohio [Ms. KAPTUR], and then I am going to go on to something else.

Ms. KAPTUR. The limited free trade area that we currently have in place has attracted over 2,000 United States companies for the north of Mexico.

Mr. DREIER. If the gentleman will yield, yet the best way to counter is to implement the free-trade agreement to counter the situation to which my friend refers.

Ms. KAPTUR. You won't counter it, you will exacerbate the loss of jobs.

Mr. KOLBE. Mr. Speaker, let me say, before I yield to the gentleman from Oregon [Mr. KOPETSKI], that his presence here tonight gives me encouragement about the bipartisan nature of this. He and I have had some spirited discussions around our days and evenings about the issue of reconciliation over on the opposite side of that. Clearly this is an issue which I think most of us understand. Trade is a bipartisan issue. I hope we are going to have, and I know we will have, a bipartisan effort.

I appreciate the gentleman's being here this evening.

Mr. KOPETSKI. I thank the gentleman for his comments.

I do support the North American Free-Trade Agreement, and also the fact that we do need some side agreements that are being developed now by the leaders of the three nations involved. The fact is, I think I come from a State that has benefited greatly from the reductions in tariffs that were implemented, instituted about 4½ years ago.

Oregon is a State that has seen its exports to Mexico quadruple over these past 4½ years. We have a net surplus, surplus of trade from Oregon down to Mexico. We are exporting such goods as value-added agricultural products. We are exporting paper products from our timber industry. We are exporting high-technology equipment down to Mexico, in part because, as their middle class is developing in that Nation, they have a need, a desire, for many of the American products that we have to offer up in the Great Northwest.

As their economy grows, so, too, we would help the American economy as well. That is the point of the North American Free-Trade Agreement, is this good primarily for the American economy, for the American workers? I say it is.

When we look at the bare facts of it, we are still, even with the increases of exports from Oregon to Mexico, we are still at a trade disadvantage. Why? Because on average, when we export something down to Mexico, we pay a 12-percent tariff. When they export something to the United States or Oregon, it is, on average, a 4-percent tariff.

NAFTA eliminates those tariffs. It brings both down to equality, so who is to gain? We are to gain, the United States, our products.

Then I must say we go back to what is the end use, what is the end use of a product. I think people need to recognize what a global economy means today. The fact is, what is an American-made car? Is it a car that is totally, 100 percent, from the rubber to the steel to every electronic component, is mined and manufactured and designed and marketed in the United States? We cannot find a car like that today. If we go to GM, if we go to Ford, it does not exist.

The fact is, who is going to benefit from where we can get the cheaper part and the best part? Maybe it is Japan, maybe it is Korea, maybe it is Ohio or Portland, OR. When we put those components together someplace and sell it to the American consumer at a competitive price, and they are purchasing a quality product, let us not forget the end user is the consumer in all of this. I think that gets lost.

We try to save people money. We institute tariffs, protective tariffs, here in this country. The result is that the family that wants to go buy their shoes for their kids to go to school in, they have to pay a higher price. That is what we are talking about when we are talking about protectionism. Somebody is going to pay a higher price.

I am one that believes that the American ingenuity, the American worker, the American marketers, can produce, create, and sell quality products out of this country, and that we will beat the pants off of any nation, as long as the trade laws among the nations in this world are fair. That is what NAFTA will do.

Ms. KAPTUR. Will the gentleman yield?

Mr. KOPETSKI. I do not have the time.

Mr. KOLBE. I thank the gentleman. I think he has made a couple of points. I will yield. We do have a couple of people who want to participate in this.

When the gentleman talks about beating the pants off, that America can beat the pants off of workers from other countries, I think that is the bottom line here. I would just like to share a little story with my colleagues.

Not too long ago I went and visited a town on my border, my border with Mexico, the town of Douglas, which is only about 10,000 people in population. It has the largest Safeway store in Arizona, largest in square footage, the largest in dollar volume.

Eighty percent of what they are selling in that Safeway store is going to people from Mexico who are coming across to buy. Safeway is a unionized store. They are doing 24 percent of their business in the meat department, which is the high end of the scale. The average for Safeway overall is 15 percent, 14 percent, so they are doing 24 percent of it in the meat department. They have about 10 union butchers there chopping, sawing, grinding, wrapping, packing, putting that meat out there that is being picked up as fast as it possibly can be by Mexicans who are coming across the border to buy those goods.

Do not tell me we cannot compete with wages in Mexico. We are doing it about 200 yards from the border with union wages, and we are doing it exceptionally well.

Mr. KOPETSKI. Will the gentleman yield?

Mr. KOLBE. I yield briefly to the gentleman from Ohio [Mr. BROWN] to follow up, and then to the gentlewoman from Ohio.

Mr. KOPETSKI. Mr. Speaker, I will give an example in the State of Oregon, the State of Washington. Boeing makes one of the best aircraft in the world. We are doing battle against Airbus in Europe, because they have subsidies from their governments to build this. In spite of that, Boeing, because of the quality, and I have toured the plant in Portland, OR, where workers are union, they have a health care plan, they have a pension plan, they make a decent hourly wage, they have a safe working environment, and they are selling those airplanes, yes, to Mexico as their country grows. They just completed a deal selling to the People's Republic of China, as well.

Mr. KOLBE. I think the gentleman's point is well taken, that the bottom line in all of this that we sometimes forget is the consumer who has more choices and lower priced products to buy.

I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I appreciate the gentleman from Arizona yielding to me and encouraging this kind of debate.

A couple of things about the last comments, and one thing I would say about something previous. We can always give examples of American businesses that have profited under NAFTA, or profited under the present system, but in the end, NAFTA is a job killer.

To say just because we could point to Boeing or point to some companies in Toledo, OH, that are selling to Mexico, clearly there are so many on the other side, and so many on the other side will only grow larger with NAFTA.

Let me point out one issue. The balance of trade, as the gentleman from Arizona [Mr. KOLBE] has made the point, and made it correctly, the balance of trade is in our favor, but it has been in our favor for most of the last 25 years, even when hostile governments were in Mexico, not ones that generally agreed with us and that we liked, for whatever reasons.

There are two reasons that we have a trade surplus with Mexico today. One is that the surplus with Mexico is primarily made up of increases in the export of capital goods, as my friend, the gentlewoman from Ohio [Ms. KAPTUR] has said. We are sending capital equipment down there. We are sending factories to Mexico, and also, they are made up of intermediate goods, supplies, and components.

Over a period of time as these are used in the production of consumer goods, that whole trade surplus is going to shift, because there is a much bigger consumer market than there is a production or manufacturers market. In fact, that shift already has happened. If we can delay NAFTA for another year or two, that surplus likely

will disappear, because in the first 4 months of 1993 the United States surplus with Mexico is only half as large as it was in the first 4 months of 1992. That is the first reason we have a surplus with Mexico.

The second problem about the surplus with Mexico is, the peso is overvalued. Mark my words, even President Bush's economic adviser on this issue, Mr. Hoffbauer, who is as pro-NAFTA as you can get, he said we need a side agreement on peso devaluation, because, mark my words and the words of a lot of other people in this institution, if we agree to this, to NAFTA, if it is passed in the Congress and it becomes the law of the three countries, almost immediately Salinas and his government will devalue the peso. That takes away any gains we have.

That means that Mexican goods purchased in the United States are cheaper, American goods purchased in Mexico are more expensive. The trade balance all of a sudden shifts, because they simply stop buying the relatively few things they are buying from us, and we lose everything we might have gained by the North American Free-Trade Agreement.

Again, it is a job killer and a killer of small business.

Mr. KOLBE. Reclaiming my time, we have had two people that have joined us, and I do want to allow them to participate in this.

I have to respond to the argument about the capital goods that the gentleman from Ohio [Mr. BROWN] talked about. I have had companies come in and talk to me about selling machine tools in Japan, selling capital goods in a number of countries. I am puzzled by the argument that somehow the sale of capital goods to Mexico is bad, that we should not be selling capital goods.

□ 2040

Caterpillar sold $360 million of earthmoving equipment and other heavy equipment last year in Mexico alone. That is a lot of jobs in Decatur and Peoria, IL that depend on doing that business down there in Mexico.

I went when I was in Hermosillo to a construction site, a huge golf course and country club there where there was probably 100 pieces of Caterpillar equipment moving around that job site, and all of that was in Mexico that was available to an American construction company with a Mexican subsidiary doing business in Mexico.

You bet capital goods are going to Mexico, and we are creating a lot of jobs from that.

I want to mention one other thing, one comment in response to what the gentleman said about if we would just reduce tariffs in Mexico. I also visited when I was in Hermosillo a plant, 171,000 square feet under construction by a Mexico subsidiary of a Hong Kong toy manufacturer. They are going to move the entire construction of Barbie Dolls from the People's Republic of China to Hermosillo. You say well, what good does that do us. The answer is, of course, that all of the plastic which goes into that, which is 85 percent of the value of the Barbie Doll, which now is bought in Japan or South Korea and shipped to the PRC for construction will be bought in the United States. That is because the tariff has come down from 50 percent to 10 percent, and the prospect with NAFTA is that the tariff goes down to zero. Because of that and that alone, hundreds, probably thousands, but certainly hundreds of jobs in the United States will be created in plastic manufacturing companies that are making that plastic that will be going to Mexico for use in Barbie Dolls.

That is a practical example of how more open trading relationships bring production back from countries along the Pacific Rim back to the United States.

I yield briefly to the gentlewoman from Ohio.

Ms. KAPTUR. I thank the gentleman for yielding, because I know how strongly he feels about this. And we do have serious disagreements.

But I wanted to respond to my friend from Oregon on the issue of consumers. We want to protect the American consumer. I may differ with you only in that I want to protect both the American worker, who happens to be the American consumer. And I feel that they are on an unfair playing field when they earn $9 an hour, let us say, with benefits, and $9 is nothing in America now, and yet they have to compete with a company in Mexico, if that company goes down there from the United States, that pays its workers $1.25 an hour.

I am sure the gentleman does not mean he believes in a world where American workers' wages are pulled down to lower levels. I am sure that is not what the gentleman is arguing. I am sure you would want to argue as hard for workers and producers as you do for consumers, because in fact they are one and the same. Am I correct, the gentleman would not want to lower wages in America, but you would want to raise wages elsewhere in the world? Am I reading you correct there?

Mr. KOLBE. I yield briefly to the gentleman from Oregon for a response.

Mr. KOPETSKI. I thank the gentleman for yielding. Absolutely, I want the American worker to be competitive, and in this world global market, and I also want to see the Mexican worker get an increase in their standard of living.

Why is it, why is it that a Mexican would leave the hills of Oaxaca and go to a maquiladoras? If you will ask them they will tell you because they are better off there. They were starving where they were before. Not only are they willing to go to a maquiladoras, but they will move into my district, 22,000 of them every year, and they work in the fields, jobs that you cannot get an American student or an American adult to take anymore. And these people are hard workers. Every week they take their paycheck and they send most of it back to their family, back to Mexico.

It is a tragedy that they have to leave their own country and come hundreds of miles north to do that. It has a lot to do with this because we have a paternalistic attitude in this country toward Mexico, and it ought to end.

Mr. KOLBE. Let me yield to the gentleman from Texas [Mr. DELAY] if I might.

Mr. DELAY. You will have to yield to the gentlewoman from Ohio after my statement.

There is underlying economics here that seem to be overlooked.

The gentlewoman from Ohio talks about the disparity of wages between the United States and Mexico. Yet, the opponents of NAFTA never talk about the higher productivity of the worker in America as compared to the worker in Mexico.

The reason that many of the wages in Mexico are lower is the lack of productivity. It is not that they are lazier workers. They just do not have the skills or the technology in order to enhance their productivity. If their productivity goes up, as it has in the last few years, their wages go up, because with higher productivity you can afford higher wages. And the reason we are able to compete in Safeway, a union Safeway, or in the gentlewoman's factories in Ohio with lower wage Mexico on a one-to-one basis is that we have higher productivity. That is the bottom line of being able to compete with lower wages.

The gentleman from Arizona and the gentleman from California well know that all three of us serve on the United States-Mexico Interparliamentary Council. I will never forget my first year in Congress and I was placed on it, and we went to meet in Mexico. And every one of the problems between the two countries was based on one thing: the economy of Mexico.

The economy of Mexico was deteriorating at such a rate because it was a socialist economy, it was a nationalist economy, an economy that would not allow foreign investment. And all three of us, and most Americans would make speeches about look, you have to bring in foreign investment, you have to privatize your industries, and they would almost run us out of the room, if you will remember.

Then they started privatizing, they started moving toward a market economy and their economy started improving. They bought more than just capital goods in Mexico.

I am from Texas. I was born in Laredo. I go to Mexico at least once a

year, if not more often. I see the kinds of goods that the Mexicans are buying. It is not all capital goods. They love American consumer goods. That is where the surplus in trade is coming from.

To be fearful, to frankly not have confidence in the American worker and the American business person and confidence in understanding that we can compete with anybody, and as we compete, and as Mexico's economy improves, all of these problems start to be taken care of, like the illegal immigration problem that the gentleman from Oregon was talking about. It has been my experience in Texas that the only reason that Mexicans come across that border is for a job, is to feed their family. They do not want to come over here if they have a job in Mexico. If they can find a job in their homeland where they were born and raised and feel more comfortable and are not mistreated, they will stay there. Those jobs will be created as Mexico's economy is improved, and it will be improved through NAFTA.

Mr. KOLBE. If I may interject, I think the gentleman makes a very good point when he talks about Mexicans liking United States products. In fact, Mexico spends 70 cents of every dollar that is spent outside of their borders in the United States. Almost no other country has that high a propensity of buying from one country.

Mr. DELAY. A little anecdote. If you will just come with me, get on a plane going back to my district every weekend, usually I ride on the plane that is the connecting flight through Houston to Mexico City. It is full of Mexican citizens. And do you know what they are carrying onto that plane? U.S. consumer goods by the boxloads. They pack them in everywhere they can get them. They check as much as they can check, all kinds of consumer goods, and clothing and other things that are the quality that the American worker has produced in this country.

Mr. KOLBE. I yield to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I would like to congratulate my friend from Sugarland for an excellent statement, and I would like to associate myself with his remarks. In doing so I would like to bolster his argument just slightly by raising this issue of the level of productivity.

Clearly the American worker is five times more productive than the Mexican worker. We want the Mexican worker to come up to that standard. And the clear implication is that NAFTA will play a role in bringing them up to that standard if we could finally accept what a great Democrat President, John F. Kennedy said, that a rising tide lifts all ships.

How we can believe that a poor southern neighbor is going to be of benefit to us is absolutely ludicrous. My friend from Sugarland referred to the issue of productivity, and I know the argument has been made by the distinguished majority whip, Mr. BONIOR, that there has been a high level of sophistication in Mexico's manufacturing industry.

□ 2050

Tragically, that is not yet the case because of the fact that when you look at the industry that is most important in his State, the automobile industry, and realize that it takes 8 times as many man-hours to assemble a car in Mexico than in the United States, clearly it underscores the importance of that move by General Motors and the United Auto Workers coalition that shifted from Mexico back to Lansing, MI. Why? Because, as my friend from Texas has said, the American worker is still much more productive.

I think my friend for yielding.

Mr. KOLBE. Mr. Speaker, I would like to yield to the gentlewoman from Ohio for just a moment.

Ms. KAPTUR. I think the gentleman. If it were so, if the workers in Mexico were so unproductive as the gentleman indicated, why would it be that the largest employer in the private sector in Mexico is General Motors?

Mr. DREIER. I did not say that. I said they are not as productive as the American worker.

Ms. KAPTUR. Well, I think they are very productive. In fact, in some of the plants, like the Ford Hermosillo plant and many others, they are as productive as American workers. The only difference is that in Mexico those companies can save, like Ford, $130 million a year in unpaid wages because they pay such low wages.

And I wanted to say something to my friend from Oregon, Mr. KOPETSKI, in terms of farm workers. My heart goes out to the farm workers of this country and of Mexico. I know many of them because they pick the fields in Ohio, too, except in the United States we manage to give them a minimum wage for the back-breaking work they do. In Mexico they pay them 58 cents an hour at the border communities in the valley. I have seen what happens to those tragically poor people in that region. I would hope that the gentleman would at least be willing to have a continental minimum wage for factory and farm workers in this bill. If the gentleman would be willing to do that, I would have more respect for his position.

Mr. KOLBE. Reclaiming my time, if I might, the gentlelady is certainly correct that some factories in Mexico have higher levels of productivity, and she is absolutely correct that the Ford plant at Hermosillo is one of the most productive manufacturing plants in the world. It also is an interesting fact to note that the workers in the Ford plant in Hermosillo are virtually the highest paid manufacturing workers in Mexico, which stands to reason. The productivity gains enable them to pay those higher wages.

But the fact still remains that if you compare productivity in Mexico and productivity in the United States, and wages, what you really need to be looking at is not wages paid but what is the output per dollar of input of labor. When you look at it on that basis, the United States still continues to outproduce Mexico.

You have an example of that—the proof of that is shown in the fact that very recently General Motors announced it is going to move 1,000 jobs back to the United States because they can produce more effectively here, now with NAFTA, the barriers coming down, they can produce the goods here and sell them in Mexico. If wages, which, by the way, are only about 24 percent of the manufacturing cost in Mexico, if wages were the only basis on which a company made a decision as to where to locate their plant, what would be the manufacturing capital of the Western Hemisphere? The answer is Haiti. But you do not see every company in the world moving to Haiti, for obvious reasons: it lacks worker skills, it lacks resources, it lacks infrastructure, markets, all kinds of things. It lacks political stability—all those things which are necessary for a company to locate its plant.

Similarly, in the United States, if wages were the only basis on which a company located its plant, there would be no factories in Ohio, they would all be in Mississippi or some other place. But there are other factors, as the gentlewoman knows, which cause companies to locate.

I will yield very briefly to the gentleman from Oregon, and I promised the gentleman from Kentucky I would yield subsequently.

Mr. KOPETSKI. The gentleman makes an excellent point; I think the gentleman makes an excellent point: With the logic of the gentlewoman from Ohio, the United States is doomed, because not just Mexico is sitting out there with a low-wage work force, there are a billion people in China, 65 million people in Vietnam. We are doomed. The gentleman is exactly right. You have to look where our strength is; it is in educated workers, it is in technology, sophisticated machinery, and so forth.

Mr. KOLBE. I appreciate the gentleman's point.

I did promise the gentleman from Kentucky that I would yield to him, and he has been waiting very patiently.

Mr. BUNNING. I thank the gentleman for yielding, and I appreciate the fact that we have a bipartisan group here in support of NAFTA. I think it is important, very important that it be bipartisan or else our success in passing the NAFTA will be unsuccessful.

This is probably the most important trade legislation we will see in this decade, the 1990's.

Mr. Speaker, I am glad to have this opportunity to talk a little bit about the NAFTA with my colleagues. The NAFTA is one of the most important pieces of trade legislation the Congress will consider this decade.

I say this because it will determine the direction America will take in world trade matters. It is a very simple decision. Do we, as a nation, look to the future and expansion of our trade boundaries and opportunities?

Or do we turn inward to protectionism, to protectionist measures—closing our borders to trade and investment and the ability to expand our foreign markets?

I say "no" to protectionism and "yes" to expansion. There is too much at stake here.

In the very near future, the United States will be on the short end of the stick, so to speak. Look at the unification of Europe, the economic growth in China, and the expansion of Japan in Southeast Asia.

These countries are creating huge trading blocks, joining together for a common goal, and that is expanded trade.

The future is not one country pitted against another. The future is trade pacts and trade agreements between countries that will enable them to compete as economic powers.

We must think about the long-term range implications of passing or not passing NAFTA.

A few weeks ago a constituent stopped by the office to say hello. It so happened he had seen me pitch a few games in my former life and he complimented me on my ability to blank out everything going on around me in the stands, the outfield, and the dugout. He thought it was great that my focus was entirely on the batter and nowhere else in the ball park.

I had to let him in on a secret. My eyes were on that batter, but I was keenly aware of everything happening in that ball park. You have to look at the big picture as far as trade is concerned.

That is what Congress has to do now. We must take a step back and look at the big picture.

The future and dynamics of international trade are ever-changing. We cannot exist in a vacuum and still be players in the world market. An outright rejection of NAFTA would be a step toward putting us into a trade vacuum.

I am not denying that NAFTA is controversial, as we have heard this evening. Regional trade pacts always raise questions. Any break with the status quo is going to bring out the critics. But this is good. It is good that all aspects of this agreement have been and will continue to be scrutinized.

This scrutiny has brought out a lot of concerns about the agreement that must be addressed. The concerns that jobs will leave the United States is on top of the list, and the creation of jobs or the possibility of losing jobs.

When we get past the rhetoric, job gains is the main benefit of NAFTA. The NAFTA will benefit America by creating a net gain in jobs, but this is the hardest point to drive home because the real numbers, the facts, and the testimony of experts are being overshadowed by the sucking sound bites from some of the opponents.

Almost all the economic studies on NAFTA have determined that reducing trade barriers will increase jobs, wages, and the economy in all three countries.

We hear from the opponents that jobs will go south. Well, they are going south now, and I for one, want to see that stopped. Imports from Mexico to the United States come in almost barrier-free, while United States exports to Mexico are now subject to higher tariffs.

The playing field is not level. NAFTA will help make it level.

U.S. firms relocate in foreign countries to sell to the local market. Relocation allows them to get around these trade barriers or tariffs.

Another reason they relocate is to sell cheaply back to the United States because we do not have the barriers to trade coming back our way.

□ 2100

Well, the incentive to get around the higher Mexican tariffs will be removed under NAFTA. NAFTA will phase out the costly barriers that are keeping United States goods out of Mexico.

Another point that needs to be highlighted about relocation of jobs is that business does not make expensive decisions to move a plant based just on hourly wages. Decisions of this magnitude are based on productivity of workers, as has been discussed by my good friend, the gentleman from Texas, component suppliers, and infrastructure. Mexico cannot compete with the United States on all these counts.

The critics are saying the environment will be damaged if we ratify NAFTA. Well, just the opposite is true.

This is a green agreement. Among other things, NAFTA has a prohibition against lowering environmental standards. On border cleanup, Mexico and the United States have jointly agreed to clean up the region. If NAFTA is not ratified, the cleanup that is under way on the border, although it is not perfect, is going to come to a screaming halt.

Critics have pointed out the air quality problems in Mexico City—one of the world's largest cities—as a case in point about Mexico's environmental troubles.

Well, no one is pointing a finger at Los Angeles' air quality dilemma. Or for that matter, in my own State, northern Kentucky has run into problems meeting air quality standards—standards set by the United States.

People who live in glass houses should not throw rocks. In any event, the supplemental agreements being negotiated I hope will ensure environmental standards are enforced.

We must keep in mind that NAFTA goes further to safeguard the environment than any previous trade agreement this country has ever negotiated.

Earlier I mentioned the experts who have testified to the fact that this agreement will help create jobs and that studies have been conducted to back up these claims. I want to talk just a minute about some of these studies.

The Institute of International Economics has examined this agreement and predicts a net gain of 170,000 jobs by 1995, with an increase of $16.7 billion in United States exports to Mexico.

The U.S. International Trade Commission concludes that NAFTA will boost employment by 1 percent and the total gross domestic product of the United States by 5 percent.

The Massachusetts Institute of Technology predicts 150,000 new jobs in the United States and that Mexican immigration to the United States will decrease as a result of expanded trade under NAFTA.

These are highly respected institutes and their predictions are not to be scoffed at. How can we turn a deaf ear to projections like these? Well, I do not think we can.

No one is denying certain industries will see some jobs shift, but once again, I must emphasize that in the long run NAFTA will be a winner for America.

I have talked for a while now about the overall impact this agreement will have on the United States, but I want to mention the benefits to my State.

Kentucky has been enjoying economic benefits since Mexico liberalized trade with the United States in 1985. From 1987 until the present, our exports to Mexico have grown over 300 percent. In 1991, that was 10 percent of all Kentucky exports, or approximately $164 million in exports.

These increases have come about while Mexico still has higher tariffs and trade barriers. Under NAFTA and the phaseout of these barriers, the United States-Mexico Business Committee estimates that Kentucky exports—just Kentucky exports—will grow to $25 billion over the course of the 10-year phase in program.

Now, remember, 20,000 new jobs for every $1 billion in exports. So for Kentucky you can imagine how strongly we feel about the passage of NAFTA.

By the way, the U.S. International Trade Commission characterizes this as a conservative estimate.

I have heard a lot of negatives on NAFTA from organized labor in my

district, mainly from steel and rail groups.

As Mexico's infrastructure develops, their demand for infrastructure supplies will increase. NAFTA will allow United States railroads to market their services to Mexico, use their own locomotives, and build and own terminals.

This agreement will open an entire country to our services, our products, and our expertise.

Mr. Speaker, I have talked long enough, and I am willing to answer any questions that might come up; but I want to make sure that the people of this great Nation understand how important this trade agreement is, not only to Kentucky, not only to Ohio, not only to all the 50 States, but the better well-being of all the citizens within those States.

Mr. KOLBE. Mr. Speaker, I thank the gentleman for his outstanding statement.

Let me just reinforce a couple points before I yield again to some of my colleagues to continue this discussion.

I think the gentleman made a very good point that we need to reinforce over and over again. Jobs can go to Mexico now. It does not require NAFTA to move a company assembly plant down to Mexico.

The gentlewoman from Ohio and others have talked about factories moving down there. Now we do not have a NAFTA.

There are things Mexico has done unilaterally which has encouraged the movement, the change in the investment law, the change in the copyright and patent protection law, the stability of the political system, the privatization; all these things are very encouraging to foreign investment in Mexico.

What we are talking about with NAFTA is reducing the barriers to trade between our two countries so that we can sell more goods to Mexico.

You do not have to be a math genius to figure out if Mexico continues to have an average tariff rate of 10 percent and ours is 4 percent, both of them come down to zero, we have just gained a 2½ to 1 edge to penetrate and sell in Mexico over their ability to sell products in the United States.

In other words, the reduction of the tariffs under NAFTA will give us an even greater advantage than we have already gotten with the reductions that Mexico has made unilaterally in reducing its tariffs.

I think the gentleman pointed out very well the fact that there are studies that have been done. I will be the first to concede that studies are all over the place, but if you are to put them on a scale someplace and weigh them from those that are the most optimistic to the most pessimistic, there is no question that overwhelmingly, almost unanimously, they come down on the side of net job creation in the United States.

So I think that the issue is very clear. We are talking about creating jobs in this country by selling more products to Mexico.

The gentlewoman from Ohio has been waiting patiently. I know she has a word or two to say on this. Then I will yield to the gentleman from Texas and then to the gentlewoman from Florida.

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

As I began my remarks this evening, Ohio's biggest exports to Mexico have been our jobs, from dozens and dozens of plants, many centered in my district. It is not 50 jobs or 25 jobs or 400 jobs. It is thousands of jobs and thousands more jobs are on the line in industries like the automotive industry, the automotive parts industry, the glass industry, the sugar beet industry, our processing, our food processing, and the list goes on and on.

I was interested in what the gentleman from Kentucky said, because I know what a career he had in baseball. I wondered in the cities that the gentleman visited in Mexico if he ever had a chance to visit where Spalding baseball mitts are now made. They used to be made in the United States. They are no longer. It is kind of just another American symbol gone south.

Mr. BUNNING. Well, Mr. Speaker, if the gentleman will yield, the baseballs are made in Guatemala now. They were made in Haiti and then they were made in St. Louis for awhile.

Ms. KAPTUR. These are the mitts.

Mr. BUNNING. The fact of the matter is, if the gentleman will yield further, the fact of the matter is that there is no NAFTA in existence now. Therefore, the ability to move those industries out of the United States is easier to do now than it would be if we had a treaty with Mexicans.

□ 2110

So, therefore, the fact of the matter is that some of those industries have moved because it is more productive for them and it is more economical for them to move them because of the fact that there is no agreement with the Mexicans.

Mr. KOLBE. Mr. Speaker, I yield briefly to the gentlewoman, and then I will yield to the gentleman.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman very much.

There is an agreement in the form of a maquiladora program and this free-trade zone that now operates with several thousand U.S. companies that have now located down there. The difference is now we are saying to Mexico, "Look, we're going to move our plants down there at the rate of 10-miles-per-hour, but, when NAFTA is enacted, we are going to give them the green light for a 100-mile-per-hour speed zone to move our plants down from the United States."

So, Mr. Speaker, I think it is a matter of how you look at it. It is limited right now, but once that wall falls, God forbid in communities like my own.

Mr. KOLBE. Reclaiming my time, Mr. Speaker, as the gentlewoman knows, there really are no, currently, with the changes that Mexico has made, there are very few limitations on locating an investment, a manufacturing plant, in Mexico today. There is nothing in NAFTA that makes it easier for a company to locate in Mexico. The fact is NAFTA makes it easier for us to continue manufacturing here and to sell our goods in Mexico.

Let me yield to the gentleman.

Mr. DELAY. Mr. Speaker, I want to answer a couple of things. Most of the opponents of NAFTA make their arguments as if there was a snapshot and the world will not change after NAFTA is implemented, that things are bad now, jobs are moving down there now, NAFTA comes, things will be the same, the economies of all the three countries will not improve, and things will just get worse, and they do not look at why the companies are actually going to Mexico now or going to other countries now. Very little is said about the fact that our Federal Government, many of our State governments and many of our local governments are chasing companies out of this country, actually chasing them out. A perfect example is California right now.

The regulations in California are so onerous, and the tax policies of California are so onerous on companies in California, Mr. Speaker, that California today has a net loss of population and a net loss of companies moving out of that State. Thank God most of those companies are moving to other States that are more conductive to doing business, but the same thing applies in the United States with our Clean Air Act.

Mr. Speaker, the Clean Air Act alone is going to push a lot of companies out of this country, not necessarily to Mexico. Some will go to Mexico, but the Clean Air Act in this country, OSHA, onerous regulations by OSHA and many others, EPA and so forth, are pushing companies out of this country into Mexico and to other countries.

And then there is the maquiladora program. Those people do not understand why the maquiladora came about in the first place. Most people do not understand that right now Japan has sort of a maquiladora process. In those industries that are high labor-intensive industries in Japan, Mr. Speaker, they are starting to be moved. The labor part of their industries are being moved to Thailand and other countries to take advantage of lower wages because they are labor-intensive, but it is a maquiladora system. The high-technology part of producing those products are done in Japan. The labor-intensive parts are done in other countries in the Pacific rim.

Mr. KOLBE. Mr. Speaker, if I might interject at this point, the gentleman makes a very good point, and I think it is one that is not very well understood.

Of our production, Mr. Speaker, approximately 6 percent of our production is shared production; that is, shared with Mexico or another country. Japan does 35 percent of its production outside of its shores of Japan, and yet obviously Japan, though it is at the moment in a recession, has been a very successful manufacturing country. So, I do not think they have suffered. They have learned that what they do is the high end. They do the technical part. They do the part that produces the high jobs, the high-skill parts, and the other parts, the assembly parts, are being done in China, or Thailand, or Indonesia, and the result is Japanese products are very competitive, as we well know in this country.

Mr. DELAY. If the gentleman would yield, I will be brief so he can get to the gentlewoman from Florida.

Mr. Speaker, in a global economy we are going to have to do business differently. We cannot look at the economy of the world as if it were a snapshot. Things have to change; adjustments have to be made.

Let me make one quick point on the environment. The gentleman from Kentucky [Mr. BUNNING] very rightly brought up all the safeguards in NAFTA and other side agreements on the environment. We can make all the agreements we want to. But we cannot have a clean environment unless we have a strong economy.

I ask my colleagues, "Why do you suppose that the dirtiest environments of countries in this world are in countries that have bad economies that are in underdeveloped countries? Why are the cleaner environments in countries like the United States?" It is because we have an economy that can afford the luxuries of a clean environment. As Mexico's economy grows, Mr. Speaker, Mexico will be able to afford to clean their environment. But if we continue this, as the gentleman from Oregon says, this paternalistic attitude toward Mexico, and try to hold them down so that they cannot grow as an economy, they will continue to have a dirty environment. They will not be able to afford to clean their environment.

So, Mr. Speaker, NAFTA will allow them to afford a cleaner environment.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Texas [Mr. DELAY] for his contributions, and I think he has made some very good points. President Salinas put it very well when he said, "Do you really think I want to send my children off to school every day in the smog we have here in Mexico City? I want to do something about it."

Mr. Speaker, he lives there. His children go to school there. The families of Mexico live in Mexico City. They know the problems of pollution. They are committed to doing something about it. As their resources grow, they will be able to do something about it.

Mr. Speaker, I yield briefly, if I might, to the gentlewoman from Florida [Mrs. THURMAN], and I only have about 3 minutes left.

Mrs. THURMAN. Mr. Speaker, I really appreciate this from the gentleman from Arizona, and let me just make some very quick additions to this that are very concerning to me when we talk about the jobs going to Mexico from the United States, but we also can talk about jobs going from other countries, and let me just give my colleagues an example.

Mercedes Benz, for example, is putting a facility in Mexico to produce buses and luxury cars in Mexico. We have China going in with textile and apparel centers, and they are not going there because they have this great market that can buy Mercedes Benzes. They are doing that because when NAFTA goes in, with the anticipation that NAFTA goes in, that they will have a direct market into the United States, and those particular jobs in particular might have come to the United States instead of going to Mexico. But they are going because of the NAFTA agreement, potentially going in.

Second, just let me make you one other. A couple of months ago, or several months ago, I can tell you from a direct opportunity that we saw in Florida as far as the consumer. When we had Hurricane Andrew, we had a lime industry that is, by far, better than most, and, before Hurricane Andrew, Mr. Speaker, we were able to buy limes at $8 a box. After Hurricane Andrew, when our lime industry was destroyed by the hurricane, we were having to bring limes in from Mexico at $25 a box, and I can tell my colleagues that the same thing is happening in tomatoes when we have had surges, bad markets, whatever the problem might have been, freezes. We have ended up paying a higher cost than what we have had because we have not had that. We are going to lose the Florida agriculture market, and I will give back the time to the gentleman from Arizona [Mr. KOLBE], and I appreciate it.

Mr. KOLBE. Mr. Speaker, I thank the gentlewoman from Florida [Mrs. THURMAN] for her contribution though I might disagree with it as I wrap this up. Let me just respond very briefly to something she said about the Mercedes Benz plants being in Mexico.

Let me note that under the NAFTA agreement they must have a minimum amount of 60 percent, 62 percent, of the value of the automobile produced in North America in order for it to come into the United States duty free. So, the fact is there will be more components being built, made here, in the United States that will be going into that Mercedes Benz plant in Mexico. There will be a net job creation in the United States as a result of that.

In closing let me just say that jobs is really what this is all about, creating jobs. I would not, no Member of Congress, would be for an agreement that they knew was going to destroy jobs.

□ 2120

Obviously we have a disagreement about that. But I believe that this is about creating jobs. As Mexico's economy grows, they will be buying more goods. We know they have a propensity to buy at a rate of about 70 cents on the dollar from the United States. That means more jobs here in the United States as a result of that production will be being sold in Mexico. For every $1 billion in exports, about 20,000 jobs are created in the United States. We have gone from selling $16 billion to $43 billion of sales of goods to Mexico in just the last 5 years.

I have a second point I would like to make. We are looking at a reduction in tariffs of 2½ to 1. As Mexico brings its average tariff rate down from 10 percent and ours from 4 percent, we stand to gain at a ratio of about 2½ times more than Mexico does in selling their market versus them selling our market. That will mean we will expand the growth of jobs here in the United States.

Mr. Speaker, finally let me say that on the issue of foreign policy, if all the other issues fail, we ought not forget this is an extraordinarily important foreign policy initiative and we cannot afford to let our President fail in this very important initiative to improve our relationships with Mexico and the rest of Latin America.

PRESIDENT'S RECONCILIATION MEASURE

The SPEAKER pro tempore (Ms. KAPTUR). Under a previous order of the House, the gentleman from Oregon [Mr. KOPETSKI] is recognized for 60 minutes.

Mr. KOPETSKI. Madam Speaker, clearly the NAFTA agreement debate is just beginning on that most important issue facing our Nation and its workers, but I want to spend some time this evening, take some time this evening to talk about the most important issue facing the United States, each American, our children, our grandchildren, and that is the Federal deficit and the President's reconciliation measure.

When the President came to office, the first thing he found out when he assumed the Oval Office was the fact that the debt, the Federal deficit, was going to rise about $189 billion more than what was projected by the last economist prior to the November election. So all of a sudden the bad news got worse very fast.

The President, being very bold, in making some very difficult decisions,

said that we have got to reduce the deficit, we have to have a meaningful deficit reduction plan, and he went to work constructing one.

At the State of the Union, February 17, the President outlined his proposal and sent the package to the House where we began our deliberations.

Is it bold? Yes, Is it tough? You bet. Does it have spending cuts in it? Absolutely. People will realize the impact of these cuts immediately, whether you are a farmer on a commodity payment program, whether you work for the Department of Agriculture where a billion dollars has been cut, proposed to be cut from the administration, the $3 billion that are going to be cut in the commodity payment programs, to the Medicare cuts that your local hospitals will be glad to tell you about and the impact it will have on them. These cuts are throughout every agency in the Federal Government. Not just the Pentagon spending, but all agencies were asked to come up with budget reduction measures, and every agency met their target.

Yes, the President said, we will have to raise revenues as well. The deficit, about $350 billion this coming year, cannot be eliminated by spending cuts alone. So he made the difficult decision of raising some revenue through taxes.

The issue of tax fairness, therefore, looms as a very important ingredient in the President's reconciliation bill.

Before I talk about that, Madam Speaker, I want to highlight the importance of the deficit figures. If we were to do nothing, the upper line shows what happens to the Federal deficit. We see a dip in 1995-96, but the fact is that after 1996 the curve begins to turn up again and literally go out of sight. That is if we do nothing.

Under the President's reconciliation plan, we cut $500 billion from the spending. Now, this is the Federal deficit. The deficit is the amount of overspending that we do each year in our Federal budget. Our budget is roughly $1½ trillion.

This does not attack the Federal debt which, of course, we must do, and the President has outlined a full game plan by which we will do that. First we must take this severe deficit reduction measure.

Second, we must address the problem of health care in this country. In late September early October he will unveil his health care plan. The reason for that, if we go back to this chart, we see that really 80 percent of the remaining deficit is related to health care cost.

So in order to see the impact on deficit reduction, we must first institute cost containment measures and other measures in the health care-related field. After that, then if there is any remaining deficit, then we will deal with that legislatively, more than likely through further spending cuts.

But the President, his overall plan I think is important to lay out, that first we do this dramatic reduction through spending cuts and through deficit reduction, followed by attacking a huge problem and need in this country, which is health care cost containment as well as health care reform. Then we see what is left over to do.

So we must take this step. It is very difficult as a new Member of Congress to find the right compromise in this area. There are Members in the House who want to reduce the entire deficit purely by spending cuts. There are those in this body who would prefer to eliminate the deficit fully by tax increases. What the President has proposed is a balance, a balanced plan where roughly it is equal, one to one of spending cuts to tax increases. In fact, the spending cuts are a little bit more than the revenue and tax increases.

So in spite of what people may hear on the radio broadcast shows or from some of the TV commentators, the fact is there are real spending cuts there, and they will have an immediate impact on people in our society.

I do think it is important to also look at the debt burden in our country. As I say, the deficit is the annual overexpenditure, if you will, and lack of revenues in our budget process. But it is also important to look to see what is happening to us in terms of our Federal debt.

We see during the sixties and seventies that the debt was being lowered dramatically on a nice declining trend. Then after 1981 we see a dramatic increase in our national debt.

This is what I think is the most serious issue facing the United States. The trendline continues to grow. This debt, it would be one thing to worry about if this debt was owed only to American citizens. But the fact is half of this debt is owed to people who are not American citizens, who reside in other countries. I think that is what makes this one of the greatest risks to our national security as a Nation as well.

So it is good economics and it is good for our national security to eliminate deficit spending and start attacking the deficit that we are faced with. And it is not a problem that sometimes the rhetoric says we are leaving this to our grandchildren and our children. The fact is that this is having an immediate impact on every American today. The fact is that if we look at our Government's budget, where we spend our dollars, yes, we must spend that first dollar on defense to defend this Nation. That is why we have a Federal Government. Yes, we make investments in people, in education programs. Yes, we make investments in a Social Security System so that people who have worked through their years can retire with a safety net of comfort in their retirement years. But the problem, one of the big problems that we are faced with in our Federal spending today, is that we are spending about $285 billion a year on interest on this national debt; $285 billion is more than what we are going to spend on our national defense this year. It is billions more than what we spend from the Federal Government on education in this country. It is billions more than what we spend on enhancing our environment, cleaning up dirty sites in the Superfund program. So this money is going to nonproductive means in our economy, and that amount continues to grow and grow rather than decline. It would get to a point, in my estimation, where in essence we are bankrupt, bankrupt as a Nation.

□ 2130

So the President understood this, came to Congress with a compromise plan from the beginning, one that cuts spending, one that raises revenues. It is a balance of the two.

This evening I want to talk about the fact that through this plan we will be reducing the deficit by $500 million over a 5-year period. No one likes taxes.

It would be wonderful if we could pay for a police force, for the FBI, for the military, for teachers, for agriculture, soil and conservation workers, for people that work in the extension program, if the money would just magically appear and their salaries and their programs would be paid for.

That is why we have taxes, to pay for those kinds of services and programs at the Federal Government level.

It would be wonderful if we did not have to raise taxes. We all hate it. We all have to pay them. It has become a fact of life for us as Americans. But with that, if we spend wisely, we know we have the smartest of American workers. We know that when we make advances in medical technology and research, curing cancers and other diseases, that it is because we made an investment in research in this country. We know if we want to have the strongest national defense in the world, that it takes money to do that. It takes taxpayers' money, and taxpayers have been willing to do this.

But we all want that money spent wisely, and it comes to a point where we have to say, as people who make policy in this country, that we cannot do all that we would like to do. We cannot do all in our spending programs that perhaps even we should do, because of this Federal debt and the Federal deficit.

It also means that when we do raise these revenues, these taxes, as a Nation, that we will do so fairly, that we will distribute the tax load among those with the ability to pay. Those that are the very poorest in our society and working should not pay. They should be encouraged to work in this great capitalistic system that we have. Those who make more money should pay a percentage of their income, and

the wealthy in our society should be asked to pay a little bit more, but not at the level that puts them out of business.

It is achieving that balance, that fairness is what we strive to do as policymakers here at the Federal level.

The President understands that. He has asked, on the business side, for an increase in taxes of those businesses with the ability to pay. Under the President's program, 95.8 percent of the business taxpayers in this country are not affected by a tax increase; 4.2 percent are affected.

Forget the radio talk show hosts, forget the TV commentators who have not read the bill. This is fact. Nearly 96 percent of the business taxpayers will not pay a higher tax under the President's reconciliation bill.

The middle class will be asked to pay a bit more, $50 a year, about a buck a week, a dollar a week to increase our national security to eliminate the Federal deficit.

The President was faced with a choice of asking middle class families to pay what will be about $50 per year more in energy taxes or letting the Federal deficit skyrocket. He made an unpopular choice, no doubt about it. But I think it is a wise choice. I think if Americans search into their souls and look at the reality, the difficult situation America faces today with the Federal debt and deficit, I think they are willing to reach in that pocket and pull out a $50 bill for our Nation.

Much has been made of the effect of the individual tax rate increases on the small businesses which are not seed corporations in this society. We are talking about partnerships, talking about S corporations and sole proprietorships, who would pay under the individual tax rate. That is where they pay, the process by which they pay their rates today.

They will not face a huge tax increase, as opponents of the measure have said.

Let us look at the facts again. There is no special tax on these noncorporate forms of business. Income from partnerships and the like is treated no differently than salaries, interest, rents, or any other form of income, as they are not treated differently today. The only individuals who receive this income that will pay additional tax are those that make over $140,000 a year of joint taxable income or over $250,000 a year under the proposed surtax.

Who are some of these people that will pay the tax? Chances are this is not the small, struggling mom-and-pop business in America. The higher tax rate will not affect the vast majority of small businesses.

Our Department of Treasury estimates, based on tax returns, that only about 4.2 percent of S corporations and partnerships will be affected by the increase in the individual tax rates.

Studies done by the Treasury show that these high income individual taxpayers have gross incomes before deductions of over $560,000 a year. According to 1989 tax returns, 29.9 percent of all the income generated by S corporations and partnerships went to taxpayers with taxable income over $1 million a year. These are not struggling mom-and-pop businesses.

This increase is going to be paid by businesses that can afford to contribute to deficit reduction. This will not crush small businesses.

It is true that the corporate rate will go up more than likely to 35 percent. Today it is at 34 percent. Will this affect all companies, big and small? No. It affects companies with taxable income of over $10 million a year, not gross income, but taxable income of over $10 million per year. In other words, there are approximately 35,000 corporations in America today that pay that top rate of 34 percent.

Under the President's reconciliation bill, only 2,700 of those companies will be asked to pay the top rate of 35 percent. The allocation that this is a crushing tax increase on small business is not true.

□ 2140

Many of these large businesses in fact are supportive of the President's tax bill. Why? Because it comes back to deficit reduction. They know, they know, these successful business enterprises in this country know the effect of that deficit, not just on our national security but also on the interest rates and the economy as well.

If we continue to show the markets that we are serious in words and in deeds for real deficit reduction, I believe we will continue to have low interest rates in this country. What does that mean? What does that mean for whether you are a large business or a small business? That means when you go to the bank to borrow money, you are going to pay less money for that business. It is true of Americans as well. Many of my friends and neighbors have been able to refinance their home mortgages with these lower interest rates.

Perhaps they are paying 10-, 11-, 12-percent mortgage interest. They have refinanced and today they are paying 7.5-percent interest. That puts more money into their pockets today. That means that maybe instead of a 30-year mortgage, they are paying a 15-year mortgage, and they are going to own their own home in half the time, sooner than before.

This is more spendable income in their pockets today. Hopefully it is money that they will put in their bank and save for their retirement years, because that is another problem we are seeing in this economy. The baby boomers are not saving their money at the rate that they should if they want to continue the same standard of living they have today in their retirement years.

Let us go back to the small business and talk about the effect of low interest rates on the small business, the retail shop owner who goes down to the bank to borrow money for their inventory for the Christmas season, the holiday season that is quickly approaching, the lower interest rate means they pay less money, they can make more profit out of their product this holiday season. It is good for the small business.

A few of them, 4.2 percent of them, will be asked to pay a little bit more on those earnings, to pay off the deficit and get to fiscal responsibility in this Nation. I want to take just a moment and talk about the distribution of the tax fairness in terms of individuals, the individual taxpayer in this country.

Under the reconciliation bill, and probably under just any minor changes that may occur under the conference committee, we see the distribution of the changes by month as represented in this chart on the average American taxpayer. Because of the changes we make in the earned income tax credit, by the expansion of that tax credit, those who make less than $20,000 a year will actually see a slight reduction per month in their taxes owed to the Federal Government. As we move up the income scale, we are asking people with an adjusted gross income of $20,000 to $30,000 a year to pay $3, $3 a month more, $36 a year.

As income rises, as adjusted gross income rises, we go to $14, to $23, to $31, to $41 for the $75,000 to $100,000 adjusted gross income payers.

For the $100,000 to $200,000 adjusted gross income households in this country, they will pay $64 a month. Those that make adjusted gross incomes of over $200,000 a month are going to be asked to pay $1,900 a month more in Federal taxes. Will this put them out of business, out of their homes? I believe not.

Will this make America more secure and sound, a better place to do business? You bet it will. We are asking, we are asking Americans to pay a little bit more based on their ability to pay. Changes in most of this for the middle income folks are based on the effect of the gas tax or the energy tax on their household incomes.

We are in the waning hours, literally, of the conference committee. It is my understanding that the committee, the joint conference committee, is haggling over whether it should be 4 cents a gallon increase spread out over 5 years, whether it should be 5 cents, 6 cents, 7 or 8 cents a gallon more at the gas pump spread over 5 years; a few cents.

We have the cheapest gasoline prices in the world. This is a tax that is manageable. We can conserve. We can conserve and save money. Is that better

energy policy? You bet. Why? Because we are once more over 50 percent dependent on foreign oil in this country, something that in the mid-1970's we said would never happen again in the United States, and here we are, once again, dependent on foreign oil as a nation.

I think if we can help do two things through a gas tax, an energy tax, if you will, if we can use some of that money to reduce the deficit and also encourage Americans to conserve fuel, then we have accomplished two great goals that are going to make us more secure in our national security and economically as a nation.

I also want to take just a moment and talk about small business generally, because we know that the job generators in American economy have been our small businesses. I come from a State, the State of Oregon, where 65 percent, 65 percent of all the jobs in my State come from businesses who have fewer than 25 employees. That is really a small business in this country.

I want to come back to the fact that 96 percent of our small businesses are not affected by the increased individual tax rate under the reconciliation legislation. I also want to point out that the individual rate increases only apply to those businesses that make over $180,000 a year. The Treasury Department estimates that only 4.2 percent of small businesses will go above that threshold. The other 96 percent of our small businesses will not be affected at all by these tax increases. Small businesses are not affected by the increased corporate rate. The increased corporate rate for a business only affects corporations with taxable income in excess of $10 million annually; about 2,700 corporations in America.

The small businesses are rewarded for investment. Small businesses which invest money back into their businesses for economic growth and expansion will enjoy tax incentives under the President's plan, such as generous expensing provisions which we are doubling in the President's plan, the capital gains exclusion for investment in our small businesses.

The small businesses will receive lower borrowing costs and favorable benefits. Lower borrowing costs in long-term rates are at a 20-year low. Let us keep them there. Alan Greenspan suggested maybe they could even go lower if we enact deficit reduction measures.

We have increased the expensing provision for small business. Today it is $10,000. Under the House bill we raised it to $25,000. The conference committee will probably compromise around $20,000.

There are capital gains cuts for investments in small businesses in the President's bill. There is relief from a corporate minimum tax for capital investments in the President's bill, and we have a retroactive extension, retroactive extension of 25-percent deduction for health insurance for our small businesses in the self-employed sector, so there are some good business incentives as well in the President's reconciliation bill that I hope we are just hours away from getting a conference committee agreement.

The reconciliation bill is good for the high-technology businesses in the United States as well. Yes, we come back not only because of deficit reduction and a sound economic future. The fact is, serious deficit reduction will help lower the interest rates and will make it easier for businesses to expand in this country.

□ 2150

There are public investments as well in healthy children and investments in education, in child immunization programs and investments in our infrastructure.

I think it is important that we keep in mind where our economic future lies. It always has started with a great educational system, the best in the world, one where we offer free public education to every citizen regardless of gender or age, regardless of physical condition. It is there for the taking for every one of our children.

We have also made an investment in our colleges and universities and research centers, and because of that we have best doctors, we have the best lawyers, we have the best business managers, we have the best skilled work force in the world. We are the No. 1 economy in the world as a result of this.

We are creative people. We invest in people, and that creativity, and we invest in putting that creativity into a product, into a process and make money off of it. And that continues to be our future as a nation, and I do not think we see that any more so than in the high-technology companies. These companies are our Nation's largest manufacturing sector with approximately 2.3 million American workers. This is three times the work force of the auto industry, nine times the work force of the steel industry.

Our worldwide sales of American companies in the high-technology field total over $400 billion a year. These U.S. firms hold 50 percent of the world market, U.S. firms in electronics. We have built that as a nation and we have that. So this sector of our economy is important, and we need to encourage them to invest and to grow.

Specifically what does the plan do for these high-technology companies? First, we have the research and development tax credit.

Why do we need this credit? Well, the U.S. research and development spending is on the decline. In fact, for the first time industrial spending in Japan has topped United States spending. How will we compete if we do not invest in research? Now more than ever all sectors of our economy must make a commitment to maintain our national research base and our international technology leadership. It is not just for the high-technology companies that we do this. It is in the wood products industry. I go into the mills in my district and we see blue collar workers running a computer pad. That is why they are competitive today. And if you go into the steel fabrication shop, the optics manufacturers, the aerospace industry, Boeing in Portland and Seattle, and you see workers running computers, and running sophisticated machinery that was developed in the United States, and we hope will continue to be developed here. That is why we have to put money into research and development and encourage these companies to do that.

One of the ways we do that is we provide the tax credits, the research and development credit which would provide this incentive necessary so that companies will increase their spending. The credit was originally created in 1981, and since that time it has expired and then temporarily extended five different times. But businesses need certainty. You do not start a research program in January and expect that by July or even the following December that you are going to have the results. Some of these projects take years. It takes forward thinking, and it takes, therefore, the certainty that these kinds of credits are going to be here not just this year, but next year as well.

So this credit is effective. A study just released in January 1992 reported that the ratio of R&D spending to output went up 40 percent in the 1980's when the credit was in effect. So businesses take advantage of this kind of credit. And as I said, it is on the decline now. So this is an appropriate use of the tax code to get businesses to do something that we want and need them to do that they are not doing enough of. This is an appropriate expenditure.

The credit also includes the university basic research credit. This credit facilitates commercialization and marketing of new ideas by encouraging corporate and academic collaboration. I have a tremendous example of that successful partnership in my district in Corvalis, OR, home of one of the great universities in the world, Oregon State University. It is not a coincidence that Hewlett-Packard is located there. It is not just because of the wonderful living conditions and the responsiveness of government that they are there. But it is because the university is there. And partnerships have been melded and made together. We have seen spinoff companies come out of that town as a result of that government through university partnership, and a major high-

technology firm in this world. That is why they are competitive.

And is Hewlett-Packard expanding? Yes. Not just worldwide, but in Corvalis, OR, as well, and in Minnville in the State of Idaho. But it is because we have these partnerships with the university communities that provides the research facilities. It also provides the educated work force that they need to be successful in this competitive arena.

The high-technology folks, and there are a lot of them, as I say, that start off as a spinoff from the large corporations such as the Hewlett-Packard Co., where a company has a newer idea, and a different idea, and some entrepreneurs go out and get the capital together and they build their own company.

And this provision in the tax bill provides relief from capital gains taxes for investors in small businesses such as the high-technology companies. Small businesses, the definition is those with gross assets under $50 million a year. The provision would allow a 50-percent exclusion of the gain earned from investment in the stock of a qualified small business if the stock is held for 5 years. This is not a gimmick. It has to be long term, a 5-year investment, and people will get a 50-percent exclusion. That is good for business, good for business growth, good for workers in this country.

I wish we could expand this capital gains relief plan to other areas and sectors of the economy. I am sure it will attract investors to these leading edge companies in the high-technology field. I mentioned earlier the high-technology folks. There are a lot of these small businesses. In my State there are about 250 of them that are not the giants, are not the huge Hewlett-Packards of the world. But this provision doubles the expending provision which currently is at $10,000. The House has suggested raising it to $25,000 and it is my understanding that the conferees will settle at a few thousand less than that. But clearly I think it is safe to say that we will double the expensing provision, not just for high-technology companies, but for the farmers in my district, and the retail shop owners throughout this land, restaurants, all of the small businesses will benefit greatly from this.

In addition, the administration, the House and the Senate have been attentive to the concerns of the high-technology community, and have worked to improve the bill from what the President originally introduced. We eliminated the President's provision on royalties. That provision would have treated all royalty income as passive income and would have been burdensome to many of our high-technology companies. And once the administration and the Treasury Department fully understood the negative impact on job growth as a result of this provision, it was eliminated from the bill. We have made refinements in the deferral of foreign income on our high-technology companies, and to make it a fairer piece of tax law so that they are paying a fair share based on their ability to pay on their foreign earnings.

So, there are other benefits to the high-technology firms from the present plan.

This bill transfers 200 megahertz of the electromagnetic spectrum from Federal agencies to the FCC for licensing to the private sector. All existing cellular technology uses only 50 megahertz of the spectrum.

□ 2200

These additional 200 mHz are the high-technology industry's equivalent of a super-giant oil field such as the Prudhoe Bay or Alaskan oil field discovery there. This is a major expansion for these companies. This additional spectrum will help emerging telecommunications technologies like personal communications services, PCS, to come to the market. This means jobs for Americans today. The research and development will be put on the fast track, and those American jobs, American workers in these areas—it will be American workers who will build these products. If anyone doubts the importance of the spectrum transfer to our economic future, they ought to just look at the story of the cellular industry over the past 10 years.

Ten years ago, the cellular industry was just getting started. It was the runt in the growing telecommunications marketplace. Then the FCC turned over 115 mHz of the radio spectrum to the fledgling industry to companies that planted thousands of relay antennas, known as cells, across the country. Today 11 million people use cellular phones. The cellular industry itself predicted in the early 1980's that 900,000 people would subscribe by the year 2000. The growth of the industry has blown away the forecasts of even the industry itself, and this transfer of 200 mHz could do the same for the next generation of wireless communications devices. Personal communications services are expected to spawn a $200 billion industry by the year 2002. Telecommunications is something that America does very well. We are the leader, we can beat the pants off of anybody in the world in these kinds of services.

We developed the technology, we will export these technologies and these services to the other developed nations of the world, and we will make money doing it as a Nation.

I have a letter from a constituent, Tom Bruggere, chief executive officer of Mentor Graphics Corp. He wrote to the President on July 26 of this year. I will quote a paragraph from his letter:

> Mr. President, you wisely established job creation, economic growth, and reducing the deficit by $500 billion over the course of the next 5 years as fiscal objectives of your Administration. I hope the Nation and the Congress will rally behind these principles and secure a budget bill that embodies these proposals.

Mr. Speaker, I submit that letter for the RECORD following my statement.

In closing, I do want to come back to the two ideas. One is the impact of the President's reconciliation bill on small businesses in our Nation. Lowered borrowing costs as a result of deficit reduction, only if we get to the $500 billion figure, do we lock in continued low interest rates in this country. That is why we need deficit reduction, that is why we need a few more cents added to the gas tax over the next 5 years, because that money is going to go to deficit reduction. The expensing provision is more than double, the income tax credit to boost investment in research and development, where America is strong and led the way, we had better put this tax credit out there if we want to compete against the Germans and the Japanese in the global economy.

The capital gains tax cuts for small startup companies, $50 million of earnings per year; corporate minimum tax relief for investment. We have trouble with many businesses in this area. We are providing more relief there.

Health insurance for the self-employed, a deduction, small-business tax-exempt bonds, community development banks, and enterprise zones for some of the more troubled economic areas in this Nation.

Let me go back to the deficit reduction chart.

Mr. Speaker, I started off by talking about the Federal deficit. If we do nothing, if we do nothing—yes, it dips down over the next few years—but the reality is it turns up, and it will go out of sight and it will bankrupt this Nation.

If we adopt the President's plan, we will cut the deficit by $500 billion. We will cut it in half. Many would say we have got to cut more spending. I think we have gone right to the edge of what is politically possible in the spending cuts and at the same time make sure that the vulnerable in our society are still protected in this richest, greatest Nation on Earth.

We are asking for tax increases as well. Maybe it is not perfect, but I know that the House and the Senate have tried to distribute that burden, and it is a burden, even if you are a millionaire; it is a burden to those with the ability to pay.

If we do not, the alternative is that the deficit will continue to grow.

The fact is that over half of our debt is held by non-Americans, by non-Americans. That frightens me. We used to think when the Soviet Union existed, that the greatest threat was all the nuclear warheads that they had pointed at our cities. Those nuclear warheads are no longer pointed at us.

But what is staring us in the face is the reality that this Federal debt is held by non-Americans offshore. How secure should we feel with that fact?

The fact is that if we continue the spending pattern, if we continue to spend so much more than what we bring in, we will be bankrupt, I think, as a Nation. That is the greatest threat facing this country. It is not whether Bill Clinton, not whether the Democrats in the House or in the Senate succeed in this vote these next few hours or few days, it is whether America is going to succeed. There is no other plan on the table. Nobody has come up with anything better.

Are we going to love this? No. Are we going to hate it? No. I think we can live with it. I think we will grow with it. I think as Americans, whether in this Chamber or in the heartland of America or back home in my district in Oregon, we have got to swallow, and those of us that can need to reach into our pockets and pull out a few bucks and pay it toward that deficit. And we are going to have to recognize that we are going to not receive all the benefits that we have become used to from Federal spending as well, whether in the farm community or elsewhere. Maybe we are going to have to put off some of the environmental cleanup that ought to occur, but we are not because we cannot afford it today. It is not a question of whether we are going to do this or not, I hope; I hope it is a question of doing it as soon as possible.

The President needs our help, he needs our encouragement, he needs the votes in both the House and the Senate.

If he wins, if the President wins, America wins. That is the bottom line. That is what this is all about.

The letter referred to is as follows:

MENTOR GRAPHICS CORP.,
Wilsonville, OR, July 26, 1993.

President BILL CLINTON,
The White House, Washington, DC.

DEAR PRESIDENT CLINTON: As the Conference Committees continue its work on the budget reconciliation bill, I would like to restate my support for the Administration's overall goals.

You wisely established job creation, economic growth and reducing the deficit by $500 billion over the course of the next five years as fiscal objectives of your Administration. I hope the nation—and the Congress—will rally behind these principles and secure a budget bill that embodies these proposals.

I agree that reducing the deficit through a carefully tailored program of tax increases and spending cuts is key. As Alan Greenspan testified, without a concerted effort to reduce the deficit, the federal deficit would increase by over $1.5 trillion over the next five years. Failure to achieve the stated deficit reduction target of $500 billion would lead to increase interest rates and a general slowdown of the economy.

Your original package contained a number of items that were dropped or modified by either the House or the Senate. Three of your original proposals dropped during Senate deliberation should be restored by the Conference if your objectives are to be realized. These include the proposal for a targeted capital gains provision, holding the capital gains rate at 28% and making the Research and Development (R & D) tax credit permanent.

I also hope that the Conference would establish a permanent moratorium on the 861 R & D allocation rules, exempt high-tech intangibles from the 14 year amortization rule, and eliminate the proposal on deferral penalties. These improvements would be consistent with your objective of assisting American firms in the global marketplace.

In sum, I support your effort to establish a sound economic environment founded on a partnership between government and the entrepreneurial world and hope that the Conference Committee will follow your leadership on these critical issues.

Best regards,

THOMAS H. BRUGGERE.

□ 2210

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCDADE (at the request of Mr. MICHEL), for today, on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DREIER) to revise and extend their remarks and include extraneous material:)

Mr. PORTER, for 5 minutes, on July 29.

Mr. BACHUS of Alabama, for 5 minutes, on July 29.

Mr. KINGSTON, for 5 minutes, on July 29.

Mr. PORTMAN, for 5 minutes, today.

Mrs. BENTLEY, for 5 minutes, in lieu of previously ordered 60 minutes.

(The following Members (at the request of Mr. FLAKE) to revise and extend their remarks and include extraneous material:)

Mr. BACCHUS of Florida, for 5 minutes, today.

Mr. FLAKE, for 5 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. DREIER) and to include extraneous matter:)

Mr. SHAW.
Mr. DIAZ-BALART.
Mr. GOODLING.
Mr. HOBSON.
Mr. WALSH.
Ms. MOLINARI.
Mr. SOLOMON.
Mr. GUNDERSON.
Ms. SNOWE.

(The following Members (at the request of Mr. FLAKE) and to include extraneous matter:)

Mr. STOKES.
Mr. BONIOR in two instances.
Mr. STARK.
Mr. CLAY.
Mr. FORD of Michigan.
Mr. COLEMAN in two instances.
Mrs. SCHROEDER.
Mr. TRAFICANT in three instances.
Mr. HOCHBRUECKNER.
Mr. SAWYER.
Mr. ENGEL.
Mr. SWETT.
Mrs. MALONEY.
Mr. SANDERS.

(The following Members (at the request of Mr. KOPETSKI) and to include extraneous matter:)

Ms. ENGLISH of Arizona.
Mr. FAZIO.
Mr. STUPAK.
Mr. PALLONE.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 843. An act to withdraw certain lands located in the Coronado National Forest from the mining and mineral leasing laws of the United States, and for other purposes.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 111. Joint resolution to designate August 1, 1993, as "Helsinki Human Rights Day."

ADJOURNMENT

Mr. KOPETSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Thursday, July 29, 1993, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1662. A letter from the Secretary of Education, transmitting final regulations—Demonstration Projects to Increase Client Choice Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1663. A letter from the Secretary of Education, transmitting final regulations—Institutional eligibility under the Higher Education Act of 1965, as amended, student assistance general provisions, pursuant to 20

U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1664. A letter from the Acting Administrator, Energy Information Administration, transmitting the Energy Information Administration's Annual Energy Review 1992, pursuant to 15 U.S.C. 790f(a)(2); to the Committee on Energy and Commerce.

1665. A letter from the Acting Assistant Secretary for Fossil Energy, Department of Energy, transmitting the Strategic Petroleum Reserve Annual Site Environmental Report for calendar year 1992; to the Committee on Energy and Commerce.

1666. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Department of the Air Force's proposed lease of defense articles to Korea (Transmittal No. 11-93), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

1667. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Kuwait (Transmittal No. DTC-34-93), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

1668. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Walter F. Mondale, of Minnesota, to be Ambassador to Japan, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

1669. A communication from the President of the United States, transmitting a report entitled "Status of China, India, and Pakistan Nuclear and Ballistic Missile Programs," pursuant to section 620F of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1670. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting a report on proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

1671. A letter from the Secretary, Department of Transportation, transmitting a report entitled "Are Transit Half-Fare Policies for Elderly and Disabled Patrons Uniform, and Are Eligibility Criteria Consistent?" pursuant to Public Law 102-240, section 3047(b) (105 Stat. 2140); to the Committee on Public Works and Transportation.

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. BEILENSON: Committee on Rules. House Resolution 229. Resolution providing for consideration of the bill (H.R. 2330) to authorize appropriations for fiscal year 1994 for intelligence and intelligence-related activities of the U.S. Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 103-195). Referred to the House Calendar.

Mr. BONIOR: Committee on Rules. House Resolution 230. Resolution providing for consideration of the bill (H.R. 1964) to authorize appropriations for the Maritime Administration for fiscal year 1994, and for other purposes (Rept. 103-196). 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. CLAY:

H.R. 2765. A bill to provide for a temporary extension in the method currently being used to determine Government contributions under the health benefits program for Federal employees in the absence of a Government-wide indemnity benefit plan; to the Committee on Post Office and Civil Service.

By Mr. LAFALCE:

H.R. 2766. A bill to amend the 7(a) Loan Program, and for other purposes; to the Committee on Small Business.

By Mr. BISHOP:

H.R. 2767. A bill to amend title 5, United States Code, to provide veterans' preference eligibility with respect to individuals who served on active duty in the Armed Forces during the Persian Gulf war, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. COLEMAN:

H.R. 2768. A bill to ratify the transfer of a parcel of land by the Ysleta del Sur Pueblo of Texas; to the Committee on Natural Resources.

By Mr. FORD of Michigan (for himself and Mr. GOODLING):

H.R. 2769. A bill to improve education for migrant children in elementary and secondary schools; to the Committee on Education and Labor.

By Mrs. JOHNSON of Connecticut (for herself and Mr. POMEROY):

H.R. 2770. A bill to amend title XVIII of the Social Security Act to permit Medicare select policies to be offered in all States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MONTGOMERY (by request):

H.R. 2771. A bill to provide military commissary and exchange privileges to the surviving spouses of veterans dying from a service-connected disability; to the Committee on Armed Services.

H.R. 2772. A bill to provide eligibility for military commissary and exchange privileges and space-available transportation on military aircraft to certain former enlisted members of the Armed Forces discharged for disability; to the Committee on Armed Services.

H.R. 2773. A bill to amend title 10, United States Code, to authorize veterans who are totally disabled as the result of a service-connected disability to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft; to the Committee on Armed Services.

H.R. 2774. A bill to amend title 38, United States Code, to require recipients of Federal financial assistance to take affirmative action in the employment of qualified special disabled veterans and veterans of the Vietnam era; to the Committee on Veterans' Affairs.

H.R. 2775. A bill to amend title 38, United States Code, to restore the nonservice-connected burial benefit entitlement to survivors of certain wartime veterans; to the Committee on Veterans' Affairs.

By Mr. PALLONE:

H.R. 2776. A bill to designate "The Most Beautiful Lady in the World," by Helmut Christopher Calabrese and Paul L. Calabrese, as the official anthem of the Statue of Liberty; to the Committee on Post Office and Civil Service.

By Mr. MONTGOMERY (by request):

H.R. 2777. A bill to amend title 38, United States Code, to repeal the 12-year limitation of eligibility for the vocational rehabilitation program; to the Committee on Veterans' Affairs.

H.R. 2778. A bill to amend chapter 24 of title 38, United States Code, to provide for the establishment of at least one national cemetery in each State; to the Committee on Veterans' Affairs.

H.R. 2779. A bill to amend chapter 42 of title 38, United States Code, with respect to the definition of disabled veteran; to the Committee on Veterans' Affairs.

H.R. 2780. A bill to amend title 38, United States Code, to eliminate the delimiting date for spouses and surviving spouses eligible for benefits under chapter 35; to the Committee on Veterans' Affairs.

H.R. 2781. A bill to amend title 38, United States Code, to extend educational assistance benefits to dependents of veterans with a service-connected disability of 80 percent or more; to the Committee on Veterans' Affairs.

H.R. 2782. A bill to transfer the Veterans' Employment and Training Service from the Department of Labor to the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. NADLER:

H.R. 2783. A bill to direct the Secretary of Transportation to conduct a study of the Brooklyn waterfront, New York City, NY; to the Committee on Public Works and Transportation.

H.R. 2784. A bill to direct the Secretary of the Army to conduct a study on a prospective cross-harbor rail freight tunnel connecting Brooklyn, NY, with the west side of New York Harbor; to the Committee on Public Works and Transportation.

By Mr. OWNES (by request):

H.R. 2785. A bill to reauthorize and improve a program of grants to States to promote the provision of technology-related assistance to individuals with disabilities, and for other purposes; to the Committee on Education and Labor.

By Mr. WOLF:

H.R. 2786. A bill to terminate most-favored-nation duty treatment for the products of Croatia; to the Committee on Ways and Means

By Mr. MANN:

H.R. 2787. A bill to amend title VII of the Civil Rights Act of 1964 to specify certain evidentiary matters relating to establishing an unlawful employment practice based on disparate treatment; to the Committee on Education and Labor.

By Ms. WOOLSEY:

H.R. 2788. A bill to amend the Job Training Partnership Act to provide for the establishment of standards to ensure long-term economic self-sufficiency for participants in adult training programs carried out under part A of title II of that act, and for other purposes; to the Committee on Education and Labor.

By Mr. HOBSON (for himself, Mr. BLILEY, Mr. CASTLE, Mr. CLINGER, Mr. GILLMOR, Mr. GINGRICH, Mr. GOSS, Mr. GRANDY, Mr. GUNDERSON, Mrs. JOHNSON of Connecticut, Mr. KASICH, Mr. KINGSTON, Mr. KOLBE, Mr. MCCRERY, Mr. MCKEON, Mr. PORTMAN, Mr. REGULA, Mr. ROBERTS, Ms. SNOWE, Mr. THOMAS of California, Mr. THOMAS of Wyoming, Mr. MOORHEAD, Mr. SUNDQUIST, Mr. HASTERT, and Mr. MCMILLAN):

H.R. 2789. A bill to amend title XIX of the Social Security Act to establish a health allowance program under which payment may

be made under the Medicaid Program to participating States for health allowances used for enrolling individuals in approved health plans, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. SCHROEDER (for herself, Ms. SNOWE, Mrs. MINK, Ms. BROWN of Florida, Mrs. COLLINS of Illinois, Miss COLLINS of Michigan, Ms. DELAURO, Ms. ESHOO, Ms. HARMAN, Mrs. JOHNSON of Connecticut, Ms. KAPTUR, Mrs. KENNELLY, Ms. LAMBERT, Mrs. LLOYD, Ms. LOWEY, Mrs. MEEK, Mrs. MORELLA, Ms. NORTON, Ms. PELOSI, Ms. ROYBAL-ALLARD, Ms. SCHENK, Mrs. UNSOELD, Ms. VELAZQUEZ, Ms. WATERS, Ms. WOOLSEY, Mr. DELLUMS, Mr. FRANK of Massachusetts, Mr. LAFALCE, Mr. MCDERMOTT, Mr. MORAN, Mr. RANGEL, Mr. REED, Mr. SAWYER, Mr. STOKES, and Mr. STUDDS):

H.R. 2790. A bill to ensure economic equity for American women and their families by promoting fairness in the workplace; creating new economic opportunities for women workers and women business owners; helping workers better meet the competing demands of work and family; and enhancing economic self-sufficiency through public and private reform and improved child support enforcement; jointly, to the Committees on Education and Labor, Post Office and Civil Service, House Administration, Rules, Ways and Means, Small Business, Banking, Finance and Urban Affairs, the Judiciary, Natural Resources, Foreign Affairs, and Armed Services.

By Mr. STUPAK:

H.R. 2791. A bill to establish a grant program to return a portion of the savings realized by the Department of Defense as a result of the closure or realignment of a military installation to the communities in which the installation is located to assist in the economic recovery and adjustment of these communities; to the Committee on Armed Services.

By Mr. MARKEY (for himself and Mr. HASTERT):

H.J. Res. 242. Joint resolution designating the week beginning October 17, 1993, as "National Radon Action Week"; to the Committee on Post Office and Civil Service.

By Ms. MOLINARI (for herself, Ms. MALONEY, Mr. TORRICELLI, Mr. FRANKS of New Jersey, Mrs. KENNELLY, Mr. LEWIS of Georgia, Ms. VELAZQUEZ, Mr. SERRANO, Ms. SNOWE, Mr. WYDEN, Mr. HAMBURG, Mrs. MINK, Mr. CAMP, Mr. QUINN, Mr. FISH, Mrs. MORELLA, Mrs. JOHNSON of Connecticut, Mr. PAXON, Mr. LEVY, Mr. RAMSTAD, Mrs. ROUKEMA, Mr. SCHIFF, Mr. KING, Mr. BOEHLERT, Mr. SYNAR, Ms. DELAURO, Mr. OLVER, Mr. HINCHEY, Ms. LOWEY, Mr. MANTON, Mr. BAKER of California, Mr. DELAY, Mr. SHAYS, Mr. HOBSON, Mr. GINGRICH, Mr. LEWIS of California, Mr. GREENWOOD, Mr. GILMAN, Mr. GEKAS, Mr. HOEKSTRA, Mr. NADLER, Mr. ENGEL, Mr. BONILLA, Mr. BALLENGER, Mr. LIGHTFOOT, Mr. ACKERMAN, Mr. MCCRERY, Mr. ANDREWS of New Jersey, Ms. SLAUGHTER, Mrs. UNSOELD, Ms. PRYCE of Ohio, Mr. ROHRABACHER, Mr. SKEEN, Mr. SUNDQUIST, Ms. MCKINNEY, Mrs. CLAYTON, Mr. HUGHES, Mr. GUNDERSON, and Mr. TRAFICANT):

H.J. Res. 243. Joint resolution designating August 1, 1993, as "National Incest and Sexual Abuse Healing Day"; to the Committee on Post Office and Civil Service.

By Mr. OBEY:

H. Res. 231. Resolution to limit the acceptance of travel and related expenses by Members of Congress; to the Committee on Standards of Official Conduct.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERCROMBIE:

H.R. 2792. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade of the United States for the vessel *Pai Nui*; to the Committee on Merchant Marine and Fisheries.

By Mr. COLEMAN:

H.R. 2793. A bill for the relief of Kris Murty; to the Committee on the Judiciary.

By Mr. GEJDENSON:

H.R. 2794. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade of the United States for the vessel *Gray*; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Ms. DELAURO, Mr. MATSUI, Mr. ANDREWS of New Jersey, Mrs. MINK, Mr. GONZALEZ, Mr. RICHARDSON, and Mr. LANCASTER.

H.R. 65: Mr. OBERSTAR.

H.R. 66: Mr. MCHUGH and Mrs. BENTLEY.

H.R. 67: Mr. OBERSTAR and Mrs. ROUKEMA.

H.R. 101: Mrs. BENTLEY.

H.R. 109: Mr. ENGEL.

H.R. 163: Mr. KIM.

H.R. 303: Mr. RAVENEL.

H.R. 512: Mr. HINCHEY.

H.R. 518: Mr. SPRATT, Mr. YATES, Miss COLLINS of Michigan, and Mr. MATSUI.

H.R. 749: Mr. PETERSON of Florida.

H.R. 790: Mr. MALONEY, Mr. JOHNSON of South Dakota, Mr. GENE GREEN of Texas, Ms. BYRNE, and Ms. VELAZQUEZ.

H.R. 833: Mr. DELLUMS, Mr. STARK, Mr. WAXMAN, Mr. JACOBS, and Mr. ANDREWS of New Jersey.

H.R. 886: Mr. HYDE.

H.R. 892: Mr. BOEHNER, Mr. CLYBURN, Mr. BAKER of California, and Mr. SMITH of Texas.

H.R. 1078: Mr. WILSON.

H.R. 1082: Mr. WILSON.

H.R. 1141: Mr. RICHARDSON, Mr. BARTON of Texas, and Mr. BOEHLERT.

H.R. 1156: Mr. KIM.

H.R. 1259: Mr. GUTIERREZ.

H.R. 1421: Mr. FARR.

H.R. 1459: Ms. PRYCE of Ohio.

H.R. 1504: Mr. SPRATT, Mr. TORRICELLI, Mr. FIELDS of Texas, and Mr. SCHUMER.

H.R. 1563: Mr. SHAYS and Mr. RICHARDSON.

H.R. 1573: Mr. TORRICELLI.

H.R. 1600: Mrs. MEYERS of Kansas.

H.R. 1604: Mr. KIM, Mr. HOKE, and Mr. JACOBS.

H.R. 1793: Mr. HINCHEY, Mr. MORAN, Mr. OWENS, Mr. OBERSTAR, Mr. LANTOS, Mr. ENGEL, Mr. WYNN, and Mr. FAZIO.

H.R. 1827: Mr. MOLLOHAN, Mr. DARDEN, Mr. DEAL, Mr. JOHNSON of Georgia, Mr. INHOFE, Mr. RIDGE, and Mr. HANCOCK.

H.R. 1840: Mrs. JOHNSON of Connecticut, Mr. GINGRICH, and Mr. SMITH of New Jersey.

H.R. 1886: Ms. PELOSI, Mr. JOHNSON of Georgia, and Mr. FROST.

H.R. 1909: Mr. GINGRICH.

H.R. 2025: Mr. DOOLITTLE.

H.R. 2088: Mr. GOSS, Mr. HANSEN, Mr. HOKE, Mr. RAMSTAD, Ms. SHEPHERD, Mr. SKEEN, Mr. SMITH of Oregon and Mr. SUNDQUIST.

H.R. 2094: Mr. JEFFERSON.

H.R. 2119: Mrs. MEEK, Mr. RICHARDSON, Ms. WOOLSEY, Mr. TUCKER, Mr. NADLER, Mrs. MINK, and Mr. FARR.

H.R. 2152: Mr. MCCLOSKEY.

H.R. 2307: Mr. SAXTON, Mr. PAXON, and Mr. BACHUS of Alabama.

H.R. 2415: Ms. SNOWE and Mr. BACHUS of Alabama.

H.R. 2449: Mr. SANGMEISTER.

H.R. 2535: Mrs. ROUKEMA.

H.R. 2602: Mr. GEJDENSON.

H.R. 2605: Mr. EMERSON.

H.R. 2606: Mr. SMITH of New Jersey.

H.R. 2609: Mr. JEFFERSON, Mr. BEILENSON, Mr. SERRANO, Mr. HASTINGS, and Mr. FILNER.

H.R. 2648: Mr. VENTO, Mr. STOKES, Mr. OLVER, Mrs. MEEK, Mr. YOUNG of Alaska, Mr. HASTINGS, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. EVANS, Mr. KANJORSKI, Mr. GILMAN, Mr. ACKERMAN, and Mr. STARK.

H.R. 2707: Mr. OWENS, Mr. FORD of Tennessee, Mr. BISHOP, Mr. HASTINGS, and Mr. BLACKWELL.

H.J. Res. 9: Mr. QUINN.

H.J. Res. 90: Ms. PRYCE of Ohio.

H.J. Res. 157: Mr. SOLOMON, Mr. LEVY, Mr. HOUGHTON, Mr. DREIER, Mr. KIM, Mr. FRANKS of Connecticut, Mr. LEWIS of California, Ms. DUNN, Mr. SCHIFF, Mr. VENTO, Mr. FROST, Mr. MENENDEZ, Mr. SMITH of Oregon, Mr. TORRES, Mr. LEWIS of Georgia, Mr. CLAY, Mr. MATSUI, Mr. WOLF, Mr. PAYNE of New Jersey, Mr. SPENCE, Mr. MCCANDLESS, Mr. HALL of Ohio, Mr. APPLEGATE, Mr. MCHUGH, Mr. GILLMOR, Mr. BEREUTER, Mr. HANSEN, Mr. CONYERS, Mr. HUNTER, Mr. RIDGE, Mr. HOKE, Mr. BLILEY, Mr. COBLE, Mr. KINGSTON, Mr. LEACH, Mr. SHUSTER, and Mr. LIVINGSTON.

H.J. Res. 165: Mr. HILLIARD, Mr. KLEIN, Mr. MINETA, Mr. HOCHBRUECKNER, Mr. HOLDEN, Mr. BERMAN, Mr. SARPALIUS, Ms. DUNN, Mr. APPLEGATE, Mr. OWENS, Mr. CLYBURN, Mr. HINCHEY, Mr. UPTON, Mr. SMITH of Oregon, Mr. BARCIA of Michigan, Mr. STUPAK, Mr. TOWNS, Ms. MOLINARI, Mr. HOAGLAND, and Ms. SLAUGHTER.

H.J. Res. 175: Ms. ESHOO and Mr. SPENCE.

H.J. Res. 185: Mr. BACCHUS of Florida, Mr. BORSKI, Mr. BREWSTER, Mr. COOPER, Mr. CRAMER, Mr. DELLUMS, Mr. DE LUGO, Mr. DICKS, Mr. DOOLITTLE, Mr. ENGEL, Mr. MCNULTY, and Mr. SPRATT.

H.J. Res. 194: Ms. SLAUGHTER, Mr. FURSE, Mr. SMITH of Oregon, Mr. MCNULTY, Mr. LEWIS of California, Mr. MCCOLLUM, Mr. RANGEL, Mr. RAVENEL, Mr. SKELTON, Mr. ABERCROMBIE, Mr. HUTTO, Ms. ESHOO, Mr. WHITTEN, Mr. GONZALEZ, Mr. ENGEL, Mr. BERMAN, Mr. DUNCAN, and Mr. GILMAN.

H.J. Res. 212: Mr. MATSUI, Mr. REED, Mr. SAXTON, Mr. SKEEN, Mr. QUINN, Mr. PRICE of North Carolina, and Mr. LEWIS of Florida.

H. Res. 184: Mr. COLEMAN, Mr. MINGE, Mr. BREWSTER, and Mr. HAYES.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2330

By Mr. FRANK of Massachusetts:

—Page 5, after line 11, add the following:

SEC. 105. REDUCTION IN AUTHORIZATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), the aggregate amounts authorized to be appropriated by this Act, including the amounts specified in the classified Schedule of Authorizations referred to in section 102, are reduced by $500,000,000.

(b) EXCEPTION.—Subsection (a) does not apply to amounts authorized to be appropriated by section 201 for the Central Intelligence Agency Retirement and Disability Fund.

—Page 30, after line 3, add the following:

SEC. 306. DISCLOSURE OF ANNUAL INTELLIGENCE BUDGET.

Beginning in 1995, and in each year thereafter, the aggregate amounts requested and authorized for, and spent on, intelligence and intelligence-related activities shall be disclosed to the public in an appropriate manner.

By Mr. GLICKMAN:

—Page 31, strike line 3 and all that follows through line 7 on page 32 (all of section 501).

—Page 32, line 8, strike "502" and insert "501".

By Mr. GOSS:

—Page 30, after line 3, add the following:

SEC. 306. SENSE OF HOUSE OF REPRESENTATIVES THAT MEMBERS OF THE HOUSE SHOULD BE PUNISHED FOR THE DISCLOSURE OF CLASSIFIED INFORMATION.

It is the sense of the House of Representatives that the willful disclosure of classified information by Members of the House is a violation of the Rules of the House punishable by censure or expulsion.

By Mr. MCCOLLUM:

—At an appropriate place, insert the following:

SEC. . NATIONAL TASK FORCE ON COUNTERTERRORISM.

(a) ESTABLISHMENT.—The President shall establish a National Task Force on Counterterrorism comprised of the following seven members: the Deputy Attorney General of the United States, the Deputy Director of Operations of the Central Intelligence Agency or the Deputy Director of Central Intelligence, the Coordinator for Terrorism of the Department of State, an Assistant Secretary of Commerce as designated by the Secretary of Commerce, the Secretary of Defense for Special Operations Low Intensity Conflict, the National Security Advisor or the Deputy National Security Advisor for Special Operations Low Intensity Conflict, and the Assistant Secretary of Treasury for Enforcement. The Deputy Attorney General shall serve as the Chairperson of the Task Force and shall coordinate all antiterrorism activities of the intelligence community of the United States Government.

(b) DUTIES.—The National Task Force on Counterterrorism shall—

(1) formulate a definition as to what constitutes terrorism;

(2) define those intelligence assets dedicated for collection of information on terrorism;

(3) define the methods for the Task Force to be the central processor and distributor of intelligence on terrorism;

(4) outline all preventive and reactive policy issues with regards to terrorism;

(5) define the methods for the Task Force to have overall operational control for counterterrorist and terrorist anti-proliferation operations, both overt and covert;

(6) report to Congress no later than six months after the date of enactment of this Act, and each 90 days thereafter for the remainder of the two-year period beginning on such date, as to how the Task Force will implement paragraphs (1) through (5) of this section; and

(7) beginning 60 days after the date on which the report is submitted under paragraph (6), implement paragraphs (1) through (5) in accordance with the report.

—Page 30, after line 3, add the following:

SEC. 306. NATIONAL TASK FORCE ON COUNTERTERRORISM.

(a) ESTABLISHMENT.—It is the sense of the Congress that the President should establish a National Task Force on Counterterrorism comprised of the following seven members: the Deputy Attorney General of the United States, the Deputy Director of Operations of the Central Intelligence Agency or the Deputy Director of Central Intelligence, the Coordinator for Terrorism of the Department of State, an Assistant Secretary of Commerce as designed by the Secretary of Commerce, the Secretary of Defense for Special Operations Low Intensity Conflict, the National Security Advisor or the Deputy National Security Advisor for Special Operations Low Intensity Conflict, and the Assistant Secretary of Treasury for Enforcement. The Deputy Attorney General should serve as the Chairperson of the Task Force and shall coordinate all antiterrorism activities of the intelligence community of the United States Government.

(b) DUTIES.—The National Task Force on Counterterrorism should—

(1) formulate a definition as to what constitutes terrorism;

(2) define those intelligence assets dedicated for collection of information on terrorism;

(3) define the methods for the Task Force to be the central processor and distributor of intelligence on terrorism;

(4) outline all preventive and reactive policy issues with regards to terrorism;

(5) define the methods for the Task Force to have overall operational control for counterterrorist and terrorist anti-proliferation operations, both overt and covert;

(6) report to Congress no later than six months after the date of enactment of this Act, and each 90 days thereafter for the remainder of the two-year period beginning on such date, as to how the Task Force will implement paragraphs (1) through (5) of this section; and

(7) beginning 60 days after the date on which the report is submitted under paragraph (6), implement paragraphs (1) through (5) in accordance with the report.