HOUSE OF REPRESENTATIVES—*Friday, August 19, 1994*

The House met at 10 a.m.

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

With all about that needs to be done and all the tasks that cry for attention and all the petitions that rise from our hearts, above all this, O gracious God, we pause for this moment of gratitude and praise. You have created us, You have redeemed us and show us the way, You have comforted us by Your spirit. This day we ask for nothing and give thanks for everything. Almighty God, for all Your gifts of life and love, we offer this prayer of thanksgiving. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Georgia [Ms. MCKINNEY] please lead the House in the Pledge of Allegiance.

Ms. MCKINNEY led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2406. An act to amend title 17, United States Code, relating to the definition of a local service area of a primary transmitter, and for other purposes;

S. 2407. An act to make improvements in the operation and administration of the Federal courts, and for other purposes; and

S. 2060. An act to amend the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

KEEP THE ASSAULT WEAPONS BAN IN THE CRIME BILL

(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, as Members of this House talk about how to get the crime bill to pass, and consider taking the assault-weapons ban out of it, I would like to talk about Dion, Ty, and Aaron.

Last fall, these three students from Ranum High School in Westminster, CO, were driving home. Not doing anything wrong. By all accounts, they are fine, young men, all members of the school band.

That night, as they were driving home, two other young people opened fire on their car.

Luckily, none of the three was killed. But Dion was hit five times, Ty twice, and Aaron once.

They were all shot, and shot so many times because the person shooting at them was using an AK-47.

That is an assault weapon designed by Communists for their armies. Its purpose is to kill lots of people, quickly. It comes with a detachable 30-round magazine—but if that is not enough, you can always buy one with 150 rounds. It fires more than 100 bullets a minute.

As a former Marine, I can tell you—that is a lot of firepower. What in the world is a weapon like this doing on the streets of Westminster, CO, where it can be used against Dion, Ty, and Aaron?

It is not there because a hunter needs it.

It is there because the gangs, the criminals, and the psychos, like it. They are using them to turn our streets into combat zones. They are using them to outgun the police. One disturbed man used an AK-47 to kill 5 small children and wound 30 others in a schoolyard in Stockton, CA. And in September 1993, one was used on Dion, Ty, and Aaron.

Let us get the AK-47's off the streets of Westminster—and off the streets of all American towns and cities. Let us keep the assault weapons ban in the crime bill.

FRAUD IS A CRIME

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

Mr. EVERETT. Mr. Speaker, in crafting the crime bill one wonders if the Democratic leadership forgot some essential elements of the U.S. Criminal Code.

For example, the last time I checked, fraud was still considered a crime. And yet the leadership is on the verge of perpetuating not just a fraud, but at least an $8 billion fraud on the taxpayers.

Actually, when you consider that those taxpayers pay our salaries, it could almost be considered embezzlement.

How else can you describe a bill that purports to put 100,000 new cops on the street but barely funds 20,000? Or a bill that claims to crack down on violent criminals, but actually eliminates mandatory sentences for criminals who use guns?

Here is the granddaddy of them all—they call this a crime bill, but it would hire two new social workers for every policeman. Does anybody outside the tiny circle of the Democratic leadership actually think America's problems is that we need more social workers than cops?

This bill is a fraud, Mr. Speaker, plain and simple. And the American people are not fooled.

GENERAL AVIATION REVITALIZATION ACT IS THE FIRST STEP

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

Mr. GLICKMAN. Mr. Speaker, in this time period of a lot of partisanship and bickering, I wanted to give my colleagues some good news: On Wednesday the President signed the General Aviation Revitalization Act, an act that will create up to 25,000 jobs, American jobs, good-paying jobs, in this country, by providing a reasonable period of time after which you cannot sue a manufacturer of a small airplane for a product defect.

This is the first major piece of product liability legislation to have passed the Congress and be signed into law. More important, this will revitalize the small end of the aviation market, the single-engine market and the light twins, planes that we have built virtually none on in the past 10 years.

As I said, this was a deal put together in a bipartisan fashion where we got management and labor together, we pushed it for years and years, we got it signed this year.

This bill will produce jobs without costing the Federal Government one dime, without starting a trade war. It is great news for America, great news for my State of Kansas, and great news for aviation.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

CRIME BILL CONTAINS TOO MUCH SOCIAL SPENDING

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

Mr. EWING. Mr. Speaker, I have spoken to a number of law enforcement officials in my district about the crime bill conference report, and they tell me it contains too much unproductive social spending. They believe a bill that funds programs to take criminals off the street and lock them up, like the Byrne grant program, is what is needed.

Yesterday the House passed a 26-percent increase in Byrne grants, which puts money directly in the hands of local police forces to fight violent criminals, gangs, and drug traffickers. This will do a lot more to reduce crime than the nearly $10 billion in social spending in the crime bill.

In the past 30 years the Government has spent trillions of dollars on the type of social welfare programs which are now in the crime bill. At the same time, violent crime has escalated. We ought to learn from our mistakes and put our money into programs we know will work, like the Byrne grants.

Mr. Speaker, let us write a crime bill that attacks criminals. If we want to pass a social welfare bill, let us not call it a crime bill.

AMERICA UNDIVIDED: TAXPAYER IS INNOCENT UNTIL PROVEN GUILTY

(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, the American people are divided over the crime bill; the American people are divided over the health care bill; the American people are divided yet over term limits; the American people are divided over NAFTA; the American people are divided over GATT.

Mr. Speaker, there is one bill that the American people are absolutely united over. A recent poll says that 97 percent of the American people agree that Congress should change the tax law and pass H.R. 3261, which says a taxpayer is innocent until proven guilty; 97 percent say they want Congress to change the law because now a taxpayer is guilty and has to proven themselves innocent, and they have had it.

Sign Discharge Petition No. 12; 97 percent of the American people say if it is good enough for the "Son of Sam," it should be a good enough law for mom and dad. Discharge Petition No. 12.

HEALTH CARE: DO WE WANT TO TURN IT OVER TO WASHINGTON BUREAUCRATS?

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

Mr. GOODLATTE. Mr. Speaker, as the House prepares to debate the Clinton-Gephardt big Government health care bill, American families and Members of Congress need to ask themselves a question: "Do we really want to turn over all of our health care to Washington, DC, bureaucrats?"

And do you want to trust a health care system designed behind closed doors by President Clinton, Hillary Clinton, the Democrat leadership, and left wing, liberal special interests.

After all, if someone with the past track record like theirs walked into your hospital room and said, "Hello, Mr. Jones, we are your doctors. We have got experimental new treatments; we do not know if they will work; and by the way, we have messed up about every other treatment we have ever designed. But what the hay, let us get started."

Mr. Jones would manage to leap from his hospital bed and make an all-out run for the exit to get away from these medical quacks.

Well, that is exactly what the American people are doing as they meet Doctors Clinton, GEPHARDT, and MITCHELL. They are heading for the hills as well they should.

□ 1010

THE DETERIORATING SITUATION IN BURUNDI

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

Mr. HASTINGS. Mr. Speaker, I am extremely concerned about the growing political problem in Burundi. The situation in Burundi is desperate. The people of Burundi need our moral support and must be told that the United States Congress strongly supports the restoration of democracy, law and order.

Mr. Speaker, in April 1994, the President of Burundi was killed along with the President of Rwanda when their plane was shot down by extremist elements in Rwanda. Over the past months, conditions in Burundi have deteriorated significantly. Unless the international community acts quickly in Burundi, the world will be faced with another Rwanda-like situation.

A permanent solution to the political stalemate in Burundi should take into account the role and makeup of the Burundi Army. The people of Burundi and the international community should support responsible political groups from both camps and isolate the destructive elements.

LIBERATE CUBA

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

Mr. DIAZ-BALART. Mr. Speaker, the administration said it would not permit Castro to dictate U.S. immigration policy, but it has done more than that: it has been panicked by Castro into violating the laws of the United States.

Now that the path has been embarked upon of deciding what laws the administration will enforce and what laws it will break, there is one law that would be unconscionable to continue to expect enforcement of with regard to Castro's dictatorship: the same law that was not enforced with regard to Nicaragua or Afghanistan or Angola, the so-called neutrality law.

In Castro's threats against the United States, since the Cuban people rioted against him on August 5, we have seen another extraordinary example of why the continuation of the Castro dictatorship runs contrary to the fundamental national security of the United States.

Cuban-Americans do not want another Mariel. Cuban-Americans want a reverse Mariel to go and ignite the spark of liberation in Cuba.

That is what we need to be threatening Castro with, and not vice versa.

A reverse Mariel so that Cuban-Americans can fight and die with our brothers and sisters on the island.

Cuban-Americans do not want American GI's to die for the freedom of Cuba. Cuban-Americans demand the right to fight for the freedom of Cuba and against the worst enemy of the United States of the last 35 years.

Mr. President, you cannot treat the Cubans like the Haitians due to Castro's blackmail, as you have now done, and yet, unlike Haiti, not take action to liberate Cuba.

As Haiti's ports are blockaded and overt and covert aid is being provided pro-democracy forces in Haiti, so too must it be in Cuba.

Today, you must announce specifics to liberate Cuba, and not steps, completely unrelated to the source of this problem, which is Castro, like the Attorney General announced last night.

AVERT A TRAGEDY BOTH IN CUBA AND IN FLORIDA

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

Mr. SERRANO. Mr. Speaker, for years we have tried to strangle the Cuban people through an embargo. Miami Spanish radio stations and Government-funded Radio Marti have encouraged Cubans to rebel against their government and to come to Florida. When a plane or boat is stolen in Cuba, we treat the hijackers as heroes, and

now, when the Cubans are hungry and have accepted our invitation, we do not want them to come any longer.

This is a failed policy we are dealing with in China, or Vietnam, with Korea and with every other country we have had a problem with in the past. It is time to join my bill, cosponsor the bill, to end the Cuban embargo, begin negotiations with the Castro Government and stop a tragedy both in Cuba and in Florida.

FREEDOM FOR CUBA

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

Mr. GINGRICH. Mr. Speaker, the total absence of any moral compass in the Clinton administration policy toward the Caribbean was made evident this morning for anyone who looked at the new decision about Cuban refugees who, since 1966, have always been accepted in the United States under a law passed by the Congress. We have been told dictatorships are bad; Castro has been a dictator since 1959. We are told oppressing the innocent is terrible; they are now shooting people in the streets in Havana. We have been told we have to be against dictatorships in the Caribbean. In fact, the administration is practicing to invade one country, a country 600 miles away—Cuba is 90 miles away—a country with a much more recent dictatorship, with a much weaker process of repression, but Cuba, somehow, we are now told by our friends, we should treat as though it was China, we should open up our doors, we should have good relations. I think that is exactly wrong. I urge the President:

> Now is the time to tell Castro we want to negotiate for free elections, with international observers, and, if you refuse to negotiate for free elections, we will take such steps as are necessary so that your regime is no longer there.

Across the planet communism is collapsing. Cuba has no nuclear weapons, they are not a great power, they are not a threat, and the fact is that the Castro regime is vulnerable, and the time has come to have an aggressive policy of favoring freedom and favoring those Cubans who want to be free.

PASS THE CRIME BILL

(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, life does not offer many second chances, but this weekend we are going to get a second chance. We get a second chance to help our communities fight crime, prevent crime, by finally passing a crime bill. Without the crime bill families would not get this chance to have more cops in their neighborhoods. Women in abusive situations will not get this chance to break out of it. Kids will not get this chance for help to reject gangs and drugs.

Mr. Speaker, this weekend we get our second chance. Let us not blow it. Vote for more cops in our communities, for safety, for women and for hope for our kids. Pass the crime bill.

IT IS TIME TO GO HOME AND LISTEN TO THE PEOPLE

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

Mr. HEFLEY. Mr. Speaker, as I was driving to work this morning and listening to Paul Harvey on the radio, he was talking about a poll that has just come out that shows that one in five people, 22 percent of the American public, feel that they have any confidence whatsoever in the U.S. Congress. Only one in five, and, if we can believe the phone calls that are pouring into our offices, we are not doing our image any good by staying here during this period. We tried the crime bill, and it did not work. It can be revisited again later on, after we have had a time to listen to the people that we represent. We have just introduced the new health care bill. Most people do not understand what it is. The American people need to understand what is in those bills. It is going to affect every American's life for generations to come.

Mr. Speaker, it is time to stop the arm twisting, it is time to stop the intimidation, it is time to stop the threats, and the promises, and the pork projects in order to get votes to cram these pieces of legislation through in a brief period of time before we recess for August. It is time to start listening. The best way to do that is to go home to the real world and get out of the vacuum of Washington, DC, and, when we come back in September, Mr. Speaker, I guarantee our work product will be better after we have listened to the people we represent.

BUILD GENERATIONS, NOT JUST MORE JAILS

(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, everybody has a preference for which way we should go, and I must say, as I hope we take up this historic crime bill, the reason it is historic is the House tried to come down for the first time on the side of attempting to build generations and not just more jails.

Mr. Speaker, there has never been a society in civilization revered for the number of jails it built. We have now built more than any society in the history of the Earth, and it has not worked while we continue building them in there to try to catch up on the shortfall. But for the first time we tried an ounce of prevention, and people went nuts with all sorts of disinformation around here.

This information was that it was all going to be social workers; wrong, there is no social worker money in here; that there was no funding for police; wrong, $7 out of every $10 in this crime bill went for either law enforcement officers, prisons or detention facilities, $7 out of $10. The last $3 were prevention.

Let us build generations and not just jails alone.

□ 1020

MORE EMPHASIS ON PUNISHMENT NEEDED TO FIGHT THE CRIME PROBLEM

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

Mr. COLLINS of Georgia. Mr. Speaker, big city mayors and big city police chiefs are prostituting for the money in the crime bill under the disguise of more police on the streets. Mr. Speaker, prostitution is against the law.

Law enforcement officers and prosecutors in the Third District of Georgia are telling me, "We do not need more police officers." They say, "We are arresting the same people over and over again."

The problem is in the logjam of prosecution and in the lack of resources to carry out punishment. Help us enforce the laws we have today.

Mr. Speaker, it is against the law to rape. It is against the law to molest a child. It is against the law to murder.

Mr. Speaker, what is the best message to send our neighbors? You will have a child molester living next door? You will have a rapist living next door that you have to fear for the rest of your life?

Or should we send the message to victims and victims families: That each and every murderer, child molester, or rapist is in the penitentiary for the rest of his life?

A CRISIS IN BURUNDI

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

Mr. JOHNSTON of Florida. Mr. Speaker, I am deeply concerned about the deteriorating conditions in Burundi. With the international community focused on the Rwandan tragedy, the situation in Burundi is worsening by the day with no resolution in sight. A crisis in Burundi, unless contained immediately, could surpass the Rwandan humanitarian tragedy. Burundi is a classic example where preventive measures can help deter another humanitarian tragedy from occurring.

Mr. Speaker, I strongly urge the Clinton administration to intensify its diplomatic actions and send a senior official to highlight our concern. The United States should also call for an urgent Security Council meeting on Burundi to consider preventive measures by the international community. I call also on the OAU to intensify its actions by deploying the proposed OAU monitors.

Finally, Mr. Speaker, I would like once again to call on the international community to bring to trial those people responsible for the deaths of hundreds of thousands of innocent civilians. We can not allow the murderers of Rwanda and Burundi to go unpunished, if we are to avoid future genocides.

PREMISE OF CRIME BILL IS WRONG

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

Mr. BALLENGER. Mr. Speaker, the White House and the Democratic leadership are desperately trying to find little nicks and cuts that they can take out of their crime bill to win enough votes for a razor-thin passage.

Out of a $33 billion bill that spends more on social programs than it does on prisons, they want to shave off a whopping $1 or $2 billion. Most likely, they will all run home afterward and brag to their constituents how they cut Federal spending.

Setting aside the fact that no bill that spends more than $30 billion ought to make it into law if this the only way it can be passed, the fact of the matter is that the whole premise of the crime bill is simply wrong.

Thirty years of failed social experimentation ought to have taught us by now that it is simply wrong to focus on babying criminals with self-esteem programs than on putting them in jail when they break the law. Forget ideology. It just does not work.

In the 1960's we started blaming society instead of individuals and began putting handcuffs on our cops instead of on our criminals.

Does anybody think that crime has gone down since then?

TOUGH PROVISIONS IN THE CRIME BILL

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

Mr. HUGHES. Mr. Speaker, I am really saddened to hear Members refer to chiefs of police and mayors and others who are seeking resources for prevention as prostitutes. That does not reflect the views, I might say, of the majority of the Members of Congress, and I am really embarrassed to hear that.

The crime bill is not a perfect bill. I would not have written it as it is written, I must say, but it is a good bill. To suggest that it does not have the kind of provisions we need to deal with crime problems basically has missed the boat.

I spent some 30 years in law enforcement in one way or the other, either as a legislator or as a prosecutor, and there are provisions in this bill written by Republicans that will in fact make a difference.

In the first place, those who suggest that the child abuse provisions are not tough and do not notify the public have not read the bill. Many of our colleagues, the gentleman from Wisconsin [Mr. SENSENBRENNER], the gentleman from Pennsylvania [Mr. GEKAS], and the gentleman from Florida [Mr. MCCOLLUM], wrote provisions dealing with so-called sexual predators. Those provisions did not call for community notification or call for registry. This bill does have a registry. It does require contacting those individuals. It does in fact give the police, the chief of police, and law enforcement agencies the opportunity to take whatever steps are necessary to protect the public.

Mr. Speaker, those who suggest otherwise have not read the bill.

CUBAN CRISIS DRAWS ATTENTION AWAY FROM HAITI

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

Mr. LIVINGSTON. Mr. Speaker, these are tough times for the White House—Nussbaum, Hubbell, Watson, Altman, and Hanson. These people were going to help President Clinton provide a departure from the phony decade of greed and a changing of America. It is too bad they will not be around for the final chapter.

Now we see the centerpiece of the Clinton foreign policy, the great invasion of Haiti, being challenged in the headlines by Cuba.

A brutal dictatorship, denial of human rights, in our own backyard, an interest in preserving democracy in the Western Hemisphere, and an overflow of refugees to Florida—these are the reasons for the White House going to the United Nations to put down the Haitians. What next? Viva Cuba libre?

PLAY BALL

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

Mr. WILLIAMS. Mr. Speaker, big-league ball players, major league club owners, play ball.

YOUNG PEOPLE, VIOLENCE, AND PREVENTION

(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, again this morning I want to speak about prevention, youth, and violence. I want to speak about prevention in the sense of the increase in crime.

Crime, violent crime has been increasing by grade 4 steps, and it has been increasing among young people—young people who are the victims of crime, young people who are the perpetrators of crime, young people killing young people, young people killing senior citizens and women, and young people maiming people. So crime indeed has increased, and who indeed is in there? Young people are involved.

Yet, Mr. Speaker, there are those who escape the logic that with young people involved in crime, we should be spending our money where the crime is increasing. Yet that escapes the rationality of many in this Chamber. There are Members on both sides of the aisle in this Chamber who would have the American people think that it is just poke, that it is frivolous not to invest in the young people of this Nation. They would rather have the house burn down and then put the fire out. They would rather have people killed and then put people in jail.

Mr. Speaker, we must maintain prevention in this crime bill because this is the only thing that makes sense. Shame on us if we fail to understand that. Shame on us if we fail to have the vision of our youth. Prevention is part of the strategy to fight crime.

A CLERICAL INFLUENCE ON THE CRIME BILL

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

Mr. LEVY. Mr. Speaker, I rise to draw the attention of my colleagues to some comments that President Clinton made over the weekend from the altar of a church in Maryland. He said, "Our ministry is to do the work of God here on Earth."

□ 1030

Later on in his remarks he went on to suggest that God himself had some favorable opinions about the crime bill.

Then yesterday I opened the newspaper to find out that one of my Democratic colleagues from New York, who said earlier that his conscience required him to vote against the rule on the crime bill, would vote for the rule were he to have the opportunity to do so, because the clergy of his district wanted it. He said, "After consulting with spiritual advisors, I will be supporting the rule."

Mr. Speaker, I would merely ask you, next time someone tells you that the religious right has taken over the Republican Party, to take a look at the events of this week.

KENNETH STARR CONTROVERSY

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

Ms. NORTON. Mr. Speaker, why is a man who has been a highly regarded Federal judge allowing a controversy about appearances to escalate? Judge Kenneth Starr knows better.

It is hard to believe that if Starr had been the judge charged with choosing the Whitewater prosecutor, that Starr would have chosen Starr. Recent association with an active lawsuit against the President, recent consideration of running for the Senate, recent involvement in active political campaigns, what does it take Judge Starr to make a case for disqualification based on appearances?

Whatever it takes, surely the coup de grace was the association of Judge David Sentelle with partisan enemies of the President just before he made the Starr appointment.

The defenders of Judge Starr have missed the point. His fine reputation is not at issue. What is missing is the threshold qualification for this appointment: Not impartiality, but the appearance of impartiality. Judge Kenneth Starr would have known what to do. So does Kenneth Starr, Esquire.

CRIME BILL COSTS BUT DOES NOT SOLVE CRIME

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

Mr. SMITH of Michigan. Mr. Speaker, trying to pass a crime bill that most of the Members of this body have indicated they do not want reminds me of 1 year ago when arms were twisted to pass the huge tax increase that most of the Members of this Congress did not want.

I think we should remind ourselves, as we look at this crime bill, that we are spending money that we do not have. Some say the money in this crime bill is anticipated savings from having fewer Federal employees. However, there is no tie bar to the money that might be saved and the money that goes in this crime bill's trust fund. This $32 billion will be borrowed money. It is a crime to pass a crime bill that does little to solve crime. But, Mr. Speaker, it is an even greater crime to make our grandchildren pay for it.

STOP THE NRA AND PASS THE CRIME BILL

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

Mrs. LOWEY. Mr. Speaker, the special interest National Rifle Association is running ads like this one against the crime bill. The ad says, "What they're not telling you about the crime bill should be a crime."

Well, Mr. Speaker, what the NRA is not telling us about the crime bill is a crime. The ad repeats a number of worn out lies but fails to mention the NRA's chief complaint with the crime bill.

The fact is the NRA opposes the crime bill for one reason and one reason only: the assault weapons ban.

The ban, which would take the weapons of war off our streets, is supported by over 80 percent of the American people. Maybe that's why the NRA doesn't mention its opposition to the ban in its ad.

Let us be clear: the NRA's tough talk is a smokescreen designed to hide the truth: the NRA is soft on crime. The NRA is the criminal's best friend. The NRA doesn't care about crime, or about victims, or about the safety of our families and our communities.

The NRA does not care about passing a tough crime bill. The NRA cares only about stopping the assault weapons ban.

Mr. Speaker, it is time to stop the NRA. Let us pass this tough crime bill. Let us pass the assault weapons ban.

SECRETARY PERRY SHOULD APOLOGIZE TO AMERICANS

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

Mr. WOLF. Mr. Speaker, on Wednesday, Secretary Perry met with General Xu, the deputy chief of staff of the Chinese People's Liberation Army at the Pentagon. When General Xu arrived at the Pentagon, he got the red carpet treatment. He even got a welcoming band.

Now, I know Secretary Perry is a good man, but it is incomprehensible why they would do this for the Butcher of Beijing. General Xu is second-in-command for the People's Liberation Army. He was deputy chief of staff in 1989 when the army gunned down thousands of students. He commands an army that sold weapons to Iraq prior to the gulf war that were used to kill American men and women. He commands an army that sells weapons to the dictatorship in Khartoum that kills black Christians. He commands an army that supports a brutal Communist dictatorship that tortures and beats Catholic bishops and priests and protestant missionaries.

I do not think Secretary Perry was wrong for meeting with General Xu, but it is almost sick to think that he would give General Xu a red carpet treatment. It could have been a protocol mistake, but if it was intentional, then Secretary Perry owes a big apology to the families of all the Chinese-Americans who were killed in Tiananmen Square, an apology to the families of soldiers killed in Iraq, and apologies to the Chinese families who will hear on Voice of America today that Secretary Perry gave red carpet treatment to General Xu, who is the Butcher of Beijing. He owes an apology to this Congress, too.

MEXICAN ELECTIONS

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

Mr. TORRES. Mr. Speaker, this Sunday, Mexico will be holding elections for both presidential and legislative offices. This is an incredibly important election for the development of a multiparty democracy in Mexico.

Unfortunately, in recent years, there have been numerous allegations of electoral fraud against the ruling party. There is increasing popular demand for elections to be clean and fair. It is my hope that this Sunday's elections will indeed be legitimate. Mexican citizens deserve the opportunity to participate in a fraud-free election, where their vote will be respected.

While it should not be the role of the U.S. Government to meddle in the sovereign affairs of our esteemed neighbor, we are, of course, extremely interested in the outcome. Without international observers monitoring the elections, the world must rely on citizen observers to verify the validity of both the pre-election process and Sunday's vote. It would be tragic for the election to be marred by irregularities. I know we are all hoping, rather, to see significant evidence that the elections are clean, as a sign that the reform efforts are working.

Mexico is at a critical juncture. The American people, the U.S. Congress, and the administration will be paying close attention to both the process and the outcome of Sunday's election. I wish the Mexican people "buena suerte"—good luck—in this exercise of democracy and bold step for the future of Mexico.

VOTE "NO" ON A WEAK CRIME BILL SO WE CAN HAVE A STRONG CRIME BILL

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

Mr. BARTLETT of Maryland. Mr. Speaker, when one says of a bill, as

they have of the crime bill, that this is not a perfect bill, in the unwritten dictionary of the Congress what this really means is it is quite a bad bill. You better vote for it anyhow out of political expediency.

I believe that a majority of Americans are supporting a growing number of people in the Congress who so want a good crime bill that they are going to vote "no" on a weak crime bill. Please interpret a "no" vote on a weak crime bill as a "yes" vote for a strong crime bill.

If history is an indicator, we will not consider crime again for several years. It is essentially axiomatic we are going to have a crime bill in this Congress. Please vote "no" on a weak crime bill so that we are going to have an opportunity to vote "yes" on a good crime bill.

CUBAN ADJUSTMENT ACT NEEDS SECOND LOOK

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

Mr. MAZZOLI. Mr. Speaker, yesterday at this time, from this well, I indicated that the United States was facing an immigration emergency, and I reached that conclusion from reading the papers as well as from having a briefing by administration officials.

I also said yesterday, Mr. Speaker, that we were not able to really handle this emergency because of two situations: One is the 1966 Cuban Adjustment Act, which says that any people coming from Cuba who are landed in the United States are automatically on the way to citizenship. No questions asked, basically, unlike our stance toward any other country in the world.

I also said that under the 1966 Act there is nothing that requires the United States, having rescued Cubans from the sea, to necessarily land them in the United States.

I understand that this afternoon the President will announce that Cubans being rescued will no longer be taken to the United States, but perhaps at Guantanamo Bay or some other place. That is OK. That takes care of one problem. The other problem, the 1966 Act still is on the books.

So I hope, Mr. Speaker, that part of our re-look at this situation will take a second look at that act. It does hamper our ability to respond to these immigration emergencies.

WHAT NRA REALLY STANDS FOR

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

Mr. FOGLIETTA. Mr. Speaker, the National Rifle Association revealed part of their strategy on Sunday. They intend to change the name of the crime bill to the "social workers bill" and "the midnight basketball bill."

Of course, this is wrong. We must balance spending on more cops and more prisons, with prevention—programs that educate people, train people for jobs, and give kids something to say "yes" to.

But we have to change our tactics, too. For me, they are no longer the NRA. They are the CKA. The Cop Killers Association, because the assault weapons they want to protect are killing police officers throughout this Nation. They are no longer the NRA. They are the LGK. The Little Girl Killers.

Because they want to keep weapons like the TEC-9 on our streets—the weapon that killed Michelle Cutner in my district a month ago.

We cannot let them get away with using clever tactics to deprive America of a tough crime bill. Let us pass this crime bill—with an assault weapons ban, and prevention programs—now.

FIDEL CASTRO

(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 would think folks at Justice and Defense would be getting a little weary of cleaning up the mess caused by the Clinton administration's alleged foreign policy. Now we have Cuba at the front page again.

Fidel Castro has a foreign policy. It is called Mariel II, and it is working. Who do we see coming to the rescue? Attorney General Janet Reno.

Well, hello, State Department. Is anybody home? Some of us up here keep telling them the problem is Fidel Castro. It is time for him to go. It is past time for him to go. It is time for the sanctions that we have put on to work.

It is time to curb our allies who are flaunting the embargo, Spain, Jamaica, Mexico, and others trading openly with Cuba today.

Attorney General Reno says, we will detain all incoming Cubans. Where? Where will we detain all those incoming Cubans? Florida? Fort Chaffe, AR, Guantanamo? Come to think of it, Guantanamo may make some sense. It is already in Cuba. Possibly we could make room there, if we ask the 15,000 Haitian refugees already there in tent city if they mind moving to Mariel, Cuba.

SOCIAL PROGRAMS DO NOT SOLVE CRIME

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

Mr. MICA. Mr. Speaker, if you have not followed the reports of scandal in the District of Columbia Public Housing Authority, you should. It will make your stomach turn.

Here is a great example of why government programs fail:

Gross mismanagement—bankruptcy—$117 million for renovations unusued while people are forced to live like animals.

Rat, filth-infested projects where children are forced to live and play. Human beings tossed out of these hovels to die in our streets. And then we wonder what causes crime.

Every Member of Congress should be forced to live in public housing. Then come back and vote for more government programs, more social and welfare spending.

When will this Congress wake up and provide positive alternatives, encourage private sector job creation, support private home ownership, and promote personal savings and self reliance?

This is a great example that big government social programs do not work.

THE CRIME BILL

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

Mr. KLEIN. Mr. Speaker, it is time for the crime bill to be resurrected and brought to the floor of the House for a vote.

Violent crime is the scourge of this Nation. More than anything else, Americans want us to take decisive action to fight crime. We must stop looking at criminals as victims and recognize that we, the law-abiding citizens, are the victims. We stand on the threshold of passing the strongest, toughest crime bill in our history.

But special interests continue to hold this crime bill hostage in a desperate attempt to kill a ban on military style assault weapons that are the weapons of choice of drug dealers and criminals. We must not bow to special interests. We cannot let children die on the streets to appease the NRA.

We have an opportunity to put 100,000 more cops on the streets, to build more prisons for dangerous criminals to curb the flow of drugs into the country and, yes, to ban these assault weapons. Let us stop the rhetoric on crime. Let us do something about it.

MORE ON THE CRIME BILL

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

Mr. HOKE. Mr. Speaker, words are important. Words are important. When we call this a crime bill, it is irresponsible to confuse the American public about what is really going on. Because words mean something.

In fact, yes, there is some crime, there are aspects of this that have directly to do with crime, prisons, police. There are also a whole host of social programs, most of which have nothing to do with the prevention, although they are billed that way. There is an excellent Violence Against Women Act and there is a gun ban in that.

All of those, regardless of the killing children and killing police, know on the other side of the aisle or those that are opposed, or that are in favor of this gun ban in 1992, fewer than 900 people were killed with all weapons, all rifles, all rifles, not just assault weapons, and nearly twice that number were killed with fists and feet.

The point is that what we really need to do is split up this crime bill so that the American people have an opportunity to see how their representatives vote on the various aspects of it. That is not legislative blackmail, which is what we are getting right now, trying to pull along the bad with the good.

TRUTH IN ADVERTISING

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

Mr. FAZIO. Mr. Speaker, whatever happened to truth in advertising?

The NRA and a few allies have rehired their spokesman Charleton Heston to mislead the American public in a series of television ads that are filled with untruths.

Mr. Heston is no Moses. And, he definitely is not obeying one of the Ten Commandments.

Mr. Heston and the NRA are not fighting for America's best interest. They are worried about the crime bill for one reason—because it will take assault weapons that are being used to kill innocent people off our streets.

If Mr. Heston had read the bill, he would know that the crime bill is not a social spending bill. The facts are that $7 out of every $10 in the bill goes directly to police, Federal and State law enforcement, and prisons and detention facilities. That is 85 percent of the bill's funding.

And, almost half of the remaining spending is devoted to combating violence against women, drug courts and crime prevention programs originally sponsored by Republican Senators DANFORTH, STEVENS, and DOMENICI.

Let us separate myth from reality and Hollywood from real life. The American public is demanding that we pass a crime bill. It is our duty as their representatives to make sure that they get it.

HEALTH CARE REFORM

(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, there are really two questions that surround the whole health care debate. That is, who is going to run it and who is going to pay for it.

Under the Clinton-Gephardt bill, the Government runs it. A large tangled web of agencies, commissions, bureaucrats, boards appointed, unappointed people, unelected. We will be running your health care.

They will be telling us when we can pull the plug on our grandparents and our loved ones and when we can spend money for this operation and when we cannot. That is the reality of the Clinton plan.

The other part of it, which I do not want, too, which I think we are not even focusing on one bit, is how it is going to be paid for. We do not know how much the Clinton-Gephardt bill is going to cost. The estimate is about $100 billion. We know the cigarette tax is going to be $12 to $16 billion in new tax revenues a year, if that passes. We know there will be massive Medicare cuts. We do not know how much.

We already know physicians are having trouble servicing Medicare patients right now because of the low reimbursement. Then there is going to be an insurance premium tax, which if we are paying the insurance premium tax, then are we going to be paying these taxes?

□ 1050

The President said no new broad-based taxes. This is a major issue, and we need to address it. We need to talk about the costs of health care, because it sounds great, but if we do not have the money, with a $4.4 trillion debt, we do not need to be getting into further debt.

HAWAII—MANDATES IN PARADISE—NOT

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

Mr. STEARNS. Mr. Speaker, Hawaii is often used as a model for success in employer-mandated health care.

Contrary to popular opinion, the facts show there is trouble in paradise.

Results of mandated health care in Hawaii are not generally known. For instance, NFIB reports that:

Eighty percent of Hawaiians are covered under two main insurers.

Ninety-five percent of physicians in Hawaii work for one of the two insurers and are therefore subject to managed care and imposed fee schedules.

Dependents or unemployed persons and part-time workers are not covered.

Health care costs in Hawaii have skyrocketed. Between 1980–90 costs rose by 191 percent, nationally that figure was 163 percent.

The coalition for jobs and health care reports that Hawaii's employer mandates won't create a health care paradise for the rest of the country because:

Hawaii's employer mandate has yet to achieve universal coverage or control costs.

Hawaii led the Nation last year in small-business bankruptcies. And companies are exiting the State in record numbers.

The employer mandate has created an administrative nightmare. It takes the island three times longer to administer health plans than it does on the mainland.

This sounds more lie paradise lost to me.

Mr. Speaker, the statistics I cited were provided by: National Federation of Independent Business, testimony before House Committee on Agriculture March 17, 1994; National Federation of Independent Business, statement by Jack Faris, president, NFIB, August 3, 1994; and the Coalition for Jobs and Health Care, August 11, 1994.

RECOMMENDING A LEAN, EFFICIENT CRIME BILL

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

Mr. EHLERS. Mr. Speaker, I rise, as many others have done, to discuss the crime bill. However, I am going to take a different approach, because I deplore the political rhetoric that we have heard day after day after day.

In my opinion, Mr. Speaker, the issue is not the NRA. They have not even talked to me. The issue is not the pork, which in some cases is mislabeled. The point is simply that, as many of us who oppose the crime bill, and I happen to be one who voted against it the first time it came through the House, I simply want a crime bill that is lean, efficient, that will work, and that will give the citizens their money's worth. That was not true of the original crime bill when it came through the House. I believe the conference report was even worse.

Mr. Speaker, James Q. Wilson, who I believe is the most noted and best criminologist in this Nation, commented on NPR a few days ago. He said, "The problem with the crime bill is that it was filled with programs that have been proven not to work and does not include programs that have been proven to work." I believe he said it well. I hope that we soon get a crime bill that will work. I will certainly be happy to support it if we get one like that.

MIDNIGHT GOVERNMENT BASKETBALL

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

Mr. SMITH of Texas. Mr. Speaker, the Washington Post is certainly not the first paper to conclude—incorrectly—that because President Bush named a Maryland midnight basketball program a point of light, that midnight basketball nationwide is deserving of Federal funding and should be in the crime bill.

Many in this debate choose to forget that the point of light program honored—not Government programs—but citizens volunteering to make the country better.

Yes, midnight basketball is about more than basketball. These successful initiatives teach young men the responsibility and skills they cannot get standing on a street corner.

But with Federal money comes Federal regulation: Eighty players in the league, half the players must be from public housing, a certain percentage recovering drug users or HIV positive. Incredible.

A league with 60 players from low-income housing who have managed to steer clear of drugs are on their own.

As President Bush said, "People, not programs, solve problems."

EXPRESSING HOPE FOR A FREE, FAIR, AND PEACEFUL ELECTION IN MEXICO

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

Mr. DREIER. Mr. Speaker, the day after tomorrow the very important Presidential and legislative elections will be taking place in Mexico. In the wake of the passage of the North American Free-Trade Agreement, this is going to be an extraordinarily important and historic event.

I have been very troubled by rumors that have been reported recently that there could be a great deal of unrest in Mexico if the outcome is not to the liking of certain people.

In the wake of the passage of NAFTA, and all of the attention that has been focused on Mexico, it is very apparent that the scrutiny of this election is going to be unprecedented in Mexico's history.

Most people have acknowledged that Mexico has had some troubled elections in the past, where the outcome may not have been based on the votes, if they had actually been counted appropriately. It seems to me that with the scrutiny that will be imposed on Mexico, that this election will probably be the most fair and balanced election in Mexico's history. I hope very much that we see it run smoothly and fairly, and I wish the people of Mexico well.

ANNOUNCING REPUBLICAN SUPPORT FOR A STRONG AND AFFORDABLE CRIME BILL

(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, when the House of Representatives voted down the rule on the crime bill, the President went on a national media blitz, basically saying that the rule was defeated because of one organization, the National Rifle Association, when he knew full well there are many Members in this body who had real concerns about the costs involved with the crime bill, as well as some of the weakening provisions in terms of dealing with the criminal element in our society.

Mr. Speaker, I wrote to President Clinton last Friday and I gave him the conditions under which I would support both the rule and passage of the crime bill. Today, approximately 21 Members of the Republican side of the House have in fact delivered a letter to the President where we have laid down specific items in terms of costs and toughening provisions that will allow us to vote for the rule and for the crime bill. Guess what, Mr. Speaker? The letter is silent on the assault weapon ban.

President Clinton now has the decision in his hands. If he really wants a crime bill, we are here. If he does not, the American people will know that he does not really want a crime bill.

NO COMPROMISE ON ASSAULT WEAPONS

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

Mr. TORRICELLI. Mr. Speaker, the talk in the air is of compromise, that reasonable people on the crime bill can split their differences and to come to some accord. What kind of compromise? We accept only some assault weapons, allow fewer Americans to get killed by these senseless military type weapons?

There is a time in life when you draw a line. There are times in life when compromise is no virtue. This is one of those times. On the effort tc get these weapons off our streets, to make Americans safe in their own homes, to get our cities back, Mr. President, that is a time when you draw a line, when the differences need to be seen, when you let the people make a choice between those who are on their side and those who would side with interests against the security of Americans.

No compromise, no reasonable agreements, because it is unreasonable to accept that any of these weapons remain on our streets. Draw the line. Have the vote and let the people know who is on their side.

MANY REPUBLICAN MAYORS SUPPORT THE CRIME BILL

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

Mr. HOYER. Mr. Speaker, we ought not to believe that this is solely a partisan debate because of the number of Republicans who have come to the well and said they are opposed to this bill. Let me read a list; all Republicans, all mayors, all on the front line of fighting crime in America.

The Republican mayor of Knoxville, for the crime bill; the Republican mayor of Los Angeles, one of the great victories that the Republicans claim, Mayor Riordan, for the crime bill; Mayor Mystrum of Anchorage, AL, for the crime bill; this crime bill; the Republican mayor of Newark, for this crime bill; the Republican mayor of Scotsdale, AZ, for this crime bill; the Republican mayor of Dayton, for this crime bill; the Republican mayor of Palatine, IL, for this crime bill; the Republican mayor of Columbus, for this crime bill; the Republican mayor of Lincoln, NE, for this crime bill; the Republican mayor of Fort Wayne, IN, for this crime bill; the Republican mayor of Jefferson City, for this crime bill; and the Republican mayor of New York City, former prosecutor, Giuliani, for this crime bill.

□ 1100

A CALL FOR BIPARTISAN SUPPORT OF THE CRIME BILL

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

Mr. SHAYS. Mr. Speaker, I rise in support of the crime bill and I hope today that Republicans and Democrats alike can come together on this very important issue. When this bill was in the House, law enforcement was $5.5 billion. The conference committee increased it to $13.9 billion. Prisons went down from $14 to $10 billion but still $10 billion for prisons. Preventative basically stayed the same. This is a bill that should pass both the House and the Senate, and I just encourage my Democratic Members not to get too concerned when they hear Republicans who may make some comments. Let us just work together. I encourage some on the Republican side who may hear Democrats say things they do not like. Let us just see if we can put this together.

THE VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT

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

Mrs. LLOYD. Mr. Speaker, one particular provision of the crime bill that

has received unfair attention is the midnight sports league. The provision takes positive steps toward instilling confidence and self-worth among many of our at-risk youth. Too many of our youth are subjected to the hostile environment on the streets—where selling drugs and committing crimes are a way of life. Unfortunately, many American communities, particularly urban communities, do not have the resources to provide alternatives for at-risk youth. An alternative is the basis of midnight sports. It gives youth a choice between the dangers of the street, or a controlled environment.

In a perfect world our youth are in bed at a reasonable time and not roaming the streets. However, we do not live in a perfect world and statistics show that most crimes are committed between 10 p.m. and 2 a.m. Midnight sports league helps communities keep youth off the streets, by allowing them to use local gymnasiums and community facilities throughout the night. In addition, the program will provide the young people participating in the league with job training, educational seminars, and counseling services.

Locking up criminals is only part of the solution—but it is also the most costly. It costs the taxpayers approximately $49,000 a year for each prisoner. Yes, those that commit crime must be put behind bars and serve their just punishment. The minimal cost in providing sports leagues, educational resources, and community activities is certainly a worthwhile investment in changing juvenile delinquents into productive and responsible adults.

Mr. Speaker, Congress cannot fight the crime battle alone. We need to involve the people in our districts. We need their cooperation, support, and patience as we develop programs that we hope will alter this distressing proliferation of violence in our communities. The programs included in the crime bill are funded for a 6-year period. Some of the programs in the crime bill may not work and we should be able to gauge the results after the 6 years. However, whether successful or not, we owe it to our constituents to try anything we can to curb the growing violence before another young life is lost.

PROVIDING FOR CONSIDERATION OF H.R. 4908, HYDROGEN, FUSION, AND HIGH ENERGY AND NUCLEAR PHYSICS RESEARCH ACT OF 1994

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 515 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 515

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4908) to authorize the hydrogen and fusion, research, development, and demonstration programs, and the high energy physics and nuclear physics programs of the Department of Energy, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered by title rather than by section. Each title shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Tennessee [Mr. GORDON] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 515 is an open rule which provides for the consideration of H.R. 4908, the Hydrogen, Fusion, and High Energy and Nuclear Physics Research Act of 1994.

The rule provides for 1 hour of general debate to be equally divided and controlled between the chairman and ranking minority member of the Committee on Science, Space and Technology.

The rule provides that the bill shall be considered by title with each title being considered as read. Finally, the rule provides for one motion to recommit.

Mr. Speaker, I would like to commend the leadership of Chairman GEORGE BROWN and ranking minority member BOB WALKER. H.R. 4908 recognizes the continued importance of research and development of energy resources produced by renewable technologies.

Hydrogen is a clean burning, environmentally safe, energy source which is a viable substitute for many fossil fuels.

As a matter of fact, extensive research on the viability of hydrogen as a fuel source for automobiles is being conducted at my alma mater—Middle Tennessee State University.

Dr. Cliff Ricketts initially developed a prototype engine which works on gasoline, propane, or hydrogen. Professor Ricketts and his students later developed an engine which operates solely on hydrogen.

While some of the automobile manufacturing giants are conducting active research and development of hydrogen-fueled automobiles, Dr. Ricketts' research team has achieved real results.

Invited to participate in the Bonneville National Speed Week in 1991 at the Bonneville Salt Flats in Windover, UT, Dr. Ricketts set a land speed record for a hydrogen-powered vehicle.

Surprisingly, the vehicle which set the record was the hybrid hydrogen-propane-gasoline-powered truck which towed the hydrogen-powered race vehicle to Utah. Unfortunately the competition vehicle developed mechanical problems in the prerace warmup.

Dr. Ricketts was invited back in 1992 and set another world land speed record with the 100 percent hydrogen-powered vehicle.

Dr. Rickets and his students were invited back to Bonneville this summer. They are presently travelling to Utah for the competition this weekend. They have made modifications to the race vehicle and hope to break the record they set in 1992.

I am proud of the research being conducted at Middle Tennessee State University and want to wish Dr. Ricketts and his students the best of luck in this weekend's competition.

I am also optimistic that Dr. Ricketts' future research will benefit from the provisions of H.R. 4908.

Mr. Speaker, this is an open rule and I urge my colleagues to adopt the resolution.

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

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

Mr. Speaker, I join my colleague, the gentleman from Tennessee [Mr. GORDON], in supporting this open rule. I commend the Committee on Science, Space, and Technology for its outstanding and perhaps unmatched record of requesting an open rule for every bill it has brought to the floor this Congress. Chairman GEORGE BROWN and ranking Republican member BOB WALKER have set an excellent example of bipartisan cooperation—one we all should try to emulate. I will insert comparative charts of open versus restrictive rules into the RECORD following my statement.

Consumption of electricity has grown at almost twice the rate of the growth of population, and it is critical that we pursue the potential of alternative sources of energy such as hydrogen and fusion to address our long-term energy needs. Some work has been done in this regard by various universities and research laboratories. In fact, Oak Ridge Laboratories, located in my home State of Tennessee, is at the forefront of many energy research programs. But much more remains to be done, and this bill provides the needed direction and guidance to continue the research and development of new energy sources to meet the demands of the future.

Mr. Speaker, I urge adoption of this rule so we can proceed with the consideration of this important measure.

Mr. Speaker, I include the comparative charts of open versus restrictive rules for the RECORD, as follows:

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted [1]	Open rules		Restrictive rules	
		Number	Percent [2]	Number	Percent [3]
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.—Continued

Congress (years)	Total rules granted [1]	Open rules		Restrictive rules	
		Number	Percent [2]	Number	Percent [3]
100th (1987–88)	123	66	54	57	46
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	91	25	27	66	73

[1] Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

[2] Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

[3] Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Aug. 18, 1994.

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–0; R–3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (d–4; R–9)	8 (D–3; R–5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D–8; R–29)	1(not submitted) (D–1; R–0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (1-D not submitted) (D–2; R–2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0 (May 24, 1993).
H. Res. 173 May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote (May 20, 1993)
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178. A: 236–194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177. A: 226–185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176.. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D–20; R–33)	27 (D–12; R–15)	A: 294–129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D–11; R–22)	5 (D–1; R–4)	A: 263–160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401–0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261–164. (July 21, 1993).
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D–8; R–6)	2 (D–2; R–0)	PQ: 245–178. F: 205–216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D–8; R–7)	2 (D–2; R–0)	A: 224–205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D–109; R–40)		A: 246–172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization			PQ: 237–169. A: 234–169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D–3; R–9)	1 (D–1; R–0)	A: 213–191–1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization		91 (D–67; R–24)	A: 241–182. (Sept. 28, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238–188 (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D–0; R–7)	3 (D–0; R–3)	PQ: 240–185. A: 225–195. (Oct. 14, 1993).
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	A: 239–150. (Oct. 15, 1993).
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 273, Oct. 12, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	PQ: 235–187. F: 149–254. (Oct. 14, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D–7; R–7; I–1)	10 (D–7; R–3)	A: Voice Vote. (Oct. 13, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	N/A	N/A	A: Voice Vote. (Oct. 21, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumbee Recognition Act	N/A	N/A	A: Voice Vote. (Oct. 28, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D–0; R–0)	0	A: 252–170. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	N/A	N/A	A: Voice Vote. (Nov. 3, 1993).
H. Res. 293, Nov. 4, 1993	MC	H. Con. Res. 170: Troop withdrawal Somalia	N/A	N/A	A: 390–8. (Nov. 8, 1993).
H. Res. 299, Nov. 8, 1993	MO	H.R. 1036: Employee Retirement Act–1993	2 (D–1; R–1)	N/A	A: Voice Vote. (Nov. 9, 1993).
H. Res. 302, Nov. 9, 1993	MC	H.R. 1025: Brady handgun bill	17 (D–6; R–11)	4 (D–1; R–3)	A: 238–182. (Nov. 10, 1993).
H. Res. 303, Nov. 9, 1993	O	H.R. 322: Mineral exploration	N/A	N/A	A: Voice Vote. (Nov. 16, 1993).
H. Res. 304, Nov. 9, 1993	C	H.J. Res. 288: Further CR, FY 1994	N/A	N/A	
H. Res. 312, Nov. 17, 1993	MC	H.R. 3425: EPA Cabinet Status	27 (D–8; R–19)	9 (D–1; R–8)	F: 191–227. (Feb. 2, 1994).
H. Res. 313, Nov. 17, 1993	MC	H.R. 796: Freedom Access to Clinics	15 (D–9; R–6)	4 (D–1; R–3)	A: 233–192. (Nov. 18, 1993).
H. Res. 314, Nov. 17, 1993	MC	H.R. 3351: Alt Methods Young Offenders	21 (D–7; R–14)	6 (D–3; R–3)	A: 238–179. (Nov. 19, 1993).
H. Res. 316, Nov. 19, 1993	C	H.R. 51: D.C. statehood bill	1 (D–1; R–0)	N/A	A: 252–172. (Nov. 20, 1993).
H. Res. 319, Nov. 20, 1993	MC	H.R. 3: Campaign Finance Reform	35 (D–6; R–29)	1 (D–0; R–1)	A: 220–207. (Nov. 21, 1993).
H. Res. 320, Nov. 20, 1993	MC	H.R. 3400: Reinventing Government	34 (D–15; R–19)	3 (D–3; R–0)	A: 247–183. (Nov. 22, 1993).
H. Res. 336, Feb. 2, 1994	MC	H.R. 3759: Emergency Supplemental Appropriations	14 (D–8; R–5; I–1)	5 (D–3; R–2)	PQ: 244–168. A: 342–65. (Feb. 3, 1994).
H. Res. 352, Feb. 8, 1994	MC	H.R. 811: Independent Counsel Act	27 (D–8; R–19)	10 (D–4; R–6)	PQ: 249–174. A: 242–174. (Feb. 9, 1994).
H. Res. 357, Feb. 9, 1994	MC	H.R. 3345: Federal Workforce Restructuring	3 (D–2; R–1)	2 (D–2; R–0)	A: VV (Feb. 10, 1994).
H. Res. 366, Feb. 23, 1994	MO	H.R. 6: Improving America's Schools	NA	NA	A: VV (Feb. 24, 1994).
H. Res. 384, Mar. 9, 1994	MC	H. Con. Res. 218: Budget Resolution FY 1995–99	14 (D–5; R–9)	5 (D–3; R–2)	A: 245–171 (Mar. 10, 1994).
H. Res. 401, Apr. 12, 1994	MO	H.R. 4092: Violent Crime Control	180 (D–98; R–82)	68 (D–47; R–21)	A: 244–176 (Apr. 13, 1994).
H. Res. 410, Apr. 21, 1994	MO	H.R. 3221: Iraqi Claims Act	N/A	N/A	A: Voice Vote (Apr. 28, 1994).
H. Res. 414, Apr. 28, 1994	O	H.R. 3254: NSF Auth. Act	N/A	N/A	A: Voice Vote (May 3, 1994).
H. Res. 416, May 4, 1994	C	H.R. 4296: Assault Weapons Ban Act	7 (D–5; R–2)	0 (D–0; R–0)	A: 220–209 (May 5, 1994).
H. Res. 420, May 5, 1994	O	H.R. 2442: EDA Reauthorization	N/A	N/A	A: Voice Vote (May 10, 1994).
H. Res. 422, May 11, 1994	MO	H.R. 518: California Desert Protection	N/A	N/A	PQ: 245–172 A: 248–165 (May 17, 1994).
H. Res. 423, May 11, 1994	O	H.R. 2473: Montana Wilderness Act	N/A	N/A	A: Voice Vote (May 12, 1994).
H. Res. 428, May 17, 1994	MO	H.R. 2108: Black Lung Benefits Act	4 (D–1; R–3)	N/A	A: VV (May 19, 1994).
H. Res. 429, May 17, 1994	MO	H.R. 4301: Defense Auth., FY 1995	173 (D–115; R–58)		A: 369–49 (May 18, 1994).
H. Res. 431, May 20, 1994	MO	H.R. 4301: Defense Auth., FY 1995		100 (D–80; R–20)	A: Voice Vote (May 23, 1994).
H. Res. 440, May 24, 1994	MC	H.R. 4385: Natl Hiway System Designation	16 (D–10; R–6)	5 (D–5; R–0)	A: Voice Vote (May 25, 1994).
H. Res. 443, May 25, 1994	MC	H.R. 4426: For. Ops. Approps, FY 1995	39 (D–11; R–28)	8 (D–3; R–5)	PQ: 233–191 A: 244–181 (May 25, 1994).
H. Res. 444, May 25, 1994	MC	H.R. 4454: Leg Branch Approp, FY 1995	43 (D–10; R–33)	12 (D–8; R–4)	A: 249–177 (May 26, 1994).
H. Res. 447, June 8, 1994	O	H.R. 4539: Treasury/Postal Approps 1995	N/A	N/A	A: 236–177 (June 9, 1994).
H. Res. 467, June 28, 1994	MC	H.R. 4600: Expedited Rescissions Act	N/A	N/A	PQ: 240–185 A:Voice Vote (July 14, 1994).
H. Res. 468, June 28, 1994	MO	H.R. 4299: Intelligence Auth., FY 1995	N/A	N/A	A: Voice Vote (July 19, 1994).
H. Res. 474, July 12, 1994	MO	H.R. 3937: Export Admin. Act of 1994	N/A	N/A	A: Voice Vote (July 14, 1994).
H. Res. 475, July 12, 1994	O	H.R. 1188: Anti. Redlining in Ins	N/A	N/A	A: Voice Vote (July 20, 1994).
H. Res. 482, July 20, 1994	O	H.R. 3838: Housing & Comm. Dev. Act	N/A	N/A	A: Voice Vote (July 21, 1994).
H. Res. 483, July 20, 1994	O	H.R. 3870: Environ. Tech. Act of 1994	N/A	N/A	A: Voice Vote (July 26, 1994).
H. Res. 484, July 20, 1994	MC	H.R. 4604: Budget Control Act of 1994	3 (D–2; R–1)	3 (D–2; R–1)	PQ: 245–180 A: Voice Vote (July 21, 1994).
H. Res. 491, July 27, 1994	O	H.R. 2448: Radon Disclosure Act	N/A	N/A	A: Voice Vote (July 28, 1994).
H. Res. 492, July 27, 1994	O	S. 208: NPS Concession Policy	N/A	N/A	A: Voice Vote (July 28, 1994).
H. Res. 494, July 28, 1994	MC	H.R. 4801: SBA Reauth & Amdmts. Act	10 (D–5; R–5)	6 (D–4; R–2)	PQ: 215–169 A: 221–161 (July 29, 1994).
H. Res. 500, Aug. 1, 1994	MO	H.R. 4003: Maritime Admin. Reauth.	N/A	N/A	A: 336–77 (Aug. 2, 1994).
H. Res. 501, Aug. 1, 1994	O	S. 1357: Little Traverse Bay Bands	N/A	N/A	A: Voice Vote (Aug. 3, 1994).

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.—Continued

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 502, Aug. 1, 1994	O	H.R. 1066: Pokagon Band of Potawatomi	N/A	N/A	A: Voice Vote (Aug. 3, 1994).
H. Res. 507, Aug. 4, 1994	O	H.R. 4217: Federal Crop Insurance	N/A	N/A	A: Voice Vote (Aug. 5, 1994).
H. Res. 509, Aug. 5, 1994	MC	H.J. Res. 373/H.R. 4590: MFN China Policy	N/A	N/A	A: Voice Vote (Aug. 9, 1994).
H. Res. 513, Aug. 9, 1994	MC	H.R. 4906: Emergency Spending Control Act	N/A	N/A	A: Voice Vote (Aug. 17, 1994).
H. Res. 512, Aug. 9, 1994	MC	H.R. 4907: Full Budget Disclosure Act	N/A	N/A	A: 255–178 (Aug. 11, 1994).
H. Res. 514, Aug. 9, 1994	MC	H.R. 4822: Cong. Accountability	33 (D–16; R–17)	16 (D–10; R–6)	PQ: 247–185 A: Voice Vote (Aug. 10, 1994).
H. Res. 515, Aug. 10, 1994	O	H.R. 4908: Hydrogen Etc. Research Act	N/A	N/A	
H. Res. 516, Aug. 10, 1994	MO	H.R. 3433: Presidio Management	12 (D–2; R–10)	N/A	A: Voice Vote (Aug. 18, 1994).

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

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

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNUAL REPORTS ON ACTIVITIES OF DEPARTMENT OF LABOR AND DEPARTMENT OF HEALTH AND HUMAN SERVICES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

To the Congress of the United States:

In accordance with section 26 of the Occupational Safety and Health Act of 1970 (Public Law 91–596; 29 U.S.C. 675), I transmit herewith the 1991 annual reports on activities of the Department of Labor and the Department of Health and Human Services. These reports were prepared by, and cover activities occurring exclusively during the previous Administration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *August 19, 1994.*

HYDROGEN, FUSION, AND HIGH ENERGY AND NUCLEAR PHYSICS RESEARCH ACT OF 1994

The SPEAKER pro tempore. Pursuant to House Resolution 522 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4908.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4908) to authorize the hydrogen and fusion research, development, and demonstration programs, and the high energy physics and nuclear physics programs, of the Department of Energy, and for other purposes, with Mr. OLVER in the chair.

The Clerk read the title of the bill.

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

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

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

Mr. BROWN of California. I yield myself such time as I may consume.

Mr. Chairman, this is an important bill, as will be spelled out in more detail. However, it is not a controversial bill. It was adopted by a unanimous voice vote in committee.

Some of the problems that have arisen subsequently caused us to go to the Committee on Rules for a rule rather than taking it up on suspension. They were miscommunications more than anything else, for which I take full responsibility and gladly accept it.

The miscommunications had to do with the question of whether or not to have caps with regard to the funding on the bill. This caused us some problems because the bill originally was two separate bills which went to two separate subcommittees.

One subcommittee reported the bill with caps, the other one did not. In neither subcommittee was there any enthusiasm for the caps, but they were adopted nevertheless in the one subcommittee.

At one point we thought we could agree upon a reasonable cap for the whole bill, but we were unable to do that.

So we are bringing this to the floor in the condition that it was reported out of the full committee, with a cap on part of it and no cap on another part of it.

While we were considering some amendments to extend the caps to the whole bill or to remove the caps from the whole bill, I think our current situation is that we will leave the bill the way it was reported out of the committee and hope that we can survive on that basis.

I am going to leave more detailed explanation to the two subcommittee chairmen at this point and allow Mr. WALKER to use such time as he wishes.

Mr. Chairman, H.R. 4908, the Hydrogen, Fusion, and High Energy and Nuclear Physics Act of 1994, is, for a number of reasons, a very important bill—one that represents much more than a collection of random research programs.

The first and most fundamental reason is that the bill represents a hopeful change in Congress' dismal record over the past 20 years in passing energy-related authorization bills. For example, the programs authorized in the high-energy physics and nuclear physics portions of this bill—programs which account for well over $1 billion in Federal spending—have not been fully authorized since 1981. The House did pass an authorization bill for the superconducting super collider in 1990, but it was not acted upon by the Senate. Further, although several of the programs in this bill—such as the hydrogen and fusion R&D programs—were in fact authorized in the Energy Policy Act of 1992, the bill before us today provides a higher level of policy guidance and program direction. I hope that this bill is a harbinger of things to come in terms of authorizing legislation on important energy programs.

The bill is also important because the four titles in the bill aggressively address the long-term energy needs of our Nation and of mankind. By the year 2050, world population is expected to double; global energy needs will likely increase by threefold. These energy demands will be driven by increasing population and by the emerging economies of Asia, eastern Europe, and the remainder of what we currently refer to as the less-developed countries. If we fail to meet these needs for energy, we court a future of constant struggle between the haves and the have-nots. Such a struggle can only lead to political instability and ultimately military confrontation. While the bill will obviously not resolve all the issues associated with increasing population and energy demands, it will catalyze important scientific and technical steps toward abundant, clean energy supplies. Both the hydrogen and fusion energy R&D programs authorized in titles I and II hold the promise of fuels that are nonpolluting and essentially unlimited.

Title I of H.R. 4908 provides for the development and demonstration of technologies to use hydrogen in transportation, industrial, residential, and utility applications. To encourage industry participation and the evolution of cost-competitive technologies, the bill calls for cost-sharing with industry in the development and demonstration processes. This is vitally important because cost competitiveness is the key to the successful development of hydrogen technologies that will be competitive in the energy marketplace.

The Fusion Energy Program authorized in title II is a research and development program

that will only be undertaken by government. The technical obstacles are so great and the development time is of such length that only government will accept such a challenge. Likewise, the benefit can not and should not be claimed by an individual or even a single nation. I would add, Mr. Chairman, that the potential benefits from fusion are likewise of such magnitude to future generations that we cannot, in good conscience, walk away from this challenge.

Provisions in title II mandate United States participation in an international cooperative development program to develop fusion energy with our European, Japanese, and Russian colleagues. The program, referred to as the international thermonuclear experimental reactor [ITER], will hopefully serve as a model for future international, cooperative scientific efforts. I would add, Mr. Chairman, that many improvements must be made in ITER's management and operational procedures if it is to be an effective model of international cooperation.

The bill authorizes the Department of Energy to participate in engineering design and research activities for ITER; however, it reserves judgment on U.S. participation in construction until a later date, after considerable consolation involving all the parties to the agreement.

Title II also authorizes construction of the tokamak physics experiment [TPX], a new experimental fusion machine. Research from the TPX will help to speed the development of future machines more suited to power production.

Titles III and IV of this bill address not only important basic research programs, but also the development and training of the future scientists and engineers who will be required to bring these technologies to fruition. Each of the programs in titles III and IV is facing difficult times and is in need of the kind of direction and stability for the near future that is provided by this authorization bill.

Title III of H.R. 4908 authorizes the high-energy and nuclear physics activities of the Department of Energy through fiscal year 1999. After the termination of the SSC, the committee sought a smooth transition to a new and exciting future for high-energy and nuclear physics. Title III sets the course for high-energy and nuclear physics funding, international cooperation, and strategic planning.

Title IV provides for the upgrading of more than 30 university reactors, located in 25 States, that are critical to the needs of students in fields such as materials sciences, chemistry, archaeology, medicinal research, geology, fluid mechanics, and biological sciences. These tools of research at our leading universities have been neglected too long.

Finally, let me note the importance of the House responding effectively to fusion legislation that has been sent over from the Senate. H.R. 4908 is in part such a response. But the bill also provides the vision of the House on the policies and direction needed to guide these programs. Given the events of the past few years and the problems surrounding the SSC, it is essential that significant commitments, spending priorities, and program direction be discussed and debated by this Congress. It is only through such discussion and debate among our colleagues and with the Senate that sustainable long-term commitments can be reached.

Mr. Chairman, I urge my colleagues on both sides of the aisle to support this bill, and I reserve the balance of my time.

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

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

Mr. Chairman, I join Chairman BROWN in offering this legislation before the House. Our committee has spent considerable time working, in a bipartisan manner, on this bill and I want to thank him, Chairman LLOYD, and the other members of the committee for the bill we brought forward.

This legislation focuses primarily on two forms of energy: hydrogen and fusion, while it also includes authorizations for the Department of Energy's high energy physics, nuclear physics, and some university education and nuclear programs.

I would like to focus my remarks at the outset, however, on one of the forms of energy that are contained in this bill. I introduced legislation along with the chairman of our committee, the gentleman from California [Mr. BROWN], earlier this year in an attempt to place hydrogen at the forefront of energy research and development at the Department of Energy. Hydrogen has shown itself to be a near-term replacement for our dependence on the fossil fuels that we now burn with abandon. Hydrogen as an energy carrier can be used for transportation, heating and cooling, power production through fuel cell technology, and any other use for which we now use fossil fuels. It has the added benefit of being nonpolluting and of being available from water. As an energy carrier it has few drawbacks that cannot be resolved by research.

I would like to believe that the Science Committee has taken a bold step by including my hydrogen legislation as title I of this bill. Not just because it is mine, but because by establishing it as an energy research and development priority I think it speaks to a sense of hope in our Nations energy future. I also believe that by adopting this legislation the House will show itself to be on the cutting edge of supporting the energy research and development necessary to adapt this Nation's energy needs for the 21st century. Hydrogen will play a major role in the energy mix of the future and it is up to us to see that we now begin that integration wisely, economically, and efficiently.

In this legislation the Science Committee has chosen priorities, but within the limits of the budget. By doing so the committee makes it clear that the standard policy of yearly increases, including an inflation factor, is over. The budget is too tight for that and the time for choices is now. The committee knows that some special interests will not be happy, but the committee also knows that authorized programs have gone through the process and have become its priorities. Some programs win and some programs lose, but when we make real budget choices, the taxpayer—the American public—always wins.

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

Mr. BROWN of California. Mr. Chairman, let me at this point thank the gentleman from Pennsylvania [Mr. WALKER] for his contribution to the cause. As the gentleman stated, we have joined in offering the legislation, which constitutes title I. It is a very important initiative, and I compliment the gentleman for the work that he has put into it.

Aside from straying once or twice into some areas like caps, the gentleman has been a very forceful, helpful proponent of the content of this entire bill, and I appreciate that.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Tennessee [Mrs. LLOYD], who chairs the Subcommittee on Energy.

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

Mr. Chairman, I do rise to speak on the bill, H.R. 4908, the Hydrogen Fusion High Energy and Nuclear Physics Act of 1994.

Mr. Chairman, our hydrogen and fusion programs were authorized in the Energy Policy Act for fiscal year 1993 and fiscal year 1994, but H.R. 4908 authorizes these important programs for fiscal year 1995, 1996, and 1997. Further, this bill provides significant program direction to expand these existing programs. The Hydrogen Research Program offers the potential to reach midterm goals toward commercialization in possibly 20 years. The Fusion Research Program remains a long-term research effort and is not expected to yield fruit for nearly 50 years. I would point out, however, that significant progress has been made in the past year in fusion research.

The world's energy demand is growing rapidly even today in developing countries. The predictions of the population growth over the next 50 years coupled with economic aspirations indicate that we must start down a path of clean, abundant, and affordable energy supplies.

Mr. Chairman, our Federal investment in energy supply has declined by two-thirds in the last 14 years, two-thirds.

Two other key provisions of this bill provide the very foundation to continue our hydrogen and fusion efforts and our basic science research. The High Energy and Nuclear Physics Programs will have an authorization to continue these very important basic science programs.

The University Radiation Science and Technology Program will support

our Nation's human resource base for new students that we need going into these important fields while also providing for basic research in nuclear and environmental sciences. Further, the much-needed reactor upgrades at university campuses across the country will begin offering modern safety equipment.

Mr. Chairman, these are very important programs which are needed to address our energy, our science and our research needs to prepare us for the 21st century and prepare for the needs of a growing world population.

Despite the positive features of this bill, and there are many, I still have strong reservations about the cap on energy research that has been inserted into the bill. This cap, which reaches will beyond the scope of the bill, significantly impacts a number of programs that are not addressed in the bill. These impacts have consequences that were neither understood nor debated in our deliberations on the bill before it reached the floor.

These caps, Mr. Chairman, will not reduce the deficit by limiting Federal spending. Anyone who understands anything about the budget process knows that these caps will have no impact on Federal spending. The budget agreement of 1993 controls discretionary Federal spending. The amendment simply limits the amount of that discretionary spending that can be used for the research and development programs covered by the proposed caps.

I will also say it says something about us as a Nation if we make research and development a very low priority.

Mr. Chairman, despite these reservations, I will support the bill, and I would hope that we can work them out in conference. However, in the future I think we should strongly oppose the use of thoughtless approaches, such as the caps, as we look at future legislation.

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Mr. WALKER. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, I urge my colleagues to join me in supporting this important legislation that provides the resources to maintain U.S. world leadership, particularly in high energy physics.

The Drell panel did some outstanding work in its report on the future of American high energy physics and provided the basis for that portion of this legislation before us today.

In the wake of the cancellation of the superconducting super collider, Mr. Chairman, we simply must maintain our existing programs at world class level, along with joining the international scientific community in development of the large hadron collider in Europe.

Mr. Chairman, let me stress that. I think that we must maintain our existing programs at a world class level, along with joining the international scientific community in development of the large hadron collider in Europe. Contrary to what the doomsayers were saying upon the demise of the superconducting super collider, the future of high energy physics in America is bright indeed because we are taking an enlightened approach to that future.

The funding called for in the bill is an appropriate expenditure that totals barely 1 percent of what the SSC would have cost, but pays dividends far beyond the investment. Not only will important current work continue under the provisions of this bill, but the field will remain open to a new generation of young scientists who rely on continuing resources to complete their work. They can open up a new universe for us all if we only give them the tools.

Thirty years ago Dr. Isidore Rabi displayed great wisdom when he said, "Science is a great game. It is inspiring and refreshing. The playing field is the universe itself."

The Drell panel gave us a close-up view from the very edge of that playing field. This bill puts us in the game. Join me, join our bipartisan leadership, in supporting the science and the scientists who need the resources to carry on with their vital work.

Before I conclude, Mr. Chairman, I would like to pay tribute to the chairman of our Subcommittee on Science, the gentleman from Virginia [Mr. BOUCHER], for his leadership, chairman of the full committee, the gentleman from California [Mr. BROWN], for his leadership, and the ranking member of the full committee, the Republican chairman of the full committee as we call him, the gentleman from Pennsylvania [Mr. WALKER]. Also I commend the gentlewoman from Tennessee [Mrs. LLOYD] and the gentleman from Illinois [Mr. FAWELL]. This has been a partnership in our Committee on Science, Space, and Technology.

Now it has not always been the smoothest of sailing because along the way there have been occasional misunderstandings, but I think now the dialog has been opened, and now that we are having better communication I think we have fashioned a package that we can all be proud of, and I look forward to identifying with it and moving forward in this critical, important area of science.

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

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

Mr. WALKER. Mr. Chairman, I simply want to take the time to also thank the gentleman for the work that he did. As the gentleman pointed out, there have been a series of, I think, misunderstandings about the intent of some of what we were attempting to do with regard to the cap issue that the chairman raised a few minutes ago, but the gentleman has been extremely helpful in trying to negotiate and trying to come up with some alternatives that would have helped.

As it turns out, I think we have come to some understandings that will allow us to move forward with the bill without getting into a number of those discussions, and I think that is probably the best way to resolve it. But the gentleman has been extremely helpful, and I think the entire science community needs to know that his work in these areas has always exemplified, No. 1, his understanding of the issues and his feel for them, also his determination to see that this is all done within proper budget constraints, and I thank him very much.

Mr. BOEHLERT. Mr. Chairman, I thank my colleague for those kind words.

Mr. BROWN of California. Mr. Chairman, I yield myself 1 minute for the purpose of adding some laudatory comments to the work done by the distinguished gentleman from New York [Mr. BOEHLERT] as well as other Members on that side, such as the gentleman from Illinois [Mr. FAWELL], who has been a constructive and important influence on the development of this bill.

Unfortunately there are times when we tend to lose our focus on the truly monumental significance of the content of the legislation and become sidetracked over important, but not nearly as significant, details with regard to how the programs are administered. As several people have pointed out here, the subject of energy development really is at the heart of the whole world's programs and problems.

Over the next several years, Mr. Chairman, both the need for energy and the need for energy which will reduce the environmental impact have passed energy sources such as coal, oil, and nuclear, and we are moving in this bill to set the framework for solving some of these problems.

Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Virginia [Mr. BOUCHER], who chairs the Subcommittee on Science, which has jurisdiction over the high energy physics and the general science activities of the Department of Energy.

Mr. BOUCHER. Mr. Chairman, I want to express my appreciation to the chairman of the full committee, the gentleman from California [Mr. BROWN], for yielding this time and also express my thanks and gratitude to the ranking Republican member of this subcommittee, the gentleman from New York [Mr. BOEHLERT] and the ranking Republican on the full committee, the gentleman from Pennsylvania [Mr. WALKER] for their assistance as we have structured those provisions

relating to high energy and nuclear physics and brought those to the floor. It is my pleasure this morning to rise in strong support of H.R. 4908.

Mr. Chairman, the bill could become a landmark public law, since the multi-billion-dollar Department of Energy R&D programs which are authorized by this legislation have not been authorized in well over a decade.

Indifference toward the stewardship of these programs led, in part, to the tragedy of the superconducting super collider [SSC]. Now and in the future, Congress must exercise more effective oversight and policy direction for DOE R&D activities to avoid similar problems and to strengthen meritorious programs.

I would like to emphasize the importance of Title III, High Energy and Nuclear Physics, which was crafted and reported by the Subcommittee on Science.

There are three major reasons to invigorate these programs through authorizing legislation:

First, the Federal Government deliberately underfunded the DOE's high energy and nuclear physics base programs for the past several years—to accommodate the funding of the SSC. The base programs now deserve restoration.

Second, the next accelerator to be built is the large hadron collider [LHC] at CERN, the European Laboratory for Particle Physics. U.S. scientists use the CERN facilities presently and will undoubtedly use the LHC when it is constructed. The time has come for the United States to make a financial contribution to this international project, reflecting the value U.S. scientists now receive and will receive in future years. U.S. commitment to this international partnership will also establish the potential for construction in the United States of an advanced accelerator project after the turn of the century that will enjoy multinational participation.

Finally, the Department of Energy now prepares neither a comprehensive, strategic plan—nor related budget projections—for its high energy and nuclear physics activities. The time has come to require that strategic planning is a matter of law.

The bill before us is a proper response to these widely acknowledged needs.

First, as a means of reinvigorating the High Energy Physics Program in the wake of SSC cancellation, it authorizes a modest increase of $50 million after inflation each year for fiscal years 1996 through 1998. After that 3-year period, the bill discontinues the $50 million annual addition to the program and authorizes funding for the program thereafter on the basis of current expenditures plus inflation. This level of funding was recommended by the most recent advisory panel commissioned by DOE and reflects the needs expressed by the high energy physics community.

The funding increase for fiscal years 1996–98 would accommodate the completion of upgrades at current DOE facilities, finance a U.S. contribution to CERN, and provide an adequate base program of facilities operation and investigator grant awards.

Second, the bill authorizes funding for the Nuclear Science Program for 4 years that is consistent with the fiscal year 1995 House- and Senate-approved appropriation and that includes allowances for inflation. This funding profile provides sufficient operating moneys for current DOE nuclear science facilities and for the construction of the Relativistic Heavy Ion Collider at Brookhaven National Laboratory.

The authorization levels for high energy and nuclear physics are modest when viewed against the enormous budgetary savings which will result from the cancellation of the SSC. In essence, the bill would allow the Department of Energy to reinvest what amounts to 1 percent of the price tag for the SSC to sustain these physics programs and pursue new research opportunities.

Third, the bill directs the Secretary of Energy to negotiate with CERN regarding U.S. participation in the LHC and to ensure that any agreement includes specific provisions to protect the U.S. investment.

A successful international experience at CERN would enhance the prospects for a post-2000 liner collider project in the United States that enjoys multinational participation.

Fourth, the bill provides that no construction project valued at $100 million or higher may be undertaken without express authorization. We want to ensure, in the future, sufficient public and congressional support before commitments are made to large accelerator projects. If such a provision had been in place during the early consideration of the SCC, either the project would have received adequate support to survive or would not have received preliminary funding.

Finally, the bill directs the Secretary of Energy, in consultation with the Director of the National Science Foundation, to submit to Congress a long-range plan every 3 years beginning with fiscal year 1997.

Industry, the administration, and the scientific community are united in support of the goals of H.R. 4908. It is my pleasure to commend the measure to the House for its favorable consideration.

□ 1130

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

Mr. WALKER. Mr. Chairman, I yield 7 minutes to the gentleman from Illinois [Mr. FAWELL].

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

Mr. Chairman, this bill has many positive features that I can readily support. These include the following: The provisions of title I, the Hydrogen Future Act of 1994, which makes certainly an important contribution in helping realize the many benefits of hydrogen; the provisions of title II, the Fusion Energy Research Act, in particular, which seeks to boost research of alternative fusion concepts; the provisions of title III, the Department of Energy High Energy and Nuclear Physics Authorization Act of 1994, about which we just heard, intended to reinvigorate the Department's Energy Physics Program, which is still struggling to regroup after the cancellation of the superconducting super collider; and finally, title IV, dealing with the University Radiation Science and Technology, which has the potential to reinvigorate a long-neglected area of university-based education.

At the same time, however, I do have a number of concerns with the bill that I am not going to take time to elaborate on here, but I will provide material for the RECORD, and I am hopeful that a number of these areas can be addressed during today's floor consideration.

There is one area, though, that I do want to center a little bit of my time on. There has been some reference made in regard to the caps on spending which pertains to the energy supply R&D account. I am certainly one who has been strongly in favor of caps on spending as long as I can be assured that it is fair to all parties. I have some concerns and ambivalence here.

What we have in H.R. 4908 is an authorization of $3.302 billion for energy supply R&D for the years 1995 through 1998, and a statement that the authorization therein set forth shall not exceed the amount of $3.302 billion—in other words, a cap. But then, out of the many important activities of the energy supply R&D activities, which include solar and renewable energy, electric energy systems, energy storage, nuclear fission, hydrogen, fusion, biological and environmental research, basic energy sciences, which is so vital to so many universities, environmental restoration programs, et cetera, only hydrogen and fusion activities are given specific authorizations. Hydrogen activities are authorized for 1995 through 1998 and fusion activities for 1995 through 1997. As long as that is so, the "cap" only applies to those activities within Energy Supply R&D which do not have a specific authorization. That, Mr. Chairman, is not fair.

Why should the hydrogen and fusion activities be given specific authorizations containing, by the way, some $245 million of increases? Under these circumstances, if the cap causes a shortfall of money in the Energy Supply R&D activities, the only activities to suffer will be those other than hydrogen and fusion. Hydrogen and fusion

activities will be, in effect, sheltered from the effects of the cap if appropriators were to be guided by these authorizations.

Nobody can really know, of course, what the appropriators will ultimately do, but from the viewpoint of the authorizing committee, under this type of authorization process we have an emphasis in two basic areas that are important, but with any shortfall caused by the cap falling on the rest of the Energy Supply R&D projects.

This is a concern that I wanted to express. I think we should not use caps and then try to shelter favored programs from the cap. I think if the legislation has an Achilles heel, this is it. I hope that as things turn out, there will not be any undue burden put upon the budgets of all these other activities of energy supply R&D. That may, indeed, be ultimately the case.

□ 1150

I would close by commending certainly the efforts of the Committee on Science, Space, and Technology, its chairman, the gentleman from California [Mr. BROWN, the committee's ranking Republican member, the gentleman from Pennsylvania [Mr. WALKER], the chairman of the Subcommittee on Energy, the gentlewoman from Tennessee [Mrs. LLOYD], the chairman of the Subcommittee on Science, the gentleman from Virginia [Mr. BOUCHER], and the ranking Republican member, the gentleman from New York [Mr. BOEHLERT], for all of their hard work on this bill.

I know that there are many, many more fine points than the ones I have concern about, and I appreciate this opportunity having the time given to me.

Mr. Chairman, this bill has many positive features that I can readily support. These include the following: Provisions of title I—the Hydrogen Future Act of 1994—which make an important contribution in helping us realize the many benefits of hydrogen; provisions of title II—fusion energy research—in particular, which seek to boost research of alternative fusion concepts; provisions of title III—the Department of Energy High Energy and Nuclear Physics Authorization Act of 1994—intended to reinvigorate the DOE's High Energy Physics Program, which is still struggling to regroup after the cancellation of the superconducting super collider; and title IV—dealing with university radiation science and technology—which has the potential to reinvigorate a long-neglected area of university-based education.

At the same time, however, I do have a number of concerns with the bill that I will not take time to elaborate here, but will provide for the RECORD. And, I am hopeful that a number of these can be addressed during today's floor consideration.

TITLE I—HYDROGEN FUTURE ACT OF 1994

Section 110(b) of title I include a 4-year cap—fiscal year 1995–1998—on authorizations of $3,302,170,000 for the DOE's energy supply research and development activities—which include solar and renewable energy, electric energy systems and energy storage, nuclear fission and fusion, biological and environmental research, basic energy sciences and environmental restoration programs—nearly $12.4 million below the level contained in the fiscal year 1995 Energy and Water Conference Report approved by the House last week on August 10.

During the period this overall authorization cap is imposed on Energy Supply R&D, titles I and II of the bill add an additional $244.874 million for hydrogen and fusion energy research—$90 million and $154.874 million, respectively—for the period fiscal year 1996–1998. This results in increased budgetary pressures in other energy supply R&D accounts—amounting to $62.437 million in fiscal year 1996, $132.437 million in fiscal year 1997, and $50 million in fiscal year 1999—which could result in additional across-the-board cuts of nearly 2 percent in fiscal year 1996, 4 percent in fiscal year 1997, and 1.5 percent in fiscal year 1998, and without any allowance for inflation.

I have particular concerns about the impacts of this cap on DOE's basic energy sciences [BES] and biological and environmental research [BER] programs.

The BES program annually supports 1,400 individual research projects at over 200 separate institutions—primarily at universities and DOE labs—with direct support for over 4,000 investigators and 2,300 graduate students. The BER program funds important medical, life sciences, and environmental research, including global climate change, at DOE labs and universities.

To me, this provision is the Achilles' heel of this bill.

TITLE II—FUSION ENERGY RESEARCH PROGRAM

On August 2, 1994, the day before the full committee markup, the Subcommittee on Energy received some 5 hours of testimony from 11 witnesses on this title, including representatives of the Department of Energy, DOE labs, academia, environmental and taxpayer groups, and the former Director of the International Thermonuclear Experimental Reactor project [ITER], Dr. Paul-Henri Rebut, who gave a sobering assessment of the ITER management difficulties. I believe that Dr. Rebut's testimony should be carefully studied by every Member, and I am attaching a copy of it to this statement.

It was unfortunate that the committee did not have more time to absorb the vast quantity of information delivered at that hearing. In particular, I want to note that the DOE witness's testimony included five detailed pages of recommended changes to this title—none of which have been included in the bill.

While the subcommittee received conflicting and sometimes contradictory testimony at the August 2 hearing, I believe that four principal themes were expressed:

First, the DOE and the mainstream fusion community strongly support the TPX and ITER. However, DOE acknowledged that in a flat budget scenario, even building TPX was going to squeeze the program.

Second, there was widespread acknowledgement of the need for advanced materials testing facilities, for, I believe, it is universally acknowledged that without the development of advanced materials, the mainline magnetic fusion concept, the tokamak, has limited potential of ever becoming an economic, environmentally safe power producer.

Third, there was widespread support for more research on alternative fusion concepts, that is, on nontokamak magnetic fusion concepts, inertial confinement fusion energy concepts emphasizing heavy ions as a driver, and more exotic concepts, such as electrostatic concepts.

And fourth, Dr. Rebut said, in so many words, is that ITER is doomed to failure without significant changes to its management structure. ITER is being run by committees, with all decisions requiring unanimity, and with a Director with no real decisionmaking authority and no budget. This is a recipe for guaranteed failure, and I was not comforted by DOE's recommended changes to ITER, which include a new Director and a division of the former Director's responsibilities among more people. It sounds like the rearranging of chairs on the deck of the Titanic.

It is my opinion that the fusion title, title II, could be significantly improved if it included the following:

First, highlighting the importance and role of advanced materials and advanced materials testing facilities. The title does briefly mention advanced materials and facilities, but it does not sufficiently highlight their importance. And, in fact, the language in section 208(e) prohibiting the use of funds "for the design, engineering, or construction of any magnetic fusion facility other than ITER, facilities related to ITER, and the tokamak physics experiment" may well prohibit U.S. participation in the recently inaugurated International Energy Agency's International Fusion Materials Irradiation Facility Conceptual Design Activity.

Second, addressing the ITER management problem. The title directs the Secretary to enter into an ITER agreement with international partners, but is silent on the preferred management structure. I believe that continued U.S. support of ITER should be made contingent on the establishment of: (First)

ITER as a legal entity with its own budget accountable to the international partners; (second) a streamlined, efficient management structure, reporting to a single individual, the ITER Director, who is empowered to make decisions; and (third) an oversight body, such as the ITER Council, which includes individuals with knowledge of building large scientific and engineering projects and representatives from outside the fusion community. Failure to correct, and correct quickly, ITER's basic management flaws, will doom the project to failure.

Third, clarifying what is meant by alternative fusion concepts and providing an adequate level of support for those concepts. The title limits alternative concepts to only nontoroidal magnetic fusion concepts, including heavy ion inertial fusion, aneutronic fusion, and electrostatic fusion. This excludes from consideration what most of the fusion community also perceives to be alternative concepts—namely, all nontokamak fusion concepts, some of which are toroidal, for example, the stellarator, reversed-field pinch, spheromak, etc. Furthermore, the portion of the budget to be devoted to alternatives is only about 7 percent, and the bill almost totally earmarks this 7 percent set-aside for heavy ion fusion. This means that all alternatives other than heavy ion fusion are likely to end up with even less support than before. I believe that a set-aside of the order of 10 percent or greater is more in line with the recommendations of broad segment of the fusion community, and is a level that should allow heavy ion fusion to proceed and other alternatives to be addressed.

TITLE III—DOE HIGH ENERGY AND NUCLEAR PHYSICS AUTHORIZATION ACT OF 1994

Title III of the bill, the Department of Energy High Energy and Nuclear Physics Authorization Act of 1994, has noble purposes in that it attempts to reinvigorate the DOE's High Energy Physics Program following the loss of the superconducting super collider. It provides the administration's fiscal year 1995 request, plus an annual inflationary allowance of 3.5 percent annually for 4 fiscal years, fiscal year 1996–99. It also provides an additional $50 million per year for the 3 fiscal years, fiscal year 1996–98. Finally, it authorizes construction of the Tevatron upgrade at the Fermi National Accelerator Laboratory, the construction of the B-factory at the Stanford Linear Accelerator Center, and preliminary research, development, and planning for the large hadron collider [LHC] at the CERN laboratory in Europe.

The bill also provides a 4-year authorization for DOE's Nuclear Physics Program, including adjustments for inflation and the termination of Los Alamos Meson Physics Facility by fiscal year 1997, and authorizes the construction of the relativistic heavy ion collider [RHIC] at Brookhaven National Laboratory.

However, the title is seriously flawed because it does not cap expenditures for the three U.S. construction projects—Tevatron Upgrade, B-Factory, and RHIC—and actually authorizes funding of the construction and operation of the LHC, without further congressional action, upon certification by the Secretary of Energy that there is a satisfactory international agreement.

DOE currently estimates the total project cost [TPC] of the Tevatron Upgrade to be $259.3 million, with an additional $146.95 million required in fiscal year 1996–98; the TPC of the B-Factory at $293.2 million, with an additional $168 million required in fiscal year 1996–98; and the TPC of RHIC at $595.25 million, with an additional $260.436 million required in fiscal year 1996–99. The cost of a U.S. share of the LHC is, of course, unknown at the present time. The failure of this title to cap the costs of the Tevatron Upgrade, the B-Factory, and the RHIC, as well as the unknown costs of the LHC means that we could be facing a situation where cost overruns on one or more of these projects would result in the diversion of facility operating funding, and require existing facilities to stand idle, clearly an unsatisfactory situation.

A more prudent course would be to cap the costs of the Tevatron Upgrade, B-Factory, and RHIC at the current DOE estimates, and to not authorize construction or operation funding for the LHC until we know what the price tag will be, and what the impact of the LHC's cost will be on the operation of these new and other existing facilities. Otherwise, we may once again find ourselves in the situation of devoting all our scarce research dollars to building facilities that we cannot afford to operate.

STATEMENT OF PAUL-HENRI REBUT, FORMER DIRECTOR, INTERNATIONAL THERMONUCLEAR EXPERIMENTAL REACTOR [ITER], SAN DIEGO JOINT WORK SITE, LA JOLLA, CA

I consider fusion a major source of energy because of the quality of fusion fuel available and due to fusion's low impact on the environment.

Fusion must certainly play a major role with other sources of energy in the future.

The most advanced results in fusion have been provided by tokamak reactors. Recent DT experiments, first at JET and then at TFTR, have shown that thermonuclear plasma can be controlled.

These successful results demonstrate that the construction of an experimental reactor based on the tokamak concept is possible. ITER is such an experimental reactor.

With ITER, we are at a turning point between plasma research and the reactor. To make the transition, a change in the way of working in the field of fusion is required.

The four parties, the U.S., EC, Japan, and the Russian federation, have decided to join together for the engineering design activity of ITER and to create four home teams and a joint central team, governed by the ITER Council which operates with the rule of unanimity.

The joint central team, which is responsible for design integration and the coordination of R&D, is not a legal entity, nor is any significant sum of money directly allocated to it. In my view, this structure is inadequate to organize the project and bring ITER to the point where it can be constructed.

The representatives of the parties of the ITER Council include mainly the fusion program leaders and representatives of the party at a nontechnical level, and appear to be more interested in the consensus of the parties, resulting in decisions based on the lowest common denominator, and to be more concerned with the work awarded to each home team than by the success of the engineering design activity.

The ITER Council is mainly interested in political and bureaucratic issues and does not have sufficient comprehension of the requirements of such a large project in terms of organization and technical and scientific challenges. The structure of ITER must be improved and progress towards a "project oriented" structure if it is to succeed. Several recommended improvements are discussed in the attached document, "Evolution of the International Thermonuclear Experiment Reactor Engineering Design Activities," presented to the sixth meeting of the ITER Council July 27–28, 1994, written by Paul-Henri Rebut, ITER Director, 20 July 1994).

With such improvements, I am confident that the engineering design activity will be successful and that ITER will demonstrate the reality of fusion as a source of energy.

I also consider that national experiments like TPX are vital to the support of ITER.

EVOLUTION OF THE INTERNATIONAL THERMONUCLEAR EXPERIMENTAL REACTOR ENGINEERING DESIGN ACTIVITIES

BACKGROUND

Until recently, thermonuclear fusion research has been defined as fundamental research with the objective of demonstrating the scientific feasibility of fusion. Steady progress towards this objective has been achieved culminating with the deuterium-tritium (DT) experiment at JET in Europe and lately at TFTR at Princeton.

The time has come to progress towards demonstrating fusion as an energy source. This requires focusing on construction of an experimental machine for the purpose of demonstrating fusion reactor operation, i.e., controlled ignition and the extended burn of DT plasmas. The machine developed during the ITER Project will be comparable in size and performance to a demonstration reactor, which is the first step in the commercialization of fusion power. It must produce a thermal power in excess of 2 GW for a preliminary construction cost estimated at $8B.

The size, the cost, and the advanced technologies involved in such a project are beyond the present capabilities of the fusion community at large.

Succeeding in this endeavor requires an organization allowing direct participation of the scientific fusion community as well as industries and organizations experienced in construction of large and advanced engineering projects.

THE ITER AGREEMENT

The ITER EDA Agreement signed in July 1992 by the European Atomic Energy Community, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America, resulted from a political determination

to see the demonstration of fusion as "a potential source of energy for the benefit of all humankind." This international agreement is unprecedented in science and demonstrates the confidence and hope placed in fusion as a source of economical and environmentally benign energy.

However, cooperation in ITER is limited by the terms of the present Agreement. The Parties signatory to the Agreement operate under the principle of equality and unanimity. These principles lead to management at the minimum common position. Furthermore, the ITER EDA Agreement does not provide for any financial exchanges among Parties, and each Party retains the control of its resources and spending.

The ITER Project is financed from each Party's fusion program budget; therefore, the existing fusion laboratories see their own budget being reduced. Consequently, ITER is perceived as disrupting the balance of the overall fusion community. Even though the fusion community may support ITER, it is natural that some resistance appears at the fusion program level.

This resistance is visible in the terms of the ITER Agreement for the Engineering Design Phase. The project is not a legal entity and is not provided with its own independent human and financial resources that are necessary to conduct the design as well as the research and development (R&D) for a project of this magnitude.

The challenge for ITER is to put in place a proper project structure. This structure must have a defined legal status and a budget for which the ITER Project would be accountable to the Parties. The ITER Council should also enlarge its competence by including individuals with knowledge of building large scientific and engineering projects.

STATUS OF THE ITER EDA PROJECT

The ITER Project has fulfilled the initial objective of the EDA Agreement by producing an outline design satisfying the detailed technical and cost objectives. This outline design, a supporting attachment to the Protocol 2, has also included the development of a coherent plan of the main R&D activities needed to support and validate the design.

The Joint Central Team (JCT), established as a working body, is geographically distributed over three Joint Work Sites (JWSs) in Garching, Germany; Naka, Japan; and San Diego, California. The JCT has succeeded in meeting the first major milestone of the project schedule with the ITER Outline Design.

Some serious structural difficulties have emerged. Primarily, there is the need for the Parties to recognize that the main role of ITER is to be a fundamental step towards achieving fusion. The Parties' fusion programs must support ITER rather than ITER being designed to justify their diverse programs.

The demonstration of thermonuclear fusion as a viable source of energy will be questionable until this community provides ITER with the necessary resources in manpower and funds to achieve the EDA objectives.

THE COUNCIL AND ITS ADVISORY BODIES: TECHNICAL ADVISORY COMMITTEE (TAC) AND MANAGEMENT ADVISORY COMMITTEE (MAC)

The principle of unanimity is common among international organizations but has been applied differently in each case. Flexibility in applying this principle is needed to allow the Council to adapt to evolving circumstances, to protect the interest of the project and to maintain a broad view of fusion research.

Unanimity must be limited to strategic decisions and not be used to serve each Party's domestic fusion interests. The Parties' view must also incorporate views from outside the fusion community. In practice, those views would be best presented if representatives from outside the fusion community were to sit on the ITER Council.

Managerial, scientific and technical aspects of the project have generally not been discussed in the Council and the wishes of the TAC and MAC have been directly imposed on the Joint Central Team.

TAC members are nominated *ad personam*, but by the Parties. The representation at TAC is too focused on points of physics and not enough on engineering and system integration. Furthermore, the absence of a true project structure tends to favor nationalistic objectives of the TAC members and not the peer review process that the nomination *ad personam* members was intended to achieve.

Members of TAC should have direct experience in the construction and/or the exploitation of large fusion projects.

MAC advises the ITER Council on management issues including R&D managment; the MAC members are representatives of the Parties. The four Home Team Leaders are representatives of the Parties' fusion program devoted to ITER as well as members of MAC. In addition, the Home Team Leaders are responsible to the ITER Director for the execution of ITER R&D Tasks. This dual position of "judge and judged" leads to potential conflicts of interest.

The Home Team Leaders should be responsible to the Director and not members of MAC, which judges the JCT work. Home Team Leaders should sit together with the Joint Central Team at MAC meetings.

THE ITER JOINT CENTRAL TEAM ORGANIZATION AND STAFFING

The Parties asked to make the best use of the resources of the Joint Central Team and the Home Teams, but were unable to provide a single site for the Joint Central Team.

The overall ITER organization is made too complex because the Joint Central Team is spread over the three Joint Work Sites (JWS). For a project of such intrinsic complexity as ITER, these arrangements mitigate against integrating the development of conceptual and engineering design, as well as building an independent team.

In practice, each JWS develops its own identity at the expense of the project. This leads to duplication of work, increased difficulty integrating the design, a narrow focus on specific systems, and a fragmentation of the project management.

Centrifugal forces are also at work when considering the pressure exerted by the Parties on the definition and coordination of the R&D programs conducted over three continents.

With the three sites decision, it was recognized that the authority of the Director had to be increased—this has not been done.

To remedy these difficulties, the Parties must consider bringing together the Joint Central Team at one site. This arrangement would integrate the ITER JCT into a single Team and facilitate an agreed upon single management approach. In addition, more direct authority must be given to the director.

THE JCT STAFF AND SUPPORT STAFF

The majority of the ITER staff originates from fusion laboratories and universities, while most ITER personnel have not worked on large projects. To form an effective team with the ITER personnel requires time and effort.

The fact that the JCT personnel are employed by their own Party, not the Project, has made the EDA phase difficult to manage.

By the end of Protocol 1 only half of the planned resources had been used to achieve the Outline Design. For this first phase, the Parties agreed to provide ~150 professionals at the three JWSs. As of 1 June 1994, the JCT was understaffed by ~40 professionals.

The Parties must meet their staffing commitments to ITER if the Project is to fulfil the EDA objectives.

Associated with delays in recruiting personnel is the lack of support staff, which is a serious problem. At the second ITER Council, the Project projected that the design effort of ~1500 CAD staff years split between the JCT and the Home Teams would be necessary. The present level of designers (i.e., 7 to 8 at each JWS) makes the objective of the EDA impossible to reach.

No support staff is provided in the JCT for management systems maintenance and control. Professionals are responsible for these burdens in addition to their normal duties. A total of 20 support staff should be provided for this work.

No support has been provided for the administrative tasks of the Project, nor have support personnel been provided for Quality Assurance and the integration of the R&D program.

Possible ways to improve these staffing conditions include: (1) providing 1 to 1 direct support per JCT professional; (ii) to provide an estimated budget of $25M per year to the Project, through the Joint Fund, to hire the additional support personnel required with the necessary computer hardware and software.

THE CONCEPTUAL DESIGN ACTIVITIES (CDA) HERITAGE AND SPECIAL WORKING GROUP #1 (SWG1)

The ITER CDA Final Report as well as the progress of the research and development in controlled thermonuclear fusion served as the basis for beginning the EDA.

The ITER CDA Design was the sum of different conceptual studies and did not constitute a coherent project. This prompted the establishment of the Special Working Group 1 to define the detailed technical objectives of ITER.

A more detailed study of the CDA Final Report did not provide convincing solutions in the most difficult areas, for example, the elements facing the plasma. The overall cost of $4.9B (1989 value) underestimated the cost of superconductor magnets by a factor of 1.6 which in practice brings the CDA cost around $5.6B (89).

Therefore, the EDA was started on the understanding that the Project would continue the activities initiated during the CDA. But the incorporation of the Detailed Technical Objectives and the focus on a single integrated design resulted in a redefinition of the machine.

THE ITER EDA DESIGN

It is fundamental to realize that the design requirements for an experiment of such novelty and technical challenge result from an iterative process and cannot be defined a priori. The definition of the requirements for each element or subsystem of the machine and its auxiliaries represents at least a major part of the work. This work is taking place essentially within the Joint Central Team and through interactions with the House Teams.

To that end, the outline design presented to the ITER Council fulfils the detailed objectives for a cost of ($5.6B (89) equivalent to the CDA costing.

The general choice of the proposed parameters results from engineering and physics constraints. The overall machine (dimensions, magnetic field, shielding) is at the minimum size when realistic operating conditions are taken into account. This includes the presence of helium ash, impurities, divertor, pumping, etc., as well as the requirement to work inside the maximum operating limits to avoid instabilities and disruptions that are observed in operating tokamaks.

The cost of the machine depends strongly on the quality of the design. Equally, construction costs depend upon future agreement between the Parties on the nature of the procurement process.

The present design is already optimized and little or no cost saving can be expected by adopting changes to the machine while still maintaining the Detailed Technical Objective.

THE R&D ISSUE

In the initial period of Protocol 1, with the absence of a design and with the limitation of staff, a comprehensive ITER R&D program could not be defined. This has caused friction between the JCT and the Home Teams and led to the development of procedures, '93 Emergency Task Agreements, to slowly modify the R&D efforts of each party, and limit the duplication of tasks.

Nevertheless, of the $750M (1989) of the technical R&D budget, $200M were committed as of January 1994 and another $100M has been defined.

The focused R&D program which is needed for ITER will be achieved only if a minimum of 20% of the R&D budget is put directly at the disposal of the ITER project (~$25M/yr.). This will also allow the financing of the R&D that no Party is willing to undertake without external payment as a part of their national program.

CONCLUSIONS

The outline design proposed in time for the signature of Protocol 2 represents a major achievement of the Joint Central Team and the Home Teams. It establishes the basis for a successful ITER Project.

Only one reactor of the ITER class is planned to be built in the world. A true international collaboration must permit an increase of the technical margins required for the reactor as well as provide savings for each Party. This can be achieved by sharing the construction and R&D costs and avoiding duplications of effort at the world fusion community level.

A slight increase in machine size would provide a higher degree of confidence that this machine will fulfil its technical objectives.

The project will only reach a state where it could be financed for construction if the Parties improve the EDA structure and provide the proper resources and environment to fulfil the EDA tasks.

I would close by commending the efforts of the chairman of the Science, Space, and Technology Committee, Mr. BROWN, the committee's ranking Republican member, Mr. WALKER, the chairman of the Energy Subcommittee, Mrs. LLOYD, the chairman of the Science Subcommittee, Mr. BOUCHER, and the Science Subcommittee's ranking Republican member, Mr. BOEHLERT, for all their hard work on this bill. I look forward to the debate and to supporting efforts to improving the bill's provisions.

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

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

Mr. WALKER. Mr. Chairman, I thank the gentleman for the hard work he has put in on this bill and for his articulation of a number of the issues that arose during this time. I understand completely his concerns about the cap, and I know that that is a concern to the gentleman, because obviously he has a deep interest in some of the things that are involved in those other programs.

As the gentleman well knows, however, the effort here was aimed at insuring the prioritization of programs along the lines of the committee, and it is not the intent of the committee that this will undermine or destroy other programs. We simply want the department to refocus on that.

I think maybe it might be well if I, hopefully along with the chairman of the committee, could do a letter to DOE explaining the intent of the caps is that, and is not aimed at in any way undermining other valuable efforts that are underway. This might help alleviate some of the concerns the gentleman has expressed.

I think to some extent there has been a misunderstanding within some of the scientific community about the nature of the caps, because actually the caps are well above any kind of anticipated appropriation levels. So it is simply an ensuring that there is some flexibility within the appropriations process for all of the programs included under the accounts.

Mr. FAWELL. Mr. Chairman, I thank the gentleman for his comments. I guess perhaps what we ought to be thinking about is having authorizations fully covering all of the activities of the Energy Supply R&D account, rather than just one or two. This is when we fall into a problem, when we have a cap upon the whole account.

Mr. WALKER. If the gentleman will yield further, I think the gentleman is absolutely right, and I think the chairman would agree with me what we would prefer to have is all of these programs fully authorized and get it through the entire process so the whole range of energy programs are operating under priorities established by the authorizing committees in the Congress.

Mr. BROWN of California. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, this preceding dialogue has well illustrated the nature of the divisions that we had within the committee with regard to the cap issue. On each side of the aisle, there are those who support and those who do not support the idea of caps. In this particular situation, on this legislation, it is more complex than normal, because we have some capped programs and some uncapped programs within the same area, and we also have, of course, the restrictions placed upon us, as the gentleman from Virginia [Mr. BOUCHER] pointed out, by the Budget Act of 2 years ago, and similarly by the President's budget which sets its own caps, by the House and Senate resolutions which set caps. It is a little difficult to analyze the impact of this combination of different sorts of caps applied to different kinds of situations.

Now, the additional point that I wish to make is that this problem is even more complicated by the lack of adequate authorization for the full scope of programs within the civilian R&D activities of the Department of Energy. We have pointed this out in the package. We have tried to point out some of the reasons for it.

This area of the Department of Energy, civilian research and development, represents one of the largest areas which consistently over the years has not had an authorization. We have seen the impacts of this on such things as the superconducting super collider, and we are now beginning to understand as we move forward with other potentially very large programs, such as the construction of a fusion power plant, that that lack of an adequate authorization may lead to the same kinds of difficulties that faced us on the superconducting super collider. We want to avoid that.

Another problem that arises out of this lack of authorization is the tendency of our friends in the appropriations committees in both the House and the Senate to look upon this as kind of a little piggy bank which they can reach into, since there is no authorized legislation on it, for those things that seem important to them. This can include all sorts of wonderful things, which we are well aware of: financing of projects in the districts of members of the Committee on Appropriations, or friends of members of the Committee on Appropriations, which really do not directly relate to the functions of the Department of Energy.

Now, I do not want to get involved in a long discussion of earmarks at this point, but I do want to indicate that what we are doing here is a part of the efforts that our committee has been making for a number of years to follow orderly process in the Congress of the United States, to authorize where authorizations were necessary, to try and avoid undue use of earmarks for funding scientific research programs and facilities. This bill moves us a long way forward and is important for that reason alone, aside from the content of the bill.

We are at a circumstance in which we seem to have, and I applaud our colleagues in the other body, we seem to have a movement on the part of the Senate to recognize the importance of moving toward a fully authorized civilian research and development program in the Department of Energy.

Mr. WALKER. Will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I rise to commend you for those remarks, and also for the leadership you provide in that way. I know the use of that orderly process has meant that we can also use an orderly process within the House that allows us to come to the floor today under a open rule and consider these matters under the regular order within the House of Representatives as well. Hopefully this is the kind of pattern that we would see replicated, because I think your leadership has allowed us to, within the committee, set some standards, but also then bring bills to the floor that also meet the standard rules of process here. Really that is the way we ought to be proceeding with a lot of the legislation in the House.

Mr. BROWN of California. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Mr. Chairman, I rise today in strong support of H.R. 4908, the hydrogen and fusion research and development authorization bill.

The world will need increased energy supplies for central station electricity by the year 2050. It is essential that these sources have favorable environmental and safety features as well as an abundant fuel supply. The diminishing supply of fossil fuels, currently providing the main energy source for the Nation, are polluting our environment. In order to meet the demand without environmental degradation, nonfossil energy technologies must be developed. We must establish fundamental knowledge in developing energy sources and to institute the scientific and technological base required for achieving hydrogen and fusion energy.

H.R. 4908 would provide for the development and demonstration of the processes needed to produce, store, transport and utilize hydrogen and to foster industry participation in all aspects of the current Federal program. Passage of this bill would guarantee funding for research and development of this much needed energy technology. This bill would also provide program direction for the Department of Energy's Fusion Energy Research Program. The initiative would see that alternative fusion concepts receive adequate funding and would accelerate the U.S. commitment to participation in ITER and work on helping to select a sight for the project.

The development of fusion energy will help the Nation's energy security and enable the U.S. to supply a practical energy technology to markets around the world. TPX, the facility at the Princeton Plasma Physics Laboratory, has been identified as the next major step in the National Fusion Program. TPX is a unique facility among international fusion programs. It will enable U.S. industry to gain experience in the design and fabrication of fusion components for the first time in over a decade, a period during which our ITER partners have been building new devices and major upgrades to facilities. The United States has already made significant contributions to the tokamak and the global efforts to develop fusion energy. It is the path to commercialization and the right choice for our country.

I urge my colleagues to vote for H.R. 4908, and oppose any amendments to cap spending on energy supply and general science research and development [R&D] programs at the Department of Energy.

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

Mr. BROWN of California. Mr. Chairman, I yield myself such time as I may consume.

I would like to elaborate on some of the remarks made by the gentleman from New Jersey having to do with TPX.

I think all of us understand, and this bill fully lays out a path for the future of the development of fusion energy in this country, which is currently the subject of probably the most extensive international cooperation in science that we have, the so-called ITER project, which involves scientists from the United States, from Europe, from Japan, and from Russia.

Teams from each of these countries are currently in the final stages of developing the engineering design for the first prototype power plant, using fusion energy, which should be under construction within the next 4 or 5 years and be completed. perhaps, by 2005.

During that rather lengthy period of time, 10 years or more, we need to continue with the research necessary to improve the processes of fusion energy. This is the purpose of the program which the gentleman from New Jersey referred to, the TPX, which will allow the fusion scientists and that community of scientists to continue to work on the improvements in the fusion process itself that will finally lead to improvements in the design beyond the first prototype power plant to the fully commercial power plants which will be begin to construct and deploy in the years probably after 2010.

All of these things come together in a comprehensive, long-term program, of which the TPX is an absolutely essential ingredient. I thank the gentleman from New Jersey for bringing that up.

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

Mr. ROEMER. Mr. Chairman, I rise in strong support of the measure before us today, and wish to communicate my great respect for Chairman BROWN and Chairman LLOYD for their hard work in crafting this legislation.

Fusion is a critical and necessary component of the world's future energy supply, and this Nation must not surrender our lead in this scientific field as we did in particle physics when we killed the supercollider.

Mr. Chairman, the world petroleum supply may expire in as little as 60 years. Where will the world energy supply come from then? How will our children and grandchildren continue to maintain our quality of life?

The world is growing and maturing. But in order for our quality and standards of living to continue, our levels of energy production must continue to grow. In order for Third World countries to evolve, they must have a number of things: modern medicine, improved transportation, and simple things that they do not now have, such as clean water. You can have none of these things, but even pure drinking water, without energy.

And in order to have that energy supply for much of the world, we need a plentiful, inexpensive source. Fusion seems to be the answer. With commercialization just a few decades away, this scientific investment in our future is one of the most critical efforts we can conduct for future generations. Fusion fuel is as plentiful as seawater, and fusion reactors will be safe and productive.

Japan, Europe, and the Russians are poised to seize the lead in fusion from this country. Fusion is quality science, and its potential is something we must not abandon. Otherwise, in just a few decades, we will be purchasing our electricity from abroad.

We must invest in those steps that will take us to commercial fusion energy production. The administration strongly supports the fusion program and the international thermonuclear energy reactor, or ITER, which is based on the tokamak concept. In order to produce the ITER, we must continue work on the tokamak physics experiment, or TPX, at Princeton University.

The TPX will be an advanced fusion reactor that will be the first major fusion machine to operate continuously. For this country to maintain its global position in the fusion market, the tokamak physics experiment must continue.

Fusion is the same process that powers our Sun and the stars. One out of every 6,500 atoms of hydrogen in ordinary water is the fusion fuel deuterium, also called heavy hydrogen, giving each gallon of water the energy content of 300 gallons of gasoline.

Mr. Chairman, this makes the fusion fuel supply virtually inexhaustible. Fusion produces no high-level radioactive waste, and will eventually cost about the same as modern-day electricity. Commercial application is expected in less than 30 years: the petroleum supply is expected to run out in less than 60 years.

Because the Department of Energy estimates that world energy needs will be about four times the current demand in the year 2050, we must begin building now for those huge future energy needs.

This legislation is a strong step forward in that direction, and I am pleased to support it here today.

Mr. FAZIO. Mr. Chairman, I rise in strong support of H.R. 4908, the Hydrogen, Fusion, and High Energy and Nuclear Physics Research Act of 1994. I want to congratulate Chairman BROWN, the committee, and the subcommittee members for bringing to the floor an excellent bill.

Mr. Chairman, by the year 2050, the world will need to supply between two and three times as much energy as is presently produced to meet minimum requirements for food, shelter, transportation, and economic security. Meeting the increased energy demands of the year 2050 cannot be achieved without substantial environmental degradation unless there is a massive shift from dependence on fossil fuels which today provide more than three-quarters of all energy supply. Fossil fuels, the main energy source of the present, have provided this country with tremendous supply but are limited and polluting.

Hydrogen is one solution to our long-term energy needs. Hydrogen holds tremendous promise as a new and better energy source because it secures a practically infinite supply from water and combusts purely to water. This bill provides for the development and demonstration of the processes and technologies needed to produce, store, transport, and utilize hydrogen for transportation, industrial, residential, and utility applications.

Fusion energy is one of the nonfossil fuel technologies which could potentially provide safe, abundant, environmentally sound, secure, and affordable energy supplies in the future. This bill provides direction for a broadly based fusion energy research, development, and demonstration program. It also ensures that alternative fusion concepts receive adequate funding and management attention from the Department of Energy.

National and international energy experts agree that high energy physics is important to our efforts to understand the nuclear and subnuclear building blocks of energy and matter. Nationally, we have a whole generation of young scientists that are threatened with the prospect of not being able to find work in their chosen profession.

This year, the Energy and Water Development Subcommittee made a difficult decision to put more money into high energy physics to partly restore the operating time young physicists need to conduct their experiments. This bill sends a message to the scientific community that the Federal Government will not renege on its investment in scientific research.

Mr. Chairman, advanced technologies such as fusion, geothermal, wind, and solar energy should all be part of a federally funded effort to rid our Nation of its dependence on foreign oil. Our national security demands no less. I urge an "aye" vote.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered under the 5-minute rule by title. Each title is considered as read.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 4908

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hydrogen, Fusion, and High Energy and Nuclear Physics Research Act of 1994".

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate section 2. The text of section 2 is as follows:

SEC. 2. GENERAL FINDINGS.

The Congress finds that—

(1) by the year 2050, the world will need to supply between 2 and 3 times as much energy as is presently produced to meet minimum requirements for food, shelter, transportation, and economic security;

(2) meeting the increased energy demands of the year 2050 cannot be achieved without substantial environmental degradation unless there is a massive shift from dependence on fossil fuels which today provide more than three-quarters of all energy supply;

(3) a wide variety of nonfossil fuel energy technologies must be developed to meet the expected demand of the year 2050;

(4) the Federal Government has a responsibility to fund research in energy technologies to help meet future expected energy demand where the technical or economic risks of development are too high, or the development time is too long, to be borne solely by the private sector, or where the benefits accrue to all and cannot be recouped by a private investor; and

(5) despite the urgent need to develop a wide variety of nonfossil energy technologies, the Federal Government's investment in all energy supply research and development (including fossil fuels) has declined in real terms by more than two-thirds in the last 14 years.

The CHAIRMAN. Are there amendments to section 2?

If not, the Clerk will designate section 3. The text of section 3 is as follows:

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the term "alternative fusion concepts" means any concepts for the production of energy based on the fusing of atomic nuclei other than toriodal magnetic fusion concepts, including heavy ion inertial fusion, aneutronic fusion, and electrostatic fusion;

(2) the term "demonstration" means a demonstration to determine technological and economic feasibility;

(3) the term "Department" means the Department of Energy;

(4) the term "Fusion Energy Research Program" means the program described in section 203;

(5) the term "host country" means the country selected by the international partners as the site for the ITER facility;

(6) the term "international partners" means the United States, the European Atomic Energy Community, Japan, and the Russian Federation;

(7) the term "ITER" means the International Thermonuclear Experimental Reactor;

(8) the term "magnetic fusion" means fusion based on toroidal confinement concepts;

(9) the term "Secretary" means the Secretary of Energy; and

(10) the term "Tokamak Physics Experiment" means a facility to replace the Tokamak Fusion Test Reactor which is designed to be capable of conducting experiments on reactions with a pulse length of at least 15 minutes and demonstrating a more compact and efficient magnetic fusion reactor design.

The CHAIRMAN. Are there any amendments to section 3.

If not, the Clerk will designate title I.

The text of title I is as follows:

TITLE I—HYDROGEN ENERGY RESEARCH PROGRAM

SEC. 101. SHORT TITLE.

This title may be cited as the "Hydrogen Future Act of 1994".

SEC. 102. FINDINGS.

The Congress finds that—

(1) fossil fuels, the main energy source of the present, have provided this country with tremendous supply but are limited and polluting, and their production and utilization technologies are mature;

(2) the basic scientific fundamentals are needed for private sector investment and development of new and better energy sources and enabling technologies;

(3) hydrogen holds tremendous promise as a new and better energy source because it secures a practically infinite supply from water and combusts purely to water;

(4) hydrogen production efficiency is a major technical barrier to society collectively benefitting from one of the great energy sources of the future;

(5) an aggressive, results-oriented, multiyear research initiative on efficient hydrogen fuel production and use should continue; and

(6) the current Federal effort to develop hydrogen as a fuel is inadequate.

SEC. 103. PURPOSES.

The purposes of this title are—

(1) to provide for the development and demonstration of the processes and technologies needed to produce, store, transport, and utilize hydrogen for transportation, industrial, residential, and utility applications; and

(2) to foster industry participation during each stage of the Department of Energy hydrogen research, development, and demonstration program to ensure that technology transfer to the private sector occurs to develop viable, marketable products.

SEC. 104. RESEARCH, DEVELOPMENT, AND DEMONSTRATION.

(a) PROGRAM GOAL.—The goal of the program described in this section is the demonstration, by the year 2000, of the practicability of utilizing hydrogen for transportation, industrial, residential and utility applications on a broad scale.

(b) PRODUCTION.—The Secretary shall support hydrogen energy production research, development, and demonstration in the following areas, including funding for at least 1 technical demonstration in each such area:

(1) Photoconversion.

(2) Bioconversion.

(3) Electrolysis of water.

(c) STORAGE.—The Secretary shall support research, development, and demonstration of safe and economical storage of hydrogen, both for onboard vehicle and stationary use. Such research, development, and demonstration should be aimed at improving existing methods and developing new approaches in each of the following areas, including funding for at least 1 technical demonstration in each such area:

(1) Hydrides and porous materials.

(2) Liquefaction and cryogenics.

(3) Compressed gas, especially low-temperature dense gas.

(4) Advanced methods, such as iron oxide, microspheres, and phase change materials.

(d) USE.—The Secretary shall support hydrogen energy research, development, and demonstration for each of the following uses, including funding for at least 1 technical demonstration in each such area:

(1) Fuel cell systems for stationary applications.

(2) Fuel cell systems for mobile applications.

(3) Electricity generation using hydrogen as a fuel source for utility and industrial applications.

(4) Heating and cooling using hydrogen.

(e) TRANSPORTATION.—The Secretary shall support research, development, and demonstration of safe, efficient, and nonpolluting hydrogen-based transportation vehicles of the following types, including funding for at least 1 technical demonstration of each such type:

(1) An economically feasible, low emission motor vehicle using hydrogen as a combustible power supply, either in pure form or mixed with other fuels, in a hybrid electric vehicle using a hydrogen fuel cell.

(2) An economically feasible, zero emission or low emission engine using hydrogen.

(f) SCHEDULE.—Within 180 days after the date of enactment of this Act, the Secretary shall solicit proposals for carrying out the research and development activities authorized under this section. Awards of financial assistance shall be made within 1 year after such date of enactment.

(g) COST SHARING.—(1) Except as otherwise provided in section 105, for research and development programs carried out under this title, the Secretary shall require a commitment from non-Federal sources of at least 20 percent of the cost of the project. The Secretary may reduce or eliminate the non-Federal requirement under this paragraph if the Secretary determines that the research and development is of a basic or fundamental nature.

(2) The Secretary shall require at least 50 percent of the costs directly and specifically related to any demonstration project under this title to be provided from non-Federal sources. The Secretary may reduce the non-Federal requirement under this paragraph if the Secretary determines that the reduction is necessary and appropriate considering the technological risks involved in the project and is necessary to serve the purposes and goals of this title.

(3) In calculating the amount of the non-Federal commitment under paragraph (1) or (2), the Secretary shall include cash, personnel, services, equipment, and other resources.

(h) DUPLICATION OF PROGRAMS.—Nothing in this title shall require the duplication of activities carried out under otherwise authorized programs of the Department of Energy.

SEC. 105. HIGHLY INNOVATIVE TECHNOLOGIES.

Of the amounts made available for carrying out section 104, up to 5 percent may be used to support research on highly innovative energy technologies. Such amounts shall not be subject to the cost sharing requirements in section 104(g).

SEC. 106. TECHNOLOGY TRANSFER.

The Secretary shall foster the exchange of generic, nonproprietary information and technology developed pursuant to section 104, or other similiar Federal programs, among industry, academia, and the Federal Government with regard to production and use of hydrogen.

SEC. 107. REPORTS TO CONGRESS.

Within 18 months after the date of enactment of this Act, and annually thereafter, the Secretary shall transmit to the Congress a detailed report on the status and progress of the Department of Energy's hydrogen research, development, and demonstration programs. Such report shall include an analysis of the effectiveness of such programs, to be prepared and submitted by the Hydrogen Technical Advisory Panel established under section 108 of the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990. Such Panel shall also make recommendations for improvements to such programs if needed, including recommendations for additional legislation.

SEC. 108. COORDINATION AND CONSULTATION.

(a) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Secretary shall coordinate all hydrogen research, development, and demonstration activities with other Federal agencies involved in similar research, development, and demonstration, including the Department of Defense and the National Aeronautics and Space Administration.

(b) CONSULTATION.—The Secretary shall consult with the Hydrogen Technical Advisory Panel established under section 108 of the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 as necessary in carrying out this title.

SEC. 109. REPEAL.

Sections 104 and 105 of the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 are repealed.

SEC. 110. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION.—There are authorized to be appropriated, to carry out the purposes of this title, in addition to any amounts made available for such purposes under other Acts—

(1) $12,000,000 for fiscal year 1995;

(2) $20,000,000 for fiscal year 1996;

(3) $40,000,000 for fiscal year 1997; and

(4) $60,000,000 for fiscal year 1998.

(b) RELATED AUTHORIZATIONS.—For each fiscal year from 1995 through 1998, the total amount authorized to be appropriated for Energy Supply Research and Development Activities shall not exceed $3,302,170,000.

The CHAIRMAN. Are there amendments to title I?

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 10, line 16, after the period add: The Panel shall also report on the financial participation of foreign participants.

Mr. TRAFICANT. Mr. Chairman, I would prefer that the way this is drafted that it would, in fact, be applicable to the entire bill.

I would like to know if I can have leave from the chairman and the ranking member to preserve and protect my right to offer the amendment that would cover the entire bill.

Let me just say this, before I yield to the chairman, I have not brought any specific language relative to any even suggestions for American-made products covered under this bill because of the foreign participation element. And I believe they have crafted a fine bill, and I will honor that.

Let this amendment is more specifically dedicated to the fact that we went through a fiasco on the collider, and I supported the collider, supported the committee, but we had a foreign participation program.

One of the bad raps, when it came down, and Members started falling on their swords around here, was that the foreign participation that was boasted about in the construct of the bill never came about when the dollars were supported to be commingled with American taxpayers, dollars.

My amendment simply says in any reporting apparatus subject to this bill, as it relates to foreign participation, there shall be specific financial participation of these foreign participants into the project as it is, in fact, designed, promulgated, and constructed.

But with that, Mr. Chairman, the amendment is drafted to title I. I do not know if that would require unanimous consent that the amendment be applicable to the entire bill.

If not, I would redraft it and like to have the opportunity to protect such and offer it in the future. But if a unanimous consent would be applicable, I would like that this amendment be applicable to all titles and elements of the bill.

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

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

Mr. WALKER. Mr. Chairman, I understand what the gentleman is attempting to do, but his amendment is drafted in such a way that it would totally wipe out section 107 of the bill now before us, substitute this section and then the language in the gentleman's amendment makes no sense, if the rest of the section 107 is not there and the amendment would not apply to the entire bill. Because the way the amendment is drafted, it refers to a panel that exists in section 107 that would then be wiped out by the amendment.

Mr. TRAFICANT. Mr. Chairman, the amendment is now, in fact, reflecting that as a sentence, an add-on is sentence to 107; 107 would remain.

Mr. WALKER. That is, in fact, I think the gentleman's intent. But the amendment is not drafted in that fashion. It is offered as a separate section 107, and it does not state where this sentence would come.

If the gentleman intends to have this say that at the end of section 107, the following sentence would be added, that, in fact, would resolve some of the technical problems. But in its present form, that is not the case.

I would also suggest to the gentleman that the amendment in its present form does not relate to the entire bill because now it specifically refers to a panel. I assume he means the Matsunaga Hydrogen Research, Development, and Demonstration Act Technical Advisory Panel. That would have no application to the rest of the bill.

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Mr. TRAFICANT. Let me say this. I have already discussed this with the

Parliamentarian. It would be an additional sentence to 107, and that this technical language would in fact be modified to effect that goal, and the gentleman is correct.

In addition to that, I would want to then offer a similar amendment, of a similar nature, in an appropriate spot that would handle that in all items covered elsewhere in the bill.

Mr. WALKER. Further reserving the right to object, Mr. Chairman, I would simply say to the gentleman if that is his intention, we are operating here under the open rule. He needs no permission from us to do that. When we get to title 4 of the bill, which is a general provision, a miscellaneous provisions section, he can certainly draft an amendment that would require reports on foreign participation in these various programs, and that would be far more appropriate in that vein than it is in the way that it is drafted in this particular section.

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

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

Mr. BROWN of California. I have no objection to the gentleman's amendment, Mr. Chairman, if it is drafted in proper form and applied to the correct section of the bill. If the gentleman will take the time to do that and offer it at a later stage, the Chair would be glad to accept it at that point.

Mr. TRAFICANT. Mr. Chairman, I would take the advice of the ranking member, would appreciate that, and would confer with both, and would in fact fashion the language and it would require no further debate here.

Mr. WALKER. If the gentleman will continue to yield, I have no problem with the gentleman offering language that identifies who the foreign participants are in these various programs. That is no problem.

I just think we ought to do it in a way here that reflects the bill and does not perhaps put it in section where it would not appropriately reflect what he is trying to do.

Mr. TRAFICANT. I appreciate the advice and counsel. With that, Mr. Chairman, I withdraw this amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. Are there any other amendments to title I?

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

Mr. Chairman, I rise in strong support of the bills that have been proposed by my good friend, the gentleman from California [Mr. BROWN] and the gentleman from Pennsylvania [Mr. WALKER].

I come to the well today to speak in favor of this legislation, as someone who has spent 10 years in the energy business before I came to the Congress, and has some understanding of the tremendous benefits that our Nation currently gains from the use of hydrocarbons, and coal, and oil, and gas, and the tremendous amount of productivity that our society has gained from those fuels.

I also rise with a keen awareness of the terrible downside risks that have occurred as a result of the pollutants that those fuels have dumped in our atmosphere, on our rivers and in our streams, and they are in our roadways. The fact is that our air is becoming more and more dirty, whether we walk around Washington, DC, Boston, MA, or Los Angeles. If we walk in the gentleman's own State of Pennsylvania and see the tremendous amount of pollution that the coal mills used to crank out in that State, it does not take a genius to recognize that we have to come up with some other alternative.

The Nation, then, turned in the mid 1960's to the notion that nuclear fission could be the answer, that this was going to be a cheap and easy way for our energy needs to be met through high technology. What we did not understand at the time was the tremendous downside risks of nuclear fission. We saw the possibilities of disaster at Three Mile Island, we saw the disasters, the potential disasters and the tremendous amount of cost associated with dealing with nuclear waste.

It seems to me if we really analyze where out energy future lies, our energy future lies in nuclear fusion. If we look at the array of opportunities that are provided in this bill, from fusion to hydrogen energy to high energy nuclear physics, which happens to be a program that has been advanced at the Massachusetts Institute of Technology, these are all three the fundamental building blocks of how the United States, and I hope the rest of the world, can solve the tremendous energy problems that we are facing as we enter the 21st century.

If the United States puts the necessary resources into the research and development of these three energy sources at this time, then I think that the huge worries and concerns that many of us have in our guts about where our kids are going to be able to find the fuels that they need to run this world when they become our Congressmen and Senators, when they become the leaders of not only the United States but people all over the world, when they have to deal with the fundamental problems of the environment, it will be the vision that is provided by the gentleman from California [Mr. BROWN] and the gentleman from Pennsylvania [Mr. WALKER] and others by providing the support and funding that is necessary in this bill, that are going to make the difference.

When we talk about research and development and the Clinton administration's commitment to putting an 80-percent increase in the research and development in this country, nothing could be more important than putting the funding into this particular piece of legislation. Once again, nuclear fusion, hydrogen energy, and high energy nuclear physics, I believe are going to be the future of not only the United States but the energy problems that the world is facing.

Mr. Chairman, I very much want to congratulate the gentleman from California [Mr. BROWN] on the tremendous work he and his committee have done. This, again, is the key to our Nation's future energy supplies, which will be, again, the future of our solving the horrific problems of the pollution and the environmental hazards we face as a nation. I just wanted to come over and, again, thank all those Members who worked hard on this bill, and look forward to supporting it in a few minutes.

The CHAIRMAN. Are there other amendments to title I?

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

Mr. Chairman, I would like to start by expressing my appreciation to the gentleman from California [Mr. BROWN], the chairman, for the kind consideration he has shown to me regarding my efforts with regard to the fusion debate in the Congress of the United States. It is a pleasure to serve on the Committee on Science, Space, and Technology under his leadership, and I think that what he and the gentleman from Pennsylvania [Mr. WALKER] have accomplished on the committee has been formidable and impressive, and I congratulate the two of them for their work.

I would like to make a few comments about the fusion energy research title of this bill. I believe that fusion research represents an important national development, and I strongly support fusion research and development. However, I have some concerns about the direction of the current fusion program, and I would like to discuss them on the record.

Mr. Chairman, in this bill, the fusion program would remain focused almost exclusively on funding for the takamak concept, despite the fact that important questions remain unsolved about the ultimate commercial viability of the takamak reactor because of problems with cost, complexity, realiability, and radioactive waste.

I also remain concerned about plans for construction of the takamak physics experiment and construction of the ITER project, the international takamak fusion effort in which the United States is a partner.

This bill does, however, Mr. Chairman, take some small steps in the right direction. It calls for the Secretary of Energy to make various certifications to the Congress regarding the takamak physics experiment. It also specifically states that no funds are authorized for the construction of the ITER project.

The bill also calls for a review of the fusion program. This is similar to a provision in legislation which I introduced earlier this year, the Fusion Energy Research Accountability Act.

A review of the fusion program is also called for in the fiscal year 1995 Energy and Water Appropriations bill. This much-needed review of the fusion program should help shape the future direction of our Nation's effort in this critical area.

The Energy and Water Appropriations bill recently passed by this body also calls for the design activity only on the takamak physics experiment, which I believe is a wise step in light of the uncertainty in the fusion program, uncertainties which should hopefully be cleared up during the upcoming year.

I am sure that my colleagues would agree about the importance of fusion in our Nation's energy future, which was so eloquently stated by my colleague, the gentleman from Massachusetts [Mr. KENNEDY] just previously. I am also confident that my colleagues would agree that we need to ensure that the funds which are being spent on fusion are used as wisely as possible.

I look forward to continuing to work with the chairman of the committee. I applaud his efforts in this regard. I have confidence that the gentleman from California [Mr. BROWN] will ensure that every dollar that taxpayers put into the fusion program will be wisely spent and will have an effective output that will ultimately solve or help solve the energy problems that this country is facing and will continue to face in the years ahead.

Mr. Chairman, I ask that my colleagues on the Committee on Science, Space, and Technology continue this important effort, keep the vigilance going, and make sure that we provide the best fusion technology that this country can get.

□ 1210

Mr. KLEIN. Mr. Chairman, I move to strike the last word, and I rise in support of the bill.

Mr. Chairman, this legislation is a vital step in securing a safe and sustainable energy future for the 21st century. Rarely do we have the opportunity to engage in policymaking that is so forward looking. I want to thank Chairman BROWN and the ranking member, Mr. WALKER, as well as Energy Subcommittee Chairman MARILYN LLOYD and Science Subcommittee Chairman BOUCHER for their leadership in getting this bill to the floor.

This bill provides valuable support for many vital programs, but I want to take a few minutes to discuss one that I believe is of critical importance: The fusion program and in particular, the tokamak physics experiment.

As the world population grows and the demand for energy increases, the energy needed to a support our industrialized economy and our lifestyles will be daunting. There is no doubt that we will need central power sources in the 21st century.

Fusion is part of the solution. It offers the promise of a safe and environmentally sensitive energy technology, one that we could export to growing energy markets around the globe. Fusion's abundant fuel supply—ordinary water, and its safety and environmental features make it a sound investment for American taxpayers.

In December, the Princeton tokamak used—for the first time—a commercial grade fuel mixture to produce 6 million watts of fusion power. The results of these extremely successful experiments are very significant and represent a new level of maturity in fusion energy development. The Department's proposal to move forward with construction of the tokamak physics experiment [TPX] is an indication that the program is addressing practical fusion energy issues. TPX will be the first advanced, steady-state fusion machine and it will address physics and engineering issues that will help industry design and build a more compact, economic fusion reactor. TPX is unique among world fusion efforts and it is a necessary step along the path to commercial fusion power. If American industry can design and build a machine that will help build a smaller, more compact power source, it will give us an edge on our economic competitors in harnessing this promising energy technology and serving the energy markets of the future.

We all know that one criticism of the U.S. fusion program is that practical fusion power is still decades away. The current DOE plan calls for demonstration reactor by 2025 and for more than a decade, the major steps to practical fusion power have been identified. The time to move forward is now. DOE should be held accountable and they should be expected to meet milestones along the way. The successful Princeton experiments are a good example of a milestone that DOE and the fusion program promised American taxpayers and then delivered on. The Princeton fusion project is not only doing what is promised to do, but it will complete its program with less funding than was projected when it started operations.

Mr. Chairman, clearly this is a program that deserves support. I again congratulate the chairman, the gentleman from California [Mr. BROWN] and all those who have been responsible for leading the fight on its behalf.

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

Mr. Chairman, I want to express my support for this legislation, and in particular in opposition to any efforts to cap energy supply research and development that may evolve here.

I want to thank the chairman, the gentleman from California [Mr. BROWN], the ranking member, the gentleman from Pennsylvania [Mr. WALKER], and particularly the gentlewoman from Tennessee [Mrs. LLOYD], chairman of the Subcommittee on Energy, for their good work in bringing this bill to the House. I think it does a good job of allocating funds to a variety of very important energy research and development programs that are critical to helping us meet our future energy needs. For example, I am glad to see that the bill protects funding for fusion energy research conducted both at the takamak reactor and for eventual participation in the international thermonuclear experiment reactor. Overall, the bill is an important step toward decreasing our dependence on foreign sources of energy, reducing future environmental problems, and very importantly, creating good-paying jobs for Americans.

I urge Members to oppose any efforts that may be made to cap R&D funding in this bill. The Committee on Science, Space, and Technology estimates that such caps would result in large cuts for research and solar and renewable energy sources, in environmental safety and health research, and in environmental restoration and waste management research. While I strongly support, as my colleagues do, efforts to reduce the budget deficit, I believe a cap on investments in these areas of research is the wrong way to do it.

Last year's budget agreement containing spending is working quite well. For proof we only have to listen to the comments of Members from both sides of the aisle during the course of the appropriations work that we have done over the last several months who have been lamenting how these bills are cracking down on programs that are of vital interest to them. To create an additional cap even further than the overall allocation caps in the budget agreement would only further reduce our discretion over allocation of funds in again what I think is a critical area for the country's economic and environmental future. A funding cap here also blindly, I think, singles out one area of the budget for special spending restraints while leaving other areas untouched, and that does not make a great deal of sense.

New alternative energy technologies, which is really the objective of a lot of the programs in this bill, are going to help us prevent pollution. In this regard, one of the most important investments we are making in this area is that of renewable energy technologies. I have a somewhat parochial interest here since the National Renewable Energy Laboratory [NREL], is located in the part of Colorado I am privileged to represent and it has been a leader in this field of research. At NREL they are working on such critical technologies as photovoltaic, wind, and hydrogen energy research, all of which

are clean sources of energy. Amendments to cap our research efforts in this area will threaten the excellent work conducted at NREL and similar research at 9 other national laboratories.

Again I commend the committee for its fine work in bringing this bill to the House. I urge my colleagues' support.

The CHAIRMAN. The Clerk will designate title II.

The text of title II is as follows:

TITLE II—FUSION ENERGY RESEARCH PROGRAM

SEC. 201. FINDINGS.

The Congress finds that—

(1) fusion energy is one of the nonfossil fuel technologies which could potentially provide safe, abundant, environmentally sound, secure, and affordable energy supplies in the future;

(2) in the last 16 years, fusion energy researchers have made significant progress toward realizing magnetic fusion as a viable source of energy, increasing power production from test reactors more than a millionfold over that time period;

(3) while significant engineering, technical, and scientific challenges remain to make fusion energy commercially viable, limited funding remains the primary constraint to more rapid progress;

(4) the technical risks and the long time scale needed to demonstrate the commercial viability of fusion energy will likely require a stable, predictable, and sustained investment of government funding for decades to come;

(5) while magnetic fusion is the leading fusion technology, research on alternative fusion concepts should continue to be supported;

(6) opportunities to participate in international fusion experiments can dramatically lower the cost to the Federal Government of fusion energy research;

(7) the United States must demonstrate that it is a credible partner in international scientific programs by being able to make and keep long-term commitments to funding and participation; and

(8) the United States should commit to participating in the siting, construction, and operation of ITER as soon as practicable.

SEC. 202. PURPOSES.

The purposes of this title are—

(1) to provide direction and authorize appropriations for a broadly based fusion energy research, development, and demonstration program;

(2) to ensure that alternative fusion concepts receive adequate funding and management attention from the Department of Energy;

(3) to provide an accelerated commitment to United States participation in ITER and provide authorization of appropriations for such activity contingent on meeting program milestones; and

(4) to provide for the selection of a host country and establish a site selection process for ITER.

SEC. 203. FUSION ENERGY RESEARCH PROGRAM.

(a) FUSION PROGRAM.—The Secretary shall carry out in accordance with the provisions of this title a Fusion Energy Research Program, including research, development, and demonstration to demonstrate the technical and economic feasibility of producing safe, environmentally sound, and affordable energy from fusion.

(b) PROGRAM GOALS.—The goals of the Fusion Energy Research Program are to demonstrate by the year 2010 the practicability of commercial electric power production and to lead to commercial production of fusion energy by the year 2040.

(c) PROGRAM ELEMENTS.—The Fusion Energy Research Program shall consist of the following elements:

(1) Research, development, and demonstration on magnetic fusion energy technology, including—

(A) research on plasma physics and control, confinement, ignition, and burning;

(B) the design, construction, and operation of experimental fusion reactors, including the Tokamak Physics Experiment, and the development of special materials for such reactors, the facilities to develop such materials, and the development of components which support the operation of such reactors, such as diagnostic and remote maintenance equipment; and

(C) participation by the United States industrial sector in the design and construction of fusion reactors, and cooperation with utilities.

(2) Research, development, and demonstration of alternative fusion concepts, to be administered through a Program Director for Alternative Fusion Research, including research and development needed to build and test an Induction Linac Systems Experiment, and for systems engineering and design of a prototype inertial fusion energy power plant suitable for the eventual development of a heavy ion based commercial power plant, for the purpose of developing heavy ion inertial fusion energy.

(3) Participation in the design, construction, and operation of ITER with the goal of ITER becoming operational by the year 2005.

SEC. 204. INDEPENDENT REVIEW OF FUSION TECHNOLOGIES.

Within 6 months after the date of enactment of this Act, the Secretary shall contract with the National Academy of Sciences to conduct a study, to be completed within 18 months after such contract is executed, which—

(1) examines the various magnetic fusion technologies and alternative fusion concepts to assess their current state of development;

(2) evaluates the potential of such technologies and concepts to become commercially viable sources of energy in the future;

(3) identifies research and development goals and priorities, and the range of probable costs and time scales needed to achieve commercial viability; and

(4) reviews facilities formerly proposed by the Department of Energy for construction during the past 10 years, comparing their proposed capabilities and the justification offered for such proposals with the rationale for the subsequent withdrawal of the proposals.

SEC. 205. NATIONAL ACADEMY OF SCIENCES STUDY.

Within 6 months after the date of enactment of this Act, the Secretary shall contract with the National Academy of Sciences to conduct a study, to be completed within 18 months after such contract is executed, which examines the status and promise of other energy sources, including deuterated metal, and improvements in the efficient use of energy which could affect our national energy needs on the same time scale and quantity as projected fusion energy development, and which identifies priorities for research on other energy sources and energy-efficient devices and practices.

SEC. 206. ITER SITE SELECTION PROCESS.

(a) ITER STUDY AND REPORT.—Within 120 days after the date of enactment of this Act, the Secretary shall submit to Congress a study which compares the technical and scientific advantages and disadvantages and the economic costs and benefits to the United States of siting ITER in the United States with siting ITER outside of the United States. Such study shall include the consideration of the impact on employment of constructing ITER in the United States, the effect of manufacturing major ITER subsystems (such as superconducting magnets) in the United States, and the effect of siting on United States funding requirements for participation in ITER.

(b) HOST-COUNTRY SELECTION.—The Secretary shall seek to reach an agreement with the international partners which provides for—

(1) the selection of a host country in which to site ITER by October, 1995;

(2) the equitable distribution of economic and technological benefits among the international partners, including the siting and construction of ITER and related facilities and the manufacture of major ITER subsystems;

(3) substantial United States industry and utility involvement in the design, construction, and operation of ITER to ensure United States industry and utility expertise in the technologies developed; and

(4) a schedule to complete site-specific design activities by 1998.

(c) UNITED STATES SITE SELECTION.—The Secretary shall—

(1) immediately initiate a process for identifying candidate sites within the United States which meet the site requirements for the construction and operation of ITER; and

(2) propose within 90 days after the date of enactment of this Act a process for selection of a site within the United States by June, 1996, if the United States is selected as the host country for ITER pursuant to the international agreement described in subsection (b).

(d) FINAL COST ESTIMATE.—The Secretary shall provide to Congress, within 90 days following the completion of site-specific design activities, a detailed estimate of the final projected total cost and cost to the United States of the construction and operation of ITER based on final site-specific engineering and construction designs.

SEC. 207. REPORTS AND MISCELLANEOUS PROVISIONS.

(a) CONTINGENCY PLAN.—Within 120 days after the date of enactment of this Act, the Secretary shall submit to Congress a report on the feasibility of conducting a parallel design effort on the Tokamak Physics Experiment to augment the capabilities of or accelerate construction of the Tokamak Physics Experiment in the event that an international agreement cannot be reached on the site selection or construction of ITER.

(b) PROGRAM REPORT.—Within 180 days after the date of enactment of this Act, and biennially thereafter, the Secretary shall prepare and submit to the Congress a report on the Fusion Energy Research Program and the progress it has made in meeting the goals and requirements of this title.

(c) CONSULTATION.—(1) In consultation with the Secretary of Defense, the Secretary shall review the research and development activities of the defense Inertial Confinement Fusion Program to determine the potential of such activities to contribute to the civilian Inertial Fusion Energy Program.

(2) Within 120 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Defense, shall submit a report to Congress with recommendations for sharing budget and other resources

in order to enhance the civilian energy applications of the defense Inertial Confinement Fusion Program.

(d) DUPLICATION OF ACTIVITIES.—Nothing in this title shall require the duplication of activities carried out under otherwise authorized programs of the Department of Energy.

SEC. 208. AUTHORIZATION OF APPROPRIATIONS.

(a) FUSION ENERGY RESEARCH PROGRAM.—There are authorized to be appropriated to the Secretary for carrying out the Fusion Energy Research Program $376,563,000 for fiscal 1995, $425,000,000 for fiscal year 1996, and $475,000,000 for fiscal year 1997.

(b) ALTERNATIVE FUSION RESEARCH.—From the sums authorized in subsection (a), there are authorized to be appropriated to the Secretary for carrying out the Alternative Fusion Research Program under section 203(c)(2)—

(1) $10,000,000 for fiscal year 1995 for the Induction Linac Systems Experiment project and related base programs, and for the engineering and design of a prototype inertial fusion energy power plant;

(2) $30,000,000 for fiscal year 1996, of which—

(A) not more than $20,000,000 shall be for the Induction Linac Systems Experiment project and related base programs; and

(B) not more than $5,000,000 shall be for the engineering and design of a prototype inertial fusion energy power plant; and

(3) $33,000,000 for fiscal year 1997, of which—

(A) not more than $20,000,000 shall be for the Induction Linac Systems Experiment project and related base programs; and

(B) not more than $5,000,000 shall be for the engineering and design of a prototype inertial fusion energy power plant.

(c) TOKAMAK PHYSICS EXPERIMENT.—(1) Except as provided in paragraph (2), there are authorized to be appropriated to the Secretary for the period encompassing fiscal years 1995 through 2000 not to exceed $700,000,000, to complete the design, development, and construction of the Tokamak Physics Experiment.

(2) None of the funds are authorized to be appropriated for any fiscal year under paragraph (1) unless, within 60 days after the submission of the President's budget request for that fiscal year, the Secretary—

(A) certifies to the Congress that—

(i) the technical goals of the design, development, and construction are being met;

(ii) the design, development, and construction can be completed without further authorization of appropriations beyond amounts authorized under paragraph (1); and

(iii) the design, development, and construction can be completed by the end of fiscal year 2000; or

(B) submits to the Congress a report which describes—

(i) the circumstances which prevent a certification under subparagraph (A);

(ii) remedial actions undertaken or to be undertaken with respect to such circumstances; and

(iii) a justification for proceeding with the program, if appropriate.

(d) CONSTRUCTION OF ITER.—No funds are authorized for the construction of ITER.

(e) LIMITATION ON MAGNETIC FUSION FACILITIES.—No funds are authorized for the design, engineering, or construction of any magnetic fusion facility other than ITER, facilities related to ITER, and the Tokamak Physics Experiment.

SEC. 209. REPEAL OF ADVISORY COMMITTEE.

Section 7 of the Magnetic Fusion Energy Engineering Act of 1980 (42 U.S.C. 9306), authorizing the Technical Panel on Magnetic Fusion, is repealed.

AMENDMENT OFFERED BY MR. WALKER

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

The Clerk read as follows:

Amendment offered by Mr. WALKER: Page 21, strike lines 12 through 21 and insert in lieu thereof the following:

(c) TOKAMAK PHYSICS EXPERIMENT.—(1) Except as provided in paragraph (2), there are authorized to be appropriated to the Secretary for the period encompassing fiscal years 1992 through 2000 not to exceed $700,000,000 from within the Fusion Energy Research Program, to complete the design, development, and construction of the Tokamak Physics Experiment.

(2) None of the funds described in paragraph (1) are authorized to be appropriated for any fiscal year unless, within 60 days after the submission of the President's budget request for that fiscal year, the Secretary—

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. WALKER. Mr. Chairman, I will not spend very long on this amendment. It is a clarifying and conforming amendment. It makes clear that the TPX program included in this title is funded out of the fusion energy program. Furthermore, it also makes clear that the TPX program is fully and completely authorized by the bill. I understand that the majority has been consulted on this amendment and are in agreement with it. That being the case, if the chairman, the gentleman from California, would confirm that, it does not have to take very long at all.

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

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

Mr. BROWN of California. Mr. Chairman, this gentleman is in such a good mood this morning that he is willing to accept almost anything that the distinguished ranking member wants, as long as we understand what it is. I, therefore, agree with the gentleman's amendment and will accept it.

□ 1220

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FAWELL

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

The Clerk read as follows:

Amendment offered by Mr. FAWELL: Page 22, line 23, insert "This limitation shall not apply to the design or engineering of fusion materials irradiation test facilities. Upon completion of the concept design for a fusion materials irradiation test facility, the Secretary shall transmit to the Congress a report which includes the estimated cost for design, engineering, and construction of the facility, the expected participation of international partners, and the planned dates for starting and completing construction." after "Physics Experiment.".

Mr. FAWELL. Mr. Chairman, this amendment also, I believe, we have shared with the majority, and I believe there is no objection to it. It deals with section 208(e) of the bill, which prohibits the use of funds for the design, engineering, or construction of any magnetic fusion facility other than ITER, facilities related to ITER, and the Tokamak physics experiment. This simply provides an exemption in regard to U.S. participation in the IFMIF/CDA project.

But I think that perhaps if the gentleman from California will confirm, he does have knowledge of this particular amendment.

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

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

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

Mr. Chairman, I have received the amendment of the gentleman from Illinois [Mr. FAWELL] and it does make a valuable contribution to the bill.

There is already ongoing a small but highly important materials testing operation at the level of a couple of million dollars a year, which would be precluded from the language of this bill unless it is clarified by the amendment of the gentleman from Illinois and the additional language with regard to reporting requirements is also extremely helpful.

On our side we are very glad to accept the amendment.

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

The amendment was agreed to.

The CHAIRMAN. Are there additional amendments to title II? If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III—HIGH ENERGY AND NUCLEAR PHYSICS

SEC. 301. SHORT TITLE.

This title may be cited as the "Department of Energy High Energy and Nuclear Physics Authorization Act of 1994".

SEC. 302. DEFINITIONS.

For the purposes of this title—

(1) the term "CERN" means the European Organization for Nuclear Research;

(2) the term "construction" means all activities necessary for completion of a project and its supporting infrastructure, and includes conventional construction and the fabrication, installation, testing, and preoperation of technical sytems;

(3) the term "conventional construction" means the design and construction of civil works, facilities, and other infrastructure necessary to construct a project, including tunnels, buildings, and roads, necessary to house and support the technical systems, and utilities as necessary for the direct support of elements of a project; and

(4) the term "Large Hadron Collider project" means the Large Hadron Collider project at CERN.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

(a) HIGH ENERGY PHYSICS.—There are authorized to be appropriated to the Secretary for high energy physics activities of the Department—

(1) $695,400,000 for fiscal year 1996;

(2) $719,700,000 for fiscal year 1997;

(3) $744,900,000 for fiscal year 1998; and

(4) $713,600,000 for fiscal year 1999.

Funds authorized under paragraphs (1) through (4) may be expended for the B-factory at the Stanford Linear Accelerator Center and the Fermilab Main Injector. Funds may also be expended for research, development, and planning for the Large Hadron Collider and its associated detectors. No funds are authorized for United States participation in the construction and operation of the Large Hadron Collider project until the Secretary certifies to the Congress that there is an international agreement that includes the provisions described in section 304(a).

(b) NUCLEAR PHYSICS.—There are authorized to be appropriated to the Secretary for nuclear physics activities of the Department—

(1) $337,100,000 for fiscal year 1996;

(2) $348,900,000 for fiscal year 1997;

(3) $361,100,000 for fiscal year 1998; and

(4) $373,700,000 for fiscal year 1999.

None of the funds authorized under paragraph (2), (3), or (4) are authorized to be appropriated for facility operations of the Los Alamos Meson Physics Facility. Funds authorized under paragraphs (1) through (4) may be expended for the Relativistic Heavy Ion Collider at Brookhaven National Laboratory.

(c) LIMITATION ON MAJOR CONSTRUCTION PROJECTS.—No funds may be expended for the construction and operation of any high energy and nuclear physics facility construction project of the Department, with total project expenditures projected to be in excess of $100,000,000, unless funds are specifically authorized for such purposes in an Act that is not an appropriations Act. Funds authorized under subsections (a) and (b) may be expended for preliminary research, development, and planning for such projects.

SEC. 304. THE LARGE HADRON COLLIDER PROJECT.

(a) NEGOTIATIONS.—The Secretary, in consultation with the Director of the National Science Foundation and the Secretary of State, shall enter into negotiations with CERN concerning United States participation in the planning and construction of the Large Hadron Collider project, and shall ensure that any agreement incorporates provisions to protect the United States investment in the project, including provisions for—

(1) fair allocation of costs and benefits among project participants;

(2) a limitation on the amount of United States contribution to project construction and an estimate of the United States contribution to subsequent operating costs;

(3) a cost and schedule control system for the total project;

(4) a preliminary statement of costs and the schedule for all component design, testing, and fabrication, including technical goals and milestones, and a final statement of such costs and schedule within 1 year after the date on which the parties enter into the agreement;

(5) a preliminary statement of costs and the schedule for total project construction and operation, including technical goals and milestones, and a final statement of such costs and schedule within 1 year after the date on which the parties enter into the agreement;

(6) reconsideration of the extent of United States participation if technical or operational milestones described in paragraphs (4) and (5) are not met, or if the project falls significantly behind schedule;

(7) conditions of access for United States and other scientists to the facility; and

(8) a process for addressing international coordination and cost sharing on high energy physics projects beyond the Large Hadron Collider.

(b) OTHER INTERNATIONAL NEGOTIATIONS.—Nothing in this Act shall be construed to preclude the President from entering into negotiations with respect to international science agreements.

(c) REQUIREMENT.—The Director of the Office of Science and Technology Policy shall report, within 3 months after the date of enactment of this Act, to the Committee on Science, Space, and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate on specific goals for international coordination in megascience projects, including an action plan needed to achieve these goals. The action plan shall address such issues as cost sharing and financial support, site location, access, and management of megascience facilities.

SEC. 305. OPERATING PLAN.

Within 30 days after the date of the enactment of any Act appropriating funds for the high energy or nuclear physics activities of the Department, the Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a plan for the operations of the high energy and nuclear physics activities of the Department, as adjusted to reflect the amounts appropriated for such purposes by such Act.

SEC. 306. LONG-RANGE PLANNING AND GOVERNANCE.

(a) PROGRAM GOVERNANCE REVIEW.—

(1) REQUIREMENT.—The Secretary shall contract with an appropriate independent organization to review the governance of all elements of the Department's high energy and nuclear physics programs. Such review shall include—

(A) an evaluation of the staff allocation and funding balance among facility operations, construction, and research support; and

(B) an analysis of the extent to which the Department's high energy and nuclear physics advisory groups represent the diversity of, and the full range of interests among, high energy and nuclear physics researchers.

(2) REPORT TO CONGRESS.—The Secretary shall submit a report to Congress within 18 months after the date of enactment of this Act detailing the results of the review required by this section, including recommendations for implementing the results and schedules for such implementation.

(b) LONG-RANGE PLAN.—

(1) REQUIREMENT.—The Secretary, in consultation with the high energy and nuclear physics communities, shall prepare a long-range plan for the Department of Energy high energy and nuclear physics programs based on current and projected program funding levels. The Secretary shall coordinate the preparation of the plan with the Director of the National Science Foundation, as appropriate, to ensure that long-range planning efforts and objectives for the entire Federal high energy and nuclear physics program are appropriately integrated. The plan shall be modified every 3 years. The long-range plan shall include—

(A) a list of research opportunities to be pursued, including both ongoing and proposed activities, listed in order of priority;

(B) an analysis of the relevance of each research facility to the research opportunities listed under subparagraph (A);

(C) a statement of the optimal balance for the fiscal year in which the report is submitted among facility operations, construction, and research support and the optimal balance between university and laboratory research programs;

(D) schedules for continuation, consolidation, or termination of each major category of research programs, and continuation, upgrade, transfer, or closure of each research facility;

(E) a statement by project of efforts to coordinate research projects with the international community to maximize the use of limited resources and avoid unproductive duplication of efforts;

(F) a description of the extent to which the plan modifications differ from previous plans submitted under this subsection, along with an explanation for such differences; and

(G) an estimate of—

(i) the number of scientists and graduate students being supported by Federal high energy and nuclear physics programs; and

(ii) the number of scientists and graduate students needed to carry out productive and sustainable research programs in these fields over the next 10 years.

(2) REPORTS TO CONGRESS.—(A) The Secretary shall transmit a copy of the original long-range plan with the President's annual budget request to Congress for fiscal year 1997. The plan as modified shall be submitted with the President's budget request to Congress for every third fiscal year thereafter.

(B) The Secretary shall transmit with the President's budget request to Congress each year a report demonstrating the consistency of the current long-range plan with the budget being requested for the Department's high energy and nuclear physics programs.

(c) CAPITAL BUDGET ACCOUNT.—Each of the President's annual budget requests to the Congress for high energy physics activities of the Department, and for nuclear physics activities of the Department, shall distinguish between the budget for capital expenditures, including all ongoing and planned major construction and capital equipment items, and other activities.

The CHAIRMAN. Are there amendment to title III? If not, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. UNIVERSITY RADIATION SCIENCE AND TECHNOLOGY.

(a) FINDINGS.—The Congress finds that—

(1) the future of fusion energy and advanced nuclear technology research and development programs will rely heavily on a healthy and vibrant university-based radiation science and nuclear engineering academic program;

(2) nuclear engineering is a broad, diverse field with unique academic requirements, including mathematics, physics, reactor engineering, nuclear materials, radiation protection, and reactivity control and operations;

(3) nuclear engineering academic programs at both undergraduate and graduate levels have declined in terms of the number of students enrolling in such programs, the number of schools offering such programs, and the number of research reactors available on university campuses;

(4) the existing nuclear technical community and faculties are aging, and new, younger graduates are not entering the field, threatening the United States technological superiority in this area;

(5) a robust, long-term fusion program will be dependent on the availability of properly trained scientific experts to carry on the program from the current leaders in the field;

(6) in the 1950s and 1960s, the Federal Government was instrumental in founding and funding the University Research Reactor program and the Nuclear Engineering Education and Research program, and as a primary user of the graduates of these programs, continued strong support for these programs for decades;

(7) the decline of Federal support for these programs has forced many universities to close down research reactors and seriously erode the accompanying academic programs;

(8) the current condition of the university research reactors needs attention and funding to upgrade instrumentation and safety features; and

(9) the Federal Government should continue its fuel assistance program in order to avert further hardships to the universities.

(b) PURPOSES.—The purposes of this section are to—

(1) provide Federal support and maintain and upgrade the Nation's Nuclear Engineering Education and Research and University Research Reactor programs, while continuing the University Reactor Fuel Assistance program;

(2) combine these programs into a comprehensive and cohesive national program which will support the future needs of the Nation across many scientific and technological disciplines; and

(3) provide the nuclear engineering education and university research reactor academic community opportunities to consult and cooperate with the Department of Energy and the national laboratories in the decisionmaking and priority setting processes.

(c) PROGRAM DIRECTION.—

(1) COMBINING OF PROGRAMS.—The Secretary shall combine the Nuclear Engineering Research and Education program, the University Research Reactor program, and the University Reactor Fuel Assistance program to form a new University Radiation Science and Technology program to be included as a separate and distinct part of the University and Science Education program.

(2) COLLABORATION.—The Secretary, in developing the annual budget request and program plan for the University Radiation Science and Technology program, shall collaborate with the university radiation science and technology community (including academia, professional societies, and the national laboratories).

(d) REPORTS.—

(1) COMPREHENSIVE PLAN.—The Secretary shall request the Nuclear Engineering Education Department Heads Organization and the National Organization of Test, Research, and Training Reactors to submit, within 60 days after the date of enactment of this Act, to the Congress and the Secretary a minimum of a 5-year comprehensive national plan for the University Radiation Science and Technology program. Such plan shall include comments from industry and all appropriate professional societies.

(2) PROGRAM PROPOSAL.—Within 120 days after the submittal of the plan under paragraph (1), the Secretary shall submit to the Congress a University Radiation Science and Technology program proposal, which shall incorporate the plan submitted under paragraph (1) and shall include comments from the National Academy of Sciences regarding the completeness of the program proposal.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for carrying out the University Radiation Science and Technology Program $25,000,000 for fiscal year 1995, $25,000,000 for fiscal year 1996, and $25,000,000 for fiscal year 1997.

SEC. 402. LIMITATION ON APPROPRIATIONS.

Notwithstanding any other provision of law, no funds are authorized to be appropriated for carrying out the programs for which funds are authorized by this Act for any fiscal year other than as provided by this Act.

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 36, after line 7, insert the following new section:

SEC. 403. FOREIGN PARTICIPATION REPORT.

Within 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall report to the Congress on the status of foreign participation in and contributions to projects for which funding is authorized under this Act.

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

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this amendment specifies those concerns discussed earlier and provides for that reporting mechanism to document financial participation and contributions by those foreign friends who are parties to our initiative. I believe it makes sense. It is a clarification factor that is best applied to the entire bill.

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

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

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

Mr. Chairman, I have reviewed the amendment offered by the gentleman from Ohio, our staff has reviewed it on our side. From out standpoint it is a valuable contribution to the language of the bill, and we would have no objection.

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

Mr. TRAFICANT. I yield to the distinguished ranking member of the committee, the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, we have also reviewed the amendment, and I have no reason to oppose it. I do believe the way the amendment is now drafted that it would apply to the entire energy research and development supply account, and it does have fairly broad implications for the department in terms of reporting requirements on it. But the gentleman, I think, is pursuing a useful area in assuring that we understand the full nature of the foreign participation, and I accept the amendment.

Mr. TRAFICANT. Mr. Chairman, I thank the gentleman, and in closing, I would offer: Whatever clarification language the chairman and ranking member deem appropriate and other considerations that might arise from this amendment, the general intent I think is understood, and I will accept such contributions to make it better or resolve some problems that you may have.

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

Mr. TRAFICANT. I yield to the chairman.

Mr. BROWN of California. I thank the gentleman for yielding further.

Mr. Chairman, we appreciate the gentleman's forbearance on this matter. Obviously, on matters of this sort where amendments are brought to the floor without a lot of staff review, there is the possibility there may be a need to be some minor revisions to accomplish the purpose of the amendment. If that is necessary, I believe we can take care of that in conference without any difficulty.

Mr. TRAFICANT. Mr. Chairman, I will inform the ranking member that that is the intent and that his concerns are understood by the sponsor, and we will accommodate those concerns in whatever way the gentleman works out with our chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FAWELL

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

The Clerk read as follows:

Amendment offered by Mr. FAWELL: Page 36, after line, 7, insert the following new section:

SEC. 403. MERIT REVIEW REQUIREMENT FOR AWARDS OF FINANCIAL ASSISTANCE.

(a) MERIT REVIEW REQUIREMENT.—Except as provided in sections 204 and 205, the Secretary may not award financial assistance to any person under this Act for research, development, or precommercial demonstration activities, including related facility construction, unless an objective merit review process is used to award the financial assistance.

(b) REQUIREMENT OF SPECIFIC MODIFICATION OF MERIT REVIEW PROVISION.—

(1) IN GENERAL.—A provision of law may not be construed as modifying or superseding subsection (a), or as requiring that financial assistance be awarded by the Secretary in a manner inconsistent with subsection (a), unless such provision of law—

(A) specifically refers to this section:

(B) specifically states that such provision of law modifies or supersedes subsection (a): and

(C) specifically identifies the person to be awarded the financial assistance and states

that the financial assistance to be awarded pursuant to such provision of law is being awarded in a manner inconsistent with subsection (a).

(2) NOTICE AND WAIT REQUIREMENT.—No financial assistance may be awarded pursuant to a provision of law that requires or authorizes the award of the financial assistance in a manner inconsistent with subsection (a) until—

(A) the Secretary submits to the Congress a written notice of the Secretary's intent to award the financial assistance; and

(B) 180 days has elapsed after the date on which the notice is received by the Congress.

(c) DEFINITIONS.—For purposes of this section:

(1) The term "objective merit review process" means a thorough, consistent, and independent examination of requests for financial assistance based on pre-established criteria and scientific a technical merit by persons knowledgeable in the field for which the financial assistance is requested.

(2) The term "financial assistance" means the transfer of funds or property to a recipient or subrecipient to accomplish a public purpose of support or stimulation authorized by Federal law. Such term includes grants, cooperative agreements, and subawards but does not include cooperative research and development agreements as defined in subsection 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)).

Mr. FAWELL (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. FAWELL. Mr. Chairman, once again I believe the majority has been able to review this particular amendment. I do not believe there is any controversy.

The amendment is similar to those that I have offered in committee and which have been included as sections in House-passed versions of H.R. 3254, the National Science Foundation Act of 1994, also H.R. 3870, the Environmental Technologies Act of 1994, and the amendment is also similar to my amendment included in the Science Committee-reported version of H.R. 1432, Department of Energy Laboratory Technology Act of 1994.

Mr. Chairman, basically, this amendment deals with the subject matter of which the chairman is very much aware and very much involved in in regard to earmarks.

In the very brief summary, what we have is simply a law which states that earmarks cannot be accomplished unless there is an objective merit review process insofar as the subject acts of this bill are concerned. They can be modified by general law, obviously not in a report. Basically that in a very cursory summary is what we are talking about here.

I would like to inquire of the gentleman from California, the chairman of the committee, Mr. BROWN, as to whether or not he has had an opportunity to review all of the facts of this particular amendment.

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

Mr. FAWELL. I gladly yield to the chairman of the committee.

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

Mr. Chairman, the gentleman from Illinois [Mr. FAWELL] knows that this language is intended to support the positions which we have jointly taken in connection with a number of pieces of legislation. I commend the gentleman for introducing it in connection with this bill.

Mr. Chairman, I would hope we could get this onto a number of appropriations bills as well.

Mr. FAWELL. I thank the chairman. I have nothing further.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer an amendment to title IV.

The Clerk read as follows:

Amendment offered by Mr. WALKER: Page 36, after line 7, insert the following new section:

SEC. 403. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this Act shall be available for any activity, or the publication or distribution of literature, that in any way tends to promote public support for or opposition to any legislative proposal on which congressional action is not complete. If any funds are used for purposes prohibited by this section, the organization to whom such funds were provided shall not be eligible to receive any further funding pursuant to this Act.

Mr. WALKER (during the reading). Mr. Chairman, I ask unanimous consent 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.

□ 1230

Mr. WALKER. Mr. Chairman, this amendment is essentially an antilobbying amendment from the standpoint of lobbying with taxpayers' money. What the amendment does is prohibits universities, labs, and private contractors from using taxpayers' money for lobbying for their programs. In my view it is highly questionable for the taxpayer to have to bear the costs of universities and others coming to solicit more Federal money.

In fact, one of the problems that has arisen in the area of earmarking has been because the universities themselves are engaged in lobbying Congress to earmark specific projects for them, so one way of getting at the whole earmark question is to ensure that at least taxpayer's money is not being used as a way of garnering more taxpayers' money. This amendment would prohibit universities, labs, private contractors, and so on from lobbying, and, if they violate this particular provision, they would no longer be eligible for any funds that are authorized under this act.

Mr. Chairman, I am concerned that we have had a wave of this going on, and at this point I insert some material related to a particular lobbying effort:

URGENT URGENT URGENT URGENT URGENT

PRINCETON UNIVERSITY: OFFICE OF GOVERNMENT AFFAIRS

Re H.R. 4908.

To: Fusion community.

From: Nan S. Wells.

Date: August 15, 1994.

The House is now scheduled to consider H.R. 4908, the Hydrogen, Fusion, and High Energy and Nuclear Physics Authorization Act early tomorrow. If the crime bill and/or health legislation go to the floor, the schedule could change. According to the Science Committee staff, the bill will be considered under an open rule and all amendments will be in order. It is my understanding that the committee may have only a few minutes warning of any amendments proposed.

The amendment proposed by Representative Robert Walker, the ranking Republican on the House Science Committee, which would impose a four-year $4.2 billion "hard freeze" on most of the DOE research activities, has been redrafted by Representative Boehlert who would add a $50 million increase each year for the first three years. This new Boehlert amendment (see attached material) is almost as damaging to high energy physics as the original amendment and if offers no flexibility to the other energy research programs.

Rep. Boehlert asserts that the cuts are not a problem since they would come from the DOE labs including labs doing fusion research. There is nothing in the legislation that directs the cuts and reductions could and would be made in all DOE research programs including fusion energy, high energy physics, environmental restoration and waste management research. DOE has informed the Science committee that construction of ANS and TPX, participation in the LHC at CERN, and the operation of the facilities at SLAC, Fermi Lab, Newport News and Brookhaven are in jeopardy, if this amendment is approved by the House.

The Boehlert and Walker amendments continue to restrict only the funding for energy research and place no restrictions on other DOE programs. While these proposals, and perhaps other amendments to come, are being presented as budget reductions, the DOE would be free to reallocate the R&D funds to other programs in the department. As currently drafted, the amendments serve only to reduce funds for badly needed research in high priority areas.

There is also an amendment from Representative Walker which would set a cap on TPX expenditures and Rush Holt is working with staff to try to modify it. Unless amended, it should be opposed. Of course, there is always the possibility of another amendment from Representative Dick Swett.

At this point, your members should oppose the Walker and Walker-Boehlert amendments and any other amendments. If you would like further information on the legislation, please call me at (202) 639-8420.

Mr. Chairman, I urge support for this amendment as a way of ensuring that

any lobbying activities are done with private moneys rather than with taxpayer money.

Mr. BROWN of California. Mr. Chairman, I am reluctant to do this, but this amendment disturbs my otherwise tranquil day, and I am going to have to rise in opposition to it and express my hope that the gentleman might withdraw the amendment and offer a version in another setting that might be more appropriate.

I do not object, of course, to the prohibition against lobbying with public funds. I think the thrust of the gentleman's idea is an excellent one, but this is, other than the title, prohibition of lobbying activities; it does not really discuss lobbying. It says that none of the funds authorized by this act, which of course go to the Department of Energy and then are redistributed through grants and contracts to universities and research organizations, none of these funds shall be used for the publication or distribution of literature that in any way tends to promote public support for or opposition to any legislative proposal on which congressional action is not complete.

Now I would hate to have to go through the files of all of the letters, publications, memos of every agency in the Department of Energy to see if in any way they tend to promote public support or opposition to any piece of legislation that we are considering. This is a gargantuan task, and I am not sure that we want to get ourselves involved in it.

Now I think that the thrust of this is aimed at those agencies, including universities which receive Department of Energy funds, but it is not sufficiently spelled out to see just how this would bite. I think the gentleman, and certainly he is entitled to take this action, if he wishes, has been upset by some recent university efforts to have an influence on this very piece of legislation, and I think that under some circumstances he might be justified. On the other hand, I think universities, public service, public interest groups, the National Taxpayers Union, others, some of which may or some of which may not have received Federal funding, should not have their first amendment rights compromised unless there are some very, very serious reasons for it, and I do not think the circumstances here rise to that level.

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

Mr. BROWN of California. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I want to tell the gentleman that this is language that was lifted directly out of the Interior appropriations bill. It is language that we have dealt with in the Federal Government before. This is the way in which we have spelled out. The only thing that we have done here is added the penalty that says that one cannot get any more funds under the act if they use public moneys, but the language the gentleman referred to is the language that is in the Interior appropriations bills that we have a history of handling.

So, obviously the Federal Government does have procedures for dealing with the concerns the gentleman has expressed. That is the reason why we utilize this language, figuring that it had a history and that there is a way of managing this kind of situation. I would not expect that anybody would have to rummage through files, but I would expect, wherever there is an overt lobbying activity, that it would give the department cause for action if it is found that that was done with public moneys.

Mr. BROWN of California. Mr. Chairman, I have, of course, high regard for the gentleman's legislative drafting skills, and I assume that he has used language which has a history. But I am not at all sure that history is directly applicable to this situation.

I think, for example, the requirements in the Interior appropriation which he mentioned may not have applied to scientific and academic publications, and I would like to examine that situation to see if that is true.

There is also the possibility that this would apply to nonprofit organizations which publish material that might affect legislation and which, by provisions of the Tax Code, are allowed if they do not engage in it to too great an extent to use a small portion of their funds for lobbying, which this is intended to prohibit. I think that would be a serious flaw in this——

Mr. WALKER. If the gentleman would yield further, I am also referring to title 18 of the crimes and criminal procedures of the Federal Code of the U.S. Code in which it also uses very similar language to this and goes even further by suggesting that one cannot even pay for personal service, advertisements, telegrams, telephone, letters, printed or other written matter, any other device intended or designed to influence in any manner a Member of Congress or to favor—I mean there is language that goes even well beyond this that is in the Federal Code, it seems to me, and this is called lobbying with appropriated monies.

So, what we have done here is simply extended the prohibition that is in title 18 of the U.S. Code to the specifics of this bill, and I would suggest that once again the Government does have the ability to enforce those provisions.

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

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

Mr. BROWN of California. In further response to the gentleman from Pennsylvania, Mr. Chairman, I think the intent of the amendment is solid. I am a little concerned, recalling our experience last year with the superconducting super collider where criticisms were made of the Department of Energy and its contractors for the lobbying done in support of the superconducting super collider and the appropriations bill containing the funding for it. I think under the gentleman's amendment all of that would have been illegal and the funding for the entire Department of Energy would have been canceled as a result of those activities.

Now I do not think the gentleman wants to draw quite that broad a net when he is talking about the activities of the Federal Government which is in an amendment which is labeled "lobbying" and which I think the department felt was legislative representation, protecting their own interests before the Congress. I am worried that, for example, all of the funding for their office of legislative affairs might be canceled under this because they would be distributing literature or facilitating the organization of public support or opposition to measures that involved the Department of Energy.

I really would like to request the gentleman to withdraw his amendment, and, if he is unable to and wants to vote on it, why this may be our vote of the day.

□ 1240

Mr. WALKER. Mr. Chairman, if the gentleman will yield further, let me say that I appreciate his doing that. The only thing that is covered are the funds authorized under this act. There are none of the funds for the lobbying activities, for example, that are covered by this act, so it would not prevent the department from doing that. It only applies to funds under this act. The rest of the funds may be covered under provisions of the bill, but I would say to the gentleman that this is not going to prevent the department from doing those things the department traditionally does.

Mr. BROWN of California. Mr. Chairman, I appreciate the gentleman's point, and I think I have made my position clear on the matter.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The question was taken; and on a division (demanded by Mr. WALKER) there were—ayes 7, noes 10.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 239, not voting 13, as follows:

[Roll No. 412]

AYES—187

Allard
Andrews (NJ)
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Carr
Castle
Clinger
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cunningham
Danner
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Kasich
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
Kreidler
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Machtley
Manzullo
Margolies-Mezvinsky
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Myers
Nussle
Orton
Oxley
Packard
Paxon
Penny
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shepherd
Shuster
Skeen
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Swett
Talent
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—239

Abercrombie
Ackerman
Andrews (ME)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Barton
Bateman
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
English
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Kopetski
LaFalce
Lambert
Lancaster
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
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Mink
Moakley
Mollohan
Montgomery
Murphy
Murtha
Nadler
Neal (MA)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Romero-Barcelo (PR)
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—13

Coleman
Engel
Faleomavaega (AS)
Houghton
Lantos
McDade
Moran
Neal (NC)
Slattery
Sundquist
Swift
Washington
Whitten

□ 1359

Mr. FINGERHUT, Ms. PELOSI, Ms. HARMAN, Mr. PALLONE, and Mrs. MINK of Hawaii changed their vote from "aye" to "no."

Messrs. EWING, WALSH, JOHNSON of South Dakota, BACHUS of Alabama, HAYES, and ORTON changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. If there are no further amendments to the bill, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker, having assumed the chair, Mr. OLVER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4908) to authorize the hydrogen and fusion research, development, and demonstration programs, and the high energy physics and nuclear physics programs, of the Department of Energy, and for other purposes, pursuant to House Resolution 515, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4908, the bill just passed.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. GEPHARDT. Mr. Speaker, I take this time to inform the Members of our plan for the rest of the day and possibly tomorrow.

Mr. Speaker, we have been consulting with the minority and members of the committee and others that have been involved with the crime legislation, and we believe that it is possible, with some luck, this afternoon to try to resolve some remaining issues and to try to get to conference later today, and with the help of the Chair and the ranking member and members of the committee, and obviously the Senate conferees at that point, to be able to bring back a bill that might be able to command a majority of votes in the House on tomorrow.

We are going to work very hard to do that. It may be that we cannot finish that, and we will give Members 2 hours or 3 hours notice once it is determined that we cannot go forward, or, obviously, if we are moving forward, we will be moving toward a conclusion tomorrow.

Our plan would be to meet at noon tomorrow. For this purpose Members should expect to be here at noon tomorrow to vote on the crime bill conference report.

In a moment, if there are not more questions, I will ask unanimous consent to go to conference.

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

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

Mr. MICHEL. Only that I might advise Members, and particularly on our

side, as contentious as the issue is, that the Speaker has consented to include our former Governor, MIKE CASTLE, as a conferee, because he has been in counsel with a number of those Members on our side who have maybe little differing views than the majority on our side, but, nonetheless, are important to be aired. So we are going to have a voice in the conference.

The distinguished chairman of the committee, I am sure, will certainly allow those expressions to be made in what would be considered to be an open conference, but narrowed down to the scope of the issues that are really at hand, as distinguished from just a wide open conference where we could not tell if we will be out of here by Christmas. That would be nonsensical at this juncture. We have had enough discussion here I think to have those issues narrowed down pretty finitely on both sides.

As the distinguished majority leader says, you know, working in good faith, nothing ventured, nothing gained. And the sooner we get started, the sooner and better I think we can eventually get it resolved.

My concern to having any further delay is once you go over the weekend, you can just eat up all next week, believe me. So you are better off, in my judgment, doing the very best we can, and everybody praying that they can get some agreement. It is possible they will not, but if you never get started, you will never get anywhere.

So I would certainly support what the distinguished majority leader said, and I appreciate the cooperation of the Speaker in meeting our requests.

Unless there are any other inquiries?

Mr. GEPHARDT. I would just inform Members that if these unanimous requests are approved, there will not be further votes this afternoon, pending the outcome of this bill that is under consideration right now. However, if the unanimous-consent requests are not approved, we would have two additional votes to try to recommit the bill to conference.

Mr. SOLOMON. If the gentleman will yield, the gentleman has a second unanimous-consent request. If I might just clarify, since there are many people on different sides of this issue, and it might relieve their concerns a little bit, the second request that the majority leader is going to make is going to waive the two-thirds requirement that a rule could be brought up the same day, that being tomorrow, the same day.

In that unanimous-consent request, it will state clearly that this is only waiving the two-thirds for a conference report to come to the floor that is agreed to by the minority. Should that conference report not be agreed to by the minority, then the two-thirds waiver would not be in effect.

So I just wanted to make that clear. I believe we are going to support both those unanimous-consent requests on this side of the aisle then. Is that your understanding?

Mr. GEPHARDT. That is my understanding. Obviously the gentleman understands if we come to an agreement, we would need to bring that up tomorrow. If we cannot come to an agreement, we would have to go into next week and go through the normal procedure to do that.

Mr. SOLOMON. I thank the gentleman for clearing that up.

RECOMMITTAL OF CONFERENCE REPORT ON H.R. 3355, VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the conference report on the bill, H.R. 3355, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety, be considered as recommitted to conference.

The SPEAKER. The gentleman from Missouri [Mr. GEPHARDT] asks unanimous consent that the bill, H.R. 3355, be recommitted to conference.

Is there objection to the request of the gentleman from Missouri?

There was no objection.

WAIVING TWO-THIRDS VOTE REQUIREMENT TO CONSIDER REPORT FROM COMMITTEE ON RULES ON SATURDAY, AUGUST 20, 1994

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House be waived on the legislative day of Saturday, August 20, 1994, with respect to any resolution providing for consideration or disposition of the conference report to accompany H.R. 3355.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. GEPHARDT]?

There was no objection.

ADJOURNMENT TO SATURDAY, AUGUST 20, 1994

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow, Saturday, August 20, 1994.

The SPEAKER. Is there objection to the question of the gentleman from Missouri [Mr. GEPHARDT]?

There was no objection.

APPOINTMENT OF ADDITIONAL CONFEREES ON H.R. 3355, VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993

The SPEAKER. Pursuant to rule X, the Chair appoints as additional conferees to the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety, the following Members: Mrs. SCHROEDER, Mr. FRANK of Massachusetts, and Mr. CASTLE.

The Clerk will notify the Senate of the change in conferees.

□ 1410

NOTIFICATION OF PLANS OF COMMITTEE ON RULES RELATING TO CONSIDERATION OF H.R. 2866, HEADWATERS FOREST ACT

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

Mr. MOAKLEY. Mr. Speaker, I would like to notify Members of the Rules Committee's plans regarding H.R. 2866, Headwaters Forest Act.

The Rules Committee is planning to meet the week of August 22, to consider the bill. In order to assure timely consideration of the bill on the floor, the Rules Committee may report a rule that limits the offering of amendments.

Any Member who is contemplating an amendment to H.R. 2866 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 5 p.m. on Monday, August 22, 1994.

Amendments should be drafted to bill as introduced.

We appreciate the cooperation of all Members in this effort to be fair and orderly in granting this rule.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4291

Mr. STUMP. Mr. Speaker, my name was incorrectly added to the list of cosponsors of H.R. 4291 and I ask unanimous consent that my name be removed from the list of cosponsors of H.R. 4291.

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

There was no objection.

OMNIBUS CRIME CONTROL ACT OF 1994

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

Mr. BILIRAKIS. Mr. Speaker, contrary to what some have been saying about it in the past few days, the crime bill presented to Members last week didn't fool the law enforcement community in Florida, according to an article in Wednesday's St. Petersburg Times, which I am entering into today's RECORD along with this statement.

The Times reported that interviews with more than a dozen senior law enforcement officials revealed "considerable doubts and even more ambivalence toward the bill."

The Pinellas-Pasco State attorney noted that "there is just so much fluff in there * * * it's hard to get excited about it."

The president of the Florida Sheriff's Association—which hasn't even discussed the bill at its meetings—said it was packed with "feel-good, look-good" social programs that are a waste of tax dollars. One sheriff doesn't agree with the hiring of 100,000 officers. He said his deputies are arresting the same offenders over and over again, but have nowhere to put them. He said "prison beds are more important."

One police chief noted that "the politicians are more interested in seeing who can be the toughest on crime rather than trying to solve the problems."

These people know the score, Mr. Speaker, they put their lives on the line every day. Let's get serious around here and put together a crime bill that is not a crime itself.

[From the St. Petersburg Times, Aug. 17, 1994]

POLICE, SHERIFF OFFICIALS ARE COOL TO CRIME BILL

(By David Barstow)

Look at all the goodies for Florida: $410-million to hire new cops. Another $380-million for prisons. At least $200-million for crime prevention.

It's all there, tucked away in President Clinton's massive $33-billion crime bill. And it's all at stake this week as Clinton fights to rescue what he calls the "toughest, largest" crime bill ever written.

The bill suffered a key defeat last week with several surprise "no" votes coming from Florida representatives. Yet state and local law enforcement officials—in theory Clinton's natural allies—are silent as tombstones at this most crucial of junctures.

They're not lobbying for it.

They're not losing sleep over it.

They're not even sure it'll do that much good.

There's never been a federal crime bill since I've been in the system that's made a hill of beans of difference," said Pinellas-Pasco State Attorney Bernie McCabe.

"There's just so much fluff in there. * * * It's hard to get excited about it."

The Florida Sheriffs Association hasn't even discussed the bill at its meetings. "It doesn't really mean much to us," said Harold Sample, executive assistant to Pasco Sheriff Lee Cannon.

Asked if he supported Clinton's crime bill, Pinellas Sheriff Everett Rice said: "I really don't know. I haven't formed an opinion on it."

What's going on here? Isn't crime the No. 1 concern among voters? Aren't police chiefs and sheriffs always pleading for more cops? Wouldn't they be jumping through hoops of fire to get their share of the bill's promised 100,000 new police officers?

Well, no. Interviews with more than a dozen senior law enforcement officials in the Tamps Bay area this week revealed considerable doubts and even more ambivalence toward the bill. And if their lukewarm responses are any indication, Clinton's task in rescuing the bill will not be easy.

Take Hillsborough Sheriff Cal Henderson. He's a Democrat, and he likes much of what's in the bill. But he does not agree with its centerpiece—those 100,000 officers. That's simply not the No. 1 priority right now, he said.

"And I'm not in the minority in saying that. * * * At this point the more important thing is the prison beds and (juvenile) detention facilities."

His deputies are arresting the same offenders over and over and over, he said. More deputies means more arrests, but no real change, he said. No real impact.

"Give me a break," said Manatee Sheriff Charlie Wells, a Republican. "A 100,000 police to arrest people to put 'em where? To put 'em where?"

Wells knows the bill contains billions for new prisons. But if he were Clinton, he would take every cent of that money for the 100,000 police officers and put it all into drug treatment and prison beds, he said.

And this is a sheriff talking.

There's another reason local police officials aren't scrambling over each other for Clinton's 100,000 officers. Yes, the federal government would help pay for the officers. But only for a few years. Then it's up to local governments to pay their full salaries and benefits.

That's what frightens Terry Chapman, acting police chief of the Brooksville Police Department, which employs 17 police officers on a budget of a little more than $1-million.

Sure, he would love to get a piece of the $8.8-billion set aside for those 100,000 new officers. Just three more officers would allow him to beef up his department's community policing efforts.

"But you're looking at $90,000 a year for three officers. You add $90,000 on your budget and now you've created a severe problem," he said. "We're working on a very, very tight budget."

So tight that he can't see asking his City Council for those three new officers. "They put these big numbers out, these big figures, but people don't realize the hidden costs of these grants."

Darrel Stephens has the same problems as Chapman, only on a larger scale. He is chief of the St. Petersburg Police Department. Last year, his department applied for a federal grant to hire 18 more officers for community policing. The department didn't get the money. Under Clinton's crime bill, it probably would.

But Stephens said he's not certain he will resubmit the application even if the bill becomes law. Not because he no longer needs the 18 officers. It's just that he's not sure the city can afford to pick up the long-term costs of the new officers—about $900,000 a year.

"That's a problem."

There are other problems. For many police officials here, the headline-grabbing elements of the bill have little, if anything, to do with local crime rates. For example, the bill would greatly expand the number of federal crimes for which the death penalty could be used. Big deal, they say. When was the last time your local police made an arrest for hijacking an airplane?

And this: "The federal government has had a death penalty all along, but I haven't seen 'em executing anyone," McCabe said.

Another controversial provision of the bill would ban 19 types of assault weapons. Trouble is, there aren't many crimes committed in the Tampa Bay area with assault weapons.

"In Manatee County there's never been a person murdered with an assault weapon—and I've checked," said Wells.

"The politicians are more interested in seeing who can be the toughest on crime rather than trying to solve the problems," Stephens complained. Still, he is disappointed the crime bill has faltered. For one, he has heard that his department stands to collect $1.3-million of the bill's $7.4-billion in crime prevention money. Yet even Stephens has largely stayed on the sidelines of the political battle over the bill. Other than a phone call to the office of U.S. Rep. C.W. Bill Young, an Indian Rocks Beach Republican, Stephens has not lobbied local delegates.

Tampa police Chief Bennie R. Holder, another supporter of the bill and a Democrat to boot, hasn't lobbied Florida's delegation either. But then, his department already secured a federal grant to hire 30 community policing officers.

Wells, a Republican, is president of the Florida Sheriffs Association, which decided not to take a position on the crime bill.

He said the association would have backed the bill, but then the politicians packed it with "feel-good look-good" social programs that are a waste of tax dollars. Like the $40-million in the bill to sponsor midnight basketball leagues for kids.

"Why do I need the president of the United States telling me I need midnight basketball?" Wells asked.

"They convoluted a perfectly good bill. Even the Democrats among the sheriffs, they aren't pushing for it."

So what will Wells do if the bill passes? Will he ask for more deputies? Will he try for some of that basketball money?

Wells chuckled: "If this passes, I'll be right there with my hands out just like everyone else."

AARP ENDORSEMENT OF HEALTH REFORM

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

Mr. MILLER of Florida. Mr. Speaker, I have in my hands a letter that of my colleagues—including the entire Republican leadership—sent to Mr. Horace Deets of the AARP. How could the Washington staff of the AARP endorse Clinton-Gephardt before the details of the health bill had even been drafted. How could the AARP endorse some $380 billion in Medicare cuts. Why would the AARP endorse a bill that so clearly threatens senior citizens with rationed health care? And perhaps most importantly, we wanted to know why the AARP would endorse Clinton care when the AARP's own polls show that senior citizens have rejected this Government takeover of healthcare.

We are still waiting for an answer from Mr. Deets, but we have heard plenty from former AARP members. I received over 150 angry calls the morning after the AARP's surprise endorsement. Ray Stanclift of Sun City, FL, told me "Mr. Deets does not represent me with such an endorsement." It is time for AARP to speak for their membership rather than serving as lobbyists for Clintoncare.

Mr. Speaker, I submit this letter to include for the RECORD.

HOUSE OF REPRESENTATIVES,
Washington, DC, August 11, 1994.

Mr. HORACE B. DEETS,
Executive Director, American Association of Retired Persons, Washington, DC.

DEAR MR. DEETS: We are writing to express our complete dismay over the AARP's decision to endorse the Clinton/Gephardt health care plan, legislation that contains key provisions that would dramatically reduce the quality of and access to care currently enjoyed by senior citizens. Amazingly, your endorsement came before the language of the bill had even been drafted.

Now that the details of the bill have been released, the members of the AARP are going to be surprised that the Washington staff has endorsed a bill that contains over $380 billion in Medicare cuts over nine years, while expanding Medicare coverage to an additional 95 million Americans. The new Medicare Part C extends coverage to the unemployed, part-time and seasonal workers and small businesses, creating a huge new entitlement class to compete with senior citizens for scarce federal dollars. Clinton/Gephardt also contains global budgets and price controls that will lead to rationing of care. And senior citizens understand—even if the Washington staff of the AARP doesn't—that they are most vulnerable to such government rationing schemes.

Poll after poll—including the AARP's own surveys—show that senior citizens have rejected the Clinton approach to health care reform. Yet, the AARP plans to spend millions of dollars of their members dues to convince AARP members they are wrong about Clinton/Gephardt.

It may be politically expedient to ram Clintoncare down the throats of America's seniors before they are given the details of the legislation, but it is no way to fix the health care system. We would have thought the AARP's leadership would have learned something from their ill-fated endorsement of catastrophic coverage in 1988. Upon learning the details of that legislation, seniors overwhelmingly demanded its repeal.

This is not the first time the Washington staff of a major organization has lost touch with the people they ostensibly represent. But this case is different because the AARP is so influential, and the stakes in the health care debate are so large. A recipient of $86 million in government grants last year, America's largest lobby has apparently forgotten who it is they represent. America's seniors deserve better.

Sincerely,

DAN MILLER,
and 67 other Congressmen.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE TICKET FEE DISCLOSURE ACT OF 1994

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. DINGELL] is recognized for 5 minutes.

Mr. DINGELL. Mr. Speaker, I am pleased to introduce today, along with my colleagues, Representative GARY CONDIT and Representative AL SWIFT, the Ticket Fee Disclosure Act of 1994.

This legislation will provide American consumers appropriate and timely disclosure of convenience fees, service charges, and other amounts often added to the face value of entertainment and sporting event tickets. An estimated 400 million such tickets were sold last year—more than double the amount sold just 3 years ago. As ticket sales have increased, so too have the methods used to sell the market such tickets. Indeed, with the advent of the communications superhighway, sellers of entertainment tickets likely will have many additional avenues available to them that are not feasible today.

This legislation does not inhibit these new and innovative approaches nor does it inhibit the growth of the entertainment and sporting industries or marketing firms that are associated with such industries. Rather, this simple legislation merely seeks to inform the ordinary consumer who purchases these tickets of any additional charges or fees that are assessed above the face value of any such ticket.

The Subcommittee on Information, Justice, Transportation, and Agriculture, which Representative CONDIT chairs, recently held hearings regarding these and related issues. These hearings have raised questions about the competitive nature of firms engaged in ticketing practices, some of whom have exclusive contracts with stadiums, theaters, and other entertainment venues. While the legislation we introduce today does not address these competitive issues—some of which are beyond the jurisdiction of the Energy and Commerce Committee—the recent hearings have pointed out that ordinary ticket consumers may be subjected to increasing convenience or service charges levied for the benefit of the ticketing agent or the venue. The legislation does not attempt to address the issue of whether any of these additional fees are reasonable or justified—indeed, such fees could reflect an appropriate value to the consumer for certain services provided—but merely seeks to notify the consumer who seeks to purchase tickets of the existence and amount of these add-on charges.

This legislation makes it unlawful for persons who sell or resell entertainment or sporting event tickets: One, to fail to disclose to the purchaser—prior to the purchase of any such ticket—any fee, charge, or other assessment to be imposed in excess of the face amount of the ticket, and two, to fail to have the amount of any such fee, charge, or assessment printed on the ticket or on a receipt evidencing any such ticket sale.

Under the bill, this Federal prohibition will be enforced by the Federal Trade Commission, an independent regulatory agency that has authority over unfair and deceptive commercial practices under the Federal Trade Commission Act (15 U.S.C. 45 et seq.). As well, State attorneys general are empowered under the bill to enforce the prohibition on behalf of affected residents in their States. In this regard, the bill parallels other commercial practices legislation developed by the Committee on Energy and Commerce during the past few years, including the Telephone Disclosure and Dispute Resolution Act, enacted in 1992, dealing with so-called 900 telephone numbers and other pay-per-call services, and the recently enacted Telemarketing and Consumer Fraud and Abuse Prevention Act. Under the Federal Trade Commission Act, the Commission is authorized to issue cease and desist orders in appropriate cases and to impose civil penalties of up to $10,000 for each violation of the law.

This is a modest effort to protect consumers by requiring disclosure. I thus cannot imagine that reasonable and responsible businesses will object to enactment of this legislation.

Representative SWIFT has informed me that hearings on this legislation by the Subcommittee on Transportation and Hazardous Materials will take place in September. I look forward to prompt consideration and enactment of this bill so that American consumers will be better informed about add-on charges that they pay for entertainment and sporting event tickets.

AN APPRECIATION FOR BIPARTISAN COOPERATION: MAY THERE BE MORE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HORN] is recognized for 5 minutes.

Mr. HORN. Mr. Speaker, I was delighted to see the example of bipartisan cooperation which was entered in this afternoon by both the Democratic and Republican leaders and the Speaker.

The crime bill is an immensely importantly piece of legislation for most who live in urban America. Increasingly, we have seen crime move from urban America to suburban and even rural America.

At last we have an effort on both sides to reach constructive agreement as to how we might improve this bill and have a very effective piece of legislation.

Basic to those negotiations is the belief that the people at the local level and their elected officials—the city councils, the mayors, and the city managers—know best what is needed in their community. They will know where the line should be drawn between enforcement and prevention programs. Both are needed. The question is: In what proportion and how effective will a particular program be?

I am delighted to say that this is the first major bipartisan effort I have seen since NAFTA—the North American Free-Trade Agreement. I think it bodes

well for the country. Certainly, the President and the Members of his staff who have been involved deserve credit for that realization.

I hope the President will take bipartisan cooperation seriously in the future. He is at a crossroads in his Presidency. We want him to be a successful President. He is the Nation's President, and if you are going to be successful, you have to enter into bipartisan cooperation from the beginning. As Senator Vandenberg said in the 1940's, you have to be in on the takoffs, not just the crash landings.

The crime bill can be a takeoff, if these negotiations are successful. I think most of us in this Chamber on both sides of the aisle wish those conferees well.

I particularly want to thank the Speaker for naming a colleague, fellow freshman, former Governor, the gentleman from Delaware [Mr. CASTLE], as a conferee. MICHAEL CASTLE has done a splendid job in bringing people together and putting an agenda together that reflects the views of the great majority, I feel, in this Chamber.

I wish that conference well and hopefully by tomorrow afternoon we will have a constructive piece of legislation before us—a bill we can approve.

Mr. Speaker, I would like to include for the RECORD a letter which a group of Republicans sent to the President yesterday which outlines some of the proposals that are being made in the conference that will soon be underway.

HOUSE OF REPRESENTATIVES,
Washington, DC, August 18, 1994.

Hon. WILLIAM J. CLINTON,
President of the United States,
The White House, Washington, DC.

DEAR MR. PRESIDENT: We have been working for quite some time on arriving at a compromise on the crime bill that will command an overwhelming majority of votes in the House. We believe that the crime bill should not be passed by merely a vote or two along essentially party lines. We must pass a consensus crime bill and move together toward solving our Nation's serious violent crime problem.

We met with several representatives from the White House and the Justice Department today in order to reach such a compromise on a consensus crime bill. Specifically, we informed these representatives that a crime bill based on the following points could command a significant number of Republican votes:

First, delete the Brooks' provision for Lamar University.

Second, cut a minimum of $3.5 billion from the social spending in the bill.

Third, in order to achieve this cut, we urge the creation of a block grant for the police funding and the social spending/prevention funding at approximately $12 billion. Under this approach, states and cities could decide for themselves how best to use this money to fight crime.

Fouth, prison funding must be set at $10.5 billion (all from the crime reduction trust fund) for construction of new state prisons or boot camps only (no funding for alternative forms of incarceration beyond these two categories), with a truth-in-sentencing requirement based on the Chapman-McCollum language in the current bill.

Other policy changes that we believe are crucial include: Dunn/Zimmer sexual predators provision; Gekas death penalty procedures; Molinari-Dole provisions on evidence of prior sex offenses; Eliminate retroactivity in mandatory minimum sentencing reform for drug offenders; Gramm provision making a separate federal offense the use of a gun in committing a state crime; and Simpson provision on expedited deportation of criminal aliens.

Policy changes that we suggest include: Mandatory HIV testing in rape trials; Schiff provisions on treatment of juveniles; and Nickles provision mandating victim restitution.

We believe that if these changes are made to the crime bill, we can arrive very quickly at a bipartisan solution to the current impasses that will have a significant impact on reducing violent crime in the United States. We look forward to working with you toward this important goal.

Sincerely,

Susan Molinari, John Porter, Wayne Gilchrest, Scott Klug, Clay Shaw, Michael N. Castle, James, T. Walsh, Stephen Horn, Deborah Pryce, Curt Weldon, James A. Leach, David A. Levy, Peter T. King, James C. Greenwood, Herbert H. Bateman, Dick Zimmer, Ileana Ros-Lehtinen, Peter G. Torkildsen, John R. Kasich, Rick Lazio, David L. Hobson, C.W. Bill Young, Bob Franks, Gary A. Franks, Jim Saxton, Tillie K. Fowler, Paul Gillmor, Ron Machtley, Olympia Snowe, Porter J. Goss, Michael Huffington, Chris Smith, and Jim Ramstad.

CUBA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. GOSS] is recognized for 5 minutes.

Mr. GOSS. Mr. Speaker, I just wanted to take a moment to say that I think many Americans have just observed the President of the United States doing a press conference on the situation in Cuba, among other things.

The President has indicated that we are basically adopting a different procedure toward people who are trying to flee from the oppression of Castro's Cuba. Apparently we are going to divert people who are leaving Cuba to get away from that oppression to other safe haven areas.

Unfortunately, we have not had any specifics of that. We need to know what those safe haven areas are going to be.

The President specifically mentioned, Mr. Speaker, that they were going to use Guantanamo Bay, which I suppose makes some sense because that is in Cuba. The problem with using Guantanamo Bay, of course, is that it may violate some of the contractual arrangements we have on that base.

The other serious problem is that there are already about 15,000 Haitian refugees as a result of our problem policy with regard to Haiti. So it seems to me that there is going to be a need to find some additional safe havens, because I do not think there is any likelihood that the cruel oppressive violation of human rights policies of Fidel Castro are going to change any time soon.

Inevitably, there are going to be people who are trying to get away from the Castro regime especially at a time when the country's economy is crumbling very rapidly because they have lost some of the special arrangements they had with the former Soviet client states.

□ 1420

These are very tough times for Cubans in Cuba, Mr. Speaker, and it appears that now we have altered our policy to deal with their expression of trying to get away, but we really have not explained it very well. Mr. Speaker, I hope that the American people will be as curious as I am and asking the specific questions, as one reporter did of the President, saying "Where specifically are these safe havens going to be, Mr. President," and the President was unable to say anything further except "Guantanamo and other places we are working on."

The second point needs to be made, and I do not think the President responded to the question that I think I heard asked, and that is "Why don't we tighten up the embargo, the sanctions on trade and commerce, with Fidel Castro the same way we have tightened them up on Haiti, which is nowhere near as serious a problem in terms of our national security or in terms of the friendly relations we have had with that country over many years.

Yes, we have an illegal leadership going on in Haiti that is comprised of a military junta, but it has certainly never taken to hostility in the way Fidel Castro has exhibited. Yet we are really breaking our necks, spending many, many dollars trying to tighten the noose around Haiti, a small friendly neighboring country in the Caribbean, and we are not giving those same types of efforts to tighten the embargo down on Cuba.

I would point out that friendly countries like Mexico, Jamaica, Spain, other Latin American countries are freely carrying on commerce, sort of flaunting the embargo at us. It seems to me that one of our areas of diplomacy clearly ought to be to get the cooperation of our allies to get serious about getting tough on Fidel Castro's regime.

I think the final problem, Mr. Speaker, is I surely hope that we come up with a better program to deal with foreign policy in the Caribbean than we have been seeing in the Clinton administration so far. It is not that we have not tried to give them advice and good suggestions. It just seems like they are not listening.

We may very well be looking at the prospect of people in the Florida

Straits trying to get away from Fidel Castro and people in the Windward Passage trying to get away from the misery we are producing in Haiti, and our United States Coast Guard and Navy and a tent city on Guantanamo, all at a time when the third hurricane of the season hits next week. Let us pray that does not happen, Mr. Speaker, and let us pray that we get some foreign policy out of the State Department before then. I think it is important.

AMERICA MUST RETURN TO FUNDAMENTAL MORAL AND RELIGIOUS VALUES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, we have been talking about this crime bill now for a long, long time. Now we are going to be here through Saturday and maybe into next week. I think the American people are very concerned about crime. I think everybody is.

However, Mr. Speaker, I want to tell you a story. Last night I bought a movie that I had seen when I was a boy. It starred a guy named Joel McCrea. He was a western star.

The name of the movie was called "Stars In My Crown." It is a story about a western minister who came back from the Civil War, and he started preaching in this small western town. It is one of the best movies I have ever seen.

It had a very strong moral story to it. In one scene in the movie, he goes into a schoolhouse at the beginning of the school year and he talks to a bunch of schoolchildren about studying and about being a good, moral person, and he did a little prayer in the school.

One of the problems that I have with the crime bill and legislation we pass around here is that it is a solution that is peripheral in nature. It is not going to solve the problem. We are not going to solve crime in America by passing this crime bill.

We are not going to solve crime in America by spending $9 billion more for social programs or by doing away with people's rights to have weapons. We are not going to solve the problems in America until we start changing the moral attitude of this country.

This country has lost its moral underpinnings. We do not have prayer in school anymore. Kids do not have any real moral guidance. They grow up with a steady diet of pornography and all kinds of things we would not accept when we were kids. We wonder why crime has been on the increase.

Mr. Speaker, I do not believe that we ought to be preaching from the well of the House. I am the last person, I think, that ought to be doing that. Paul the Apostle in the Bible says, "When you talk of sinners, I am the chief," and I am a heck of a lot worse than he was, so I am the last person to be talking about this, but we have lost our moral compass in America.

We are not going to solve the problem just by passing legislation. We have to turn back to the Good Lord. It says up here "In God We Trust," but boy, we pass legislation all the time in this place and we do not pay much attention to that, what it says up there behind the lectern.

In Second Chronicles in the Bible, chapter 7, verse 14, it says:

> If my people who are called by my name will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven and forgive their sins and heal their land.

We need as a country to start realizing that. If we start turning back to the precepts of God, and the Holy Bible, and the Koran, and the New Testament, if we start turning back to the things that made this country great and start believing in the fundamental morals that made this country great, then things will start getting better. No amount of legislation is going to change things until we realize that fact.

CONFERENCE COMMITTEE CAN STRENGTHEN WEAKENED CRIME BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, as the Representative for Florida's seventh Congressional District, I have the responsibility to carefully review legislation as it is presented to this House. After I reviewed the 972 pages of the crime bill which was produced by the conference committee, it was my strong opinion that this measure should be returned to the conference committee, and that it also was in the best interests of the citizens of my district and all Americans, and we did that just a few minutes ago.

However, on April 21, 1994, I voted for a crime bill based on my hope that the strong provisions would be retained that we passed in this House, and the objectionable, weaker measures would be eliminated. What occurred, however, as we know is now history in conference committee, was unfortunately a sad mistake.

It is my great hope for this House and also for the country that we can now correct that mistake with the action that took place just a few minutes ago here on this floor.

Regrettably, as we know, the House conference committee and Senate conference committee weakened most of the major enforcement and penalty provisions of bills that passed both this House and the other body. Some of the provisions which were altered or eliminated include—and let me go over them, if I may—a measure which in the House was supported by a 407 to 13 majority, requiring notification of neighborhoods that released sexual predators were living in neighborhoods, in individuals' neighborhoods, was stripped from the bill.

Mandatory minimum sentences for criminals committing felonies with a firearm was also taken out of the conference report. Mandatory minimum sentences for adults who sell drugs to minors or use minors in drug crimes was eliminated from the bill.

A provision requiring mandatory restitution to victims of violent crimes was also dropped. Provisions to help convict prior rapists and child abusers were rejected, despite a House floor vote here of 348 to 62 to allow the admissibility of critical evidence. The provision to deport criminal aliens immediately after they leave prisons was also rejected and taken out of this conference report.

The language of the gentleman from Pennsylvania [Mr. GEKAS] on procedures to be used in imposing the death penalty was dramatically weakened, despite the House's unanimous vote to keep the original Gekas language. Instead, the conferees opted for language that makes it easier for a convicted murderer to have his sentence overturned or appealed.

□ 1430

Now the conference committee will reconvene and it is so important for this House and for this Congress and the credibility of this whole issue before the American people that these issues in that conference be addressed and corrected. Furthermore, the conference report expanded funding as we now know its history from the other body which included $22 billion for police, prisons, prevention and treatment, all of which I supported. In this House we had included $27 billion for similar measures. I could not in good conscience support the vast array of new programs which pushed spending in this total conference report to $34 billion. The longer the public looked at this, the longer the media looked at this, the longer Americans looked at this, the more problems they saw with this type of social agenda spending.

Now we have an opportunity in a bipartisan fashion to correct that. Mr. Speaker, I favor a strong, effective crime bill which I know you and other Americans support. It is my hope that this conference can carefully evaluate the provisions of any future crime legislation we bring before the House and the other body on the basis of effectiveness and wise expenditures for the hard-earned taxpayer dollars that we spend here in the Congress.

I would like to see a strong, effective crime bill, the people of my district

would like to see a strong, effective crime bill, and let me say our hearts ache for the victims of crime and violence. But, ladies and gentlemen, we have a responsibility in the next 24 hours and in the days ahead not only to legislate with our hearts but also with our minds.

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

Mr. MICA. I yield to the gentleman from New Jersey.

Mr. HUGHES. I was just in the back of the Chamber and I thought I understood the gentleman to say that there were no provisions in there to notify the public over the presence of sexual predators or those that commit sexual offenses in the conference report on the crime bill.

Was that what the gentleman said?

Mr. MICA. Not exactly. I did agree with the position that the President has taken and other Members of a wide range in this body to restore provisions which we originally supported both in the House and the other body.

OPEN MARKET ON ATOMIC BOMB PLANTS

The SPEAKER pro tempore (Mr. KOPETSKI). Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Mr. Speaker, recent newspaper stories reveal in vivid detail the threat of the nuclear bombs made in garages or in some third world factory.

For that reason it is a scandal and threat to our national security that the Department of Energy allowed components of a nuclear reprocessing plant to make bomb-grade uranium to be sold on the open market as excess property. Not only was the plant sold, but the crucial blueprints, flow sheets, and manuals to set it up were provided the buyer, Mr. Johansen of Pocatello, ID.

The scandal is that the Secretary of Energy, Mrs. O'Leary, took 5 months to reply to a request from NRC Chairman Ivan Selin that the matter be resolved by buying back the equipment. It is outrageous that the security forces in the Department of Energy were not informed by the Secretary about the matter. The Department has a good security agency which cannot operate efficiently if it is blindsided by the Secretary.

I am thankful for the friendship of the British Ministry of Defense officials which sent a handwritten note to the State Department.

The Wall Street Journal reported the British note written by Ray Gatrell, a nuclear safeguard official at Whitehall stated:

> I don't know if you know but—Frontier Salvage of Idaho are trying to sell a Nuclear Fuel Reprocessing Plan. BNFL UK isn't interested. I wondered if Saddam Hussein et. al. might be. I thought you or your colleagues might wish to check it out.

With the mention of Saddam Hussein our American officials finally understood the threat of the sale of the equipment but, not before Japan became involved. The article pointed out that an agent of Mr. Johansen turned up a Japanese potential buyer who wanted the related documents. Mr. Johansen obliged, and called the Idaho laboratory and asked for the documents.

The people at the lab didn't catch on even then, but told him the documents were probably classified. What makes the story even worse is the fact that Mr. Johansen followed instructions from someone at the lab and faxed a request to the Energy Department's Idaho field office under the Freedom of Information Act. The Idaho field officer, Carl R. Robertson, wrote Mr. Johansen that the drawings were his if he paid $280 for search and copying costs.

Then Mr. Johansen went to still another individual Lloyd McClure, manager of technology transfer for Westinghouse Idaho Nuclear Co., which was another contractor at the Idaho lab, and obtained a manual with flow sheets and a Government directory of nuclear facilities world-wide. These particular documents explained how the parts fit together and they were then given to the Japanese businessman.

Unbelievably, Mr. McClure wrote to Mr. Johansen explaining how glad he was that the information could help potential buyers. He stated, "Sale for use should result in higher profits for you than just selling it as scrap." This is an absolutely outrageous story.

The Wall Street Journal pointed out that Mr. Johansen is trying to sell his plant and has been shuffled from official to official in Idaho.

The Secretary did not move quickly to buy back the equipment but an Australian firm has offered $8.3 million for the components, blueprints, manuals and x rays. Apparently that undisclosed client is the Government of India.

Finally, the Energy Department is acting to buy back the plant, but it is not clear whether Mrs. O'Leary weighed in on that decision. What is perfectly clear is the Secretary of Energy has acted in an incompetent manner by not acting quickly to repurchase the equipment—and even worse to allow it to be sold on the open market. This nonsense about our nuclear security must stop.

THIS IS A BAD CRIME BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. BACHUS] is recognized for 5 minutes.

Mr. BACHUS of Alabama. Mr. Speaker, in the last week or two, we have continually debated the so-called crime bill. If you read the papers or you talk to the people back home, it becomes apparent that neither has focused on what I consider the real issues. I am getting calls back home and they are saying, is this the NRA? Is this all about the NRA? Or they call and they say, "No midnight basketball." Or they call and they talk about the need for more police. In the last day or two, I have been asked by press back in my district, "Are you going to cut $2 billion off this? Are you going to cut $1 billion? If you cut 4, would you vote for it?"

This is not really about whether we spend $33 billion or $26 billion. It is about whether this is a crime bill, whether this is a wise use of money, whether it is $33 billion or $26 billion, and what does this bill do and what does it not do? I think the bottom line on this bill, if we reduce this from $33 billion to $23 billion across-the-board, it is still a bad bill. What this bill does and what I object so much to is this bill is a Federal takeover of law enforcement and of prisons nationwide.

If this bill were about helping Birmingham, AL, that I represent, by giving money to the city and to Johnny Johnson, the police chief, and letting him go out and hire more police officers, I might say yes, he may need more police officers. If this was about giving the State of Alabama, which is under a court order to empty jail cells, if it was about giving the State of Alabama more money for prisons, I would vote for this bill. But does it do that? Does it give Mel Bailey, the sheriff of Jefferson County in Birmingham, AL, does it give Sheriff Bailey the right to hire more deputy sheriffs? No. No, it gives the right to a community board that is set up in this legislation to study whether more law enforcement officers are needed. And it gives this board the right to apply for a grant up here in Washington, DC to put on those police officers.

Lo and behold, it says that before you hire them, you have got to do things. You have got to tell Washington, DC that you do not have the money for these deputy sheriffs or these police officers.

□ 1440

But you also have to tell Washington, DC, that when the Federal money runs out, and it will in the next 4 or 5 years, you have to tell them that you have the money to continue this program. That is rather absurd. You do not have enough money for the program, but you have enough money to continue the program, whatever it is, whether it is midnight basketball. I do not know whether Johnny Johnson, city of Birmingham, chief of police for law enforcement, whether they think midnight basketball is wise or not.

I do know we should not be setting up a program where we tell them how to

spend their money. We do not need a board here in Washington telling the State of Alabama how they ought to build their prisons, or how big the prison cell ought to be, or what kind of services the prisoners ought to get, and even what kind of material they have to build that prison out of.

That is what is wrong with this bill. Do we not have faith in Mel Bailey, sheriff of Jefferson County, can we not give him the money and let him decide how to spend it and who to hire?

What does this bill not do? It does not address gun violence. I voted against banning those 19 semiautomatic weapons. But let me tell you, if we ban them it will not do anything about gun violence. Over 99 percent of the crimes are committed by handguns. People do not go around with rifles. There is nothing in this bill to prevent gun violence. Ninety-nine percent of the crimes with guns are with handguns.

We tried to put in a provision into this bill which says if you stick a handgun in somebody's face in the commission of a crime, you serve 10 years. The very Members that say we have got to get those 19 assault weapons off the streets, when there has never been one used to commit a crime in my home county, they resisted putting a 10-year minimum sentence on someone that did use those handguns, which are being used every day on the streets of Jefferson County. They did not want that. This bill does nothing about gun violence.

It does nothing about habeas corpus. Charlie Wells, a sheriff down in Manatee County said do not give me more police officers. The county jail is full here. We are under a court order to let folks out. If I put them in they are going to get out the next day. I am not sure that 100,000 new police officers will do anything.

We do need prison cells, but what we do not need is this bill. We need something done about the endless number of appeals that these prisoners are getting. We need something done about the exclusionary rules where people are let off on technicalities.

This bill spends $33 billion, but it does nothing about the real problems existing in real communities, and it does not let those communities address those problems.

THE CRIME BILL

The SPEAKER pro tempore (Mr. KOPETSKI). Under a previous order of the House, the gentleman from Wisconsin [Mr. BARCA] is recognized for 5 minutes.

Mr. BARCA of Wisconsin. Mr. Speaker, tonight there is a group of conferees on the crime bill that will be meeting once again in the hope of bringing together and moving forward with a crime bill. We have heard on this floor Members express concerns with the crime bill. Some of those concerns are legitimate.

Hopefully the bottom line is, though, hopefully they will work together in a spirit of compromise to bring forward a crime bill. One of the most important things to our Nation is the security of our population.

Just in the last 12 hours I have gotten calls from different corners of my district and people have expressed dire concern and have been just pleading that we pass some version of a crime bill this session. The problem with people that point out that this provision is not in that we would like to have in or this provision should be out that should be out of the crime bill is that at some point we need to pass a crime bill. We need to do it for people like Mary Ann Gdisis whose granddaughter was shot at in the last 3 days, who fears that violent criminals are being let out of prison because there is not enough prison space. We need to do it for Gloria Ramierez from Kenosua, whose grandson, Curtis Lawrence Reed and his family had to move out of an urban area into a more rural area because of their fear of crime.

That is why we have to pass a crime bill, because there are people in America, in my district in Wisconsin that believe that the major components in this bill will do something about crime.

That is why every major law enforcement organization has endorsed this bill, because they believe that by passing the major provisions in this bill we will do something about crime.

I think law enforcement officials know something about crime. I think they understand when a bill is tough. I think they understand when a bill is smart. That is why I think they are calling upon the Congress to work together, by God, in a spirit of bipartisanship to pass a crime bill.

We passed a crime bill in this House. Just 3 or 4 months ago we passed a crime bill, and there was strong bipartisan support.

There have been changes since that period, and hopefully we can make some more changes this evening to get us back to that point, because the people of this country know that the major provisions in this bill have to become law. And that is our job, to try to make that happen.

There are provisions in this bill to add more cops on the street. We know it is essential, because when we met with the new director of the Drug Enforcement Agency with our Law Enforcement Caucus, he expressed to us that there are far fewer cops on the street for the number of crimes that are being committed. The reason that is important is because every time they apprehend somebody, and they have to leave their position on the street to bring that person into the police department, to book that individual, you need another police officer on the street to cover that territory. What he had explained to us, Mr. Constantine said to our Law Enforcement Caucus is that they have far fewer cops today for the number of crimes on the streets. That is why we need a crime bill.

We need a crime bill because we need more prison space to make sure that violent and repeat offenders are not let out of prison for lack of space.

We need it for the provisions of three strikes and you are out to provide some certainty that if you continue to commit offenses, this society will no longer tolerate your behavior, and you will be put away for the rest of your life to protect society.

We need it for prevention, because as a former teacher of emotionally disturbed youth, as a former employment coordinator, I know that we need to make sure that young people have structure in their lives. We need to make sure that there are programs to try to deter them from turning to a life of crime. There are a lot of kids in society today that are on the brink of doing the right thing or going the wrong way into a life of crime. That is why we need some prevention programs in here.

So I call on my colleagues tonight to work together. Let us pass this bill. We can do it, and we can make sure that the Mary Ann Gdisises and Gloria Ramierezes and their families are safe.

□ 1450

PREVENTION IS ESSENTIAL ELEMENT TO THE CRIME BILL

The SPEAKER pro tempore (Mr. KOPETSKI). Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, as the conference committee convenes tonight to present us with a revised crime bill, I want to speak for the inclusion, not the exclusion, of prevention.

I want to speak for the sufficiency and the essentiality of having prevention in a crime bill.

When we think about fighting crime, we should think about obviously enforcement and punishment, but along with enforcement, having strong sentencing and a way of punishing our criminals, we also should talk about prevention. It includes all three of those provisions, enforcement, punishment, but prevention, and I think that is a new concept for us to be thinking about fighting crime; we only think of it after the fact. After a crime has been committed, we commit great resources to crime, but we do not think about those great resources before the crime is committed. It is like spending

money to put the fire out when we could spend the money to keep the house safe from fire. It is like spending money for illness that we could prevent. The same thing is true here: An ounce of prevention is worth a pound of cure.

So I want to suggest to our conferees on both sides of the House that actually prevention should be seen as one of the essential ingredients for an effective strategy. It is, indeed, the law enforcement themselves, their organizations, the police chiefs of small cities, big cities, sheriffs, or the various organizations throughout this country; they have called on their communities respectively across the country for them to get involved with their youth, to help them to curtail our youth being involved in crime.

So we must consider prevention as we consider the crime bill. I would argue that really the prevention component should be the crux of our consideration, although it is not, and I recognize it is not.

In the current bill it only represents 30 percent. Now, I understand there will be some reduction. My plea is that those reductions be across the board and not taken out of the prevention alone. Why do I say that? Why do I say that?

Well, I say, first, why should we spend the majority of our dollars on persons who have already committed themselves to a way of crime? We spend, at least in my State, $24,000 a year to maintain a criminal. Why should we not spend a little less than that and affect the lives of a lot of people? Why not use our resources wisely and attack crimes by using the weapon of prevention?

National studies have proven young people are most likely to become involved in violent crime between the ages of 15 and 20, again, another reason for being involved with young people. It is young people themselves who are committing the increased violent crimes, so if you know that and you are interested in fighting crime, you apply your resources where you would be most effective.

We, as legislators, need to take the bull by the horn and reach out to these young people and give them guidance, discipline, support necessary to divert them into a constructive pursuit of life rather than to ignore them; to ignore them is at our own peril.

We can pretend there is no problem. That does not remove the problem. We should address that problem.

Consider these facts: In 1992, 5 million people under the age of 25 were arrested. Of those, 3.4 million were under 21 years of age, and 1 million under 18 years of age.

Is there no problem? Why are we ignoring 5 million young people involved in crime? That is 1992. I do not have the figures for 1993, because I could not get them from the Justice Department.

Yet, we pretend there is no problem. In 1992, again, 76 percent of the people convicted of murder, of murder, were between the ages of 15 and 24. And you say we should not invest in our young people? How illogical can we be, legislators?

Only 30 percent of this package now is devoted to prevention. Now, I recognize that we are just understanding the value of prevention, but only 30 percent of it. The problem is already there, so we must, indeed, find a way to prevent crime.

I beg the conferees to be rational and to be substantive and to give to the American people a crime bill that really fights crime, that addresses the issue and the cause, and the cause is to divert young people from a life of crime to a life of opportunity.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4603) "An Act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes.".

A FOCUS ON THE SUCCESS OF HAWAII WITH HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Hawaii [Mr. ABERCROMBIE] is recognized for 60 minutes as the designee of the majority leader.

Mr. ABERCROMBIE. Mr. Speaker, the State of Hawaii has found itself the object of a continuing attack by Members of the other party in 1-minutes, in some of these special-order colloquies and discussions, particularly over the last several days.

On the one hand, I suppose I might find this amusing that our little State, in the middle of the Pacific, suddenly becomes the focus of all of this national Republican Party attention, because we are succeeding at doing something, and we have succeeded on the local level, we have succeeded at the State level, and I was under the impression that ideologically speaking the Republican Party at least claims in some respects some corner on the capacity for having local solutions to problems. This is generally the way they put it forward when philosophical discussions take place, campaign rhetoric is being spouted.

Now, why should we be picked on because we have succeeded? And why should Members from other States who perhaps do not have what we have in Hawaii be picking on us because we have succeeded in achieving virtually universal health care for our people?

In fact, if they feel that this universal care is unable to be achieved in their own States, perhaps they want to move to Hawaii and they can give a contribution of their talents and skills out in Hawaii, or perhaps they feel the people in their constituencies do not need to have health care. Perhaps they do not need this interference, as they say, by government, whether State or Federal; perhaps they want to get rid of Medicare. If they want, there is nothing to prevent anybody here on the other side of the aisle from putting in amendments to the health care bills that we are putting forward to get rid of Medicare. That will get the Government out of business; that will get the Government out of the health care proposals.

Let us get rid of Medicare, if that is what they want to do. But why do they want to take away universal health care that we have in Hawaii?

Well, just so we can get past all of this and so that the public that does not have some of the material in front of them, obviously, that ostensibly is being cited by the Republican opposition to health care for people, to health security for people, again, parenthetically, Mr. Speaker, I have to add, I do not know why anybody would be against health care security for people. I certainly do not know why they would be against people taking the initiative in any given State or jurisdiction to see to it that we have health care security. But that is something that they will have to answer for themselves.

Of course, if they want to come down on the floor and defend predatory insurance companies, they can do that. I understand in the crime bill there is great concern that we label sexual predators in a manner that allows the entire community to know who they are and where they are. Well, why do we not put in a predator section for insurance companies where health care is concerned? Let us do that. Why do we not name all the insurance companies that are preying upon the American people and keeping them from having health security?

Now, one of the items that was cited by some of our learned friends on the other side is a General Accounting Office report entitled, "Health Care in Hawaii." I will hold it up here and let our good friends on C-SPAN zero right in on that so that they can see that this is a report to the chairman, Subcommittee on Oversight and Investigations, Committee on Energy and Commerce, House of Representatives, February 1994: "Health Care in Hawaii; Implications for National Reform."

Now, this has been cited by some of our good friends on the other side, I should say cited in part, cited out of context, a few sentences left out here and there that might have illuminated the question.

So I am going to try and fill in some of those blanks that have been left because this report from the General Accounting Office does say, as I indicated, "Implications for National Reform."

□ 1500

Let us go to the results in brief. Hawaii has the highest level of insurance coverage of any State in the Nation. Now, that is the first sentence. I will repeat it: Hawaii has the highest level of insurance coverage of any State in the Nation.

Now, are we supposed to apologize for that? Are we supposed to somehow back off and say, "Well, let's have less coverage"? I think not.

The reason that we have, as the General Accounting Office says, the highest level of insurance coverage of any State in the Nation is, we enacted the prepaid Health Care Act of 1974, not 1994, Mr. Speaker, 1974. We have 20 years of experience.

You know, I find it very illuminating to stand here on the floor and be lectured about health care and provision of health insurance security from people who do not have 20 seconds' worth of experience with health care, when I have 20 years of it.

I was elected to the House of Representatives in the State of Hawaii in 1974. I have been the chairman of the Health and Human Services Committee in the Hawaii State Senate, with direct responsibility and authority over the Medicaid system legislation in the State of Hawaii. I have had 20 years of experience, and I have to deal with people on this floor who are explaining to me about health security insurance, health care insurance, who do not have 20 seconds, 20 minutes, 20 weeks of experience, explaining to their people week in and week out, month in and month out, year in and year out, why they cannot have health care insurance and Hawaii can.

We have heard on this floor that people want to have insurance at least equal to that of Members of Congress. I would be delighted if some of the Members of Congress who come down here on the floor and try to say to the American people that our plan does not work in Hawaii, have them explain to the people of the United States, have them explain to the people who are listening in to our conversations here today, have them explain to the people who are observing the action on the floor of the U.S. House of Representatives, what insurance do they have?

I would like to have Members of the opposition, who are ready to criticize Hawaii, to come down here and explain why their constituents cannot have health care insurance while the Member who is explaining that to them has health care insurance.

Every single Member who comes down here and complains about Hawaii providing universal health care security for the people in our State has health care insurance himself or herself; but is quite willing to see that other people in their own States, and in their own districts, do not have it.

In fact, if anybody wants to come down and explain in detail right now, I will yield time, I would be delighted to do so, to have them come down and explain in detail. However, before you start telling me why my people cannot have health care insurance, and why the people of the United States cannot have health care insurance, how come they have it? What exactly is their coverage? How much do they pay for it?

I would be glad to go into what Hawaii has. I have the real figures here, not the figures cited from previous commentary on this floor. I would be glad to go into it. I would go into it in detail, in massive detail, I will go it into detail beyond massive detail. After all, we have the experience, we have the health care insurance. And of course, Members who come down to the floor and say that the rest of America cannot have health care insurance, they will have insurance for themselves and their families, of course. But that is only right, I suppose.

Yes, Hawaii has the highest level of insurance coverage of any State in the Union. And yet people have come to this floor who have no knowledge whatsoever of the Hawaiian health care system—and I am going to take a moment, Mr. Speaker, to refer to another document, the "Aloha Way, Health Care Structure and Finance in Hawaii," by Emily Freedman. Emily Freedman is one of the foremost health policy experts in the United States. She compiled a history of health care in Hawaii, sponsored by private nonprofit foundations, Blue Cross and Blue Shield, Kaiser Permanente, a health maintenance organization, by the State of Hawaii and by the Hawaii Medical Association, the Association of Physicians in Hawaii, which is the Hawaiian branch of the American Medical Association.

In other words, the full spectrum of health care providers, private and public, institutional, both private and public, in the United States and in Hawaii.

In this document, in this history, Mr. Speaker, you will find in appendix A—and I will hold it up for our friends on television to see—the Prepaid Health Care Act of 1974. Now, I doubt that anybody who comes down here to complain about our 20-year-old system has ever bothered to read the Prepaid Health Care Act of 1974, and not only have I read it, but I have helped to enforce it and implement it.

As I said, we have 20 years of experience. One of the accusations that comes out on the floor is that the employer mandate, which is required in our Prepaid Health Care Act of 1974, has not provided universal coverage. Well, that comes as no surprise to me, Mr. Speaker, because it was never intended to. No one has heard me, on this floor, say the employer mandate, in and of itself, either in 1974, when it was put into effect in Hawaii, or in any of the proposed bills before the body now here in the House, is in and of itself intended to provide or could provide under any conceivable logistical circumstances for universal coverage.

The employer mandate, in and of itself, will not do that. It has not done it in Hawaii. It was never intended to do it in Hawaii.

Now, what are some of the factors involved in seeing that universal coverage does not come out of it; not everybody is employed.

You see—Mr. Speaker, I am asking you and I am asking the people in the public to use some common sense in this. When you see people come down to the floor, go into these towering rhetorical rages about the inability of the employer mandate to provide universal coverage when they have these apocalyptic, Gotterdamerung scenarios laid out, that somehow vast numbers of people will become unemployed as a result of the employer mandate, businesses will crash, the United States is doomed, the sky is falling. Think about Chicken Little. Chicken Little ran around saying the sky was falling. That does not make it so.

In this particular instance I think we need to stand back a little, take a deep breath and let us try to account for some of the factors that may be involved. You do not necessarily have to take my word for it, although I am perfectly willing to have anything I say stand the light of the closest possible scrutiny. But I will refer to an entirely neutral body, the General Accounting Office or the newspapers. The newspapers? They are not neutral, of course. The newspapers in my town are opposed to me. They spent the last 20 years trying to get me out of office. Even they sometimes have to print the truth. So if I am quoting the newspapers back in Honolulu, it is not as if I am quoting someone who spends all day trying to figure out how he can make me look good. They pay a lot of editorial people in Honolulu good money to try to figure out how to get me out of office. They have not succeeded yet, and they are not going to succeed this year.

So I can go to the newspapers, that is what is quoted on the floor down here, what the newspapers say. Let us see what the newspapers say. Let us see what newspapers say. for example, from the Honolulu Star Bulletin. Heck, the Star Bulletin in Hawaii is owned by people on the mainland. They just kept up a longstanding tradition in trying to get me out of office.

Here we go, from the 12th of August this year. The headline, "Our Health Care Costs Slow Down." Although inflation for medical costs leads other categories in Honolulu, the rising cost of health care here is slowing. It is slowing in Hawaii. For everybody else it is going right off the charts, but it is going down in Hawaii.

Now, we do not have the universal coverage, but our costs are down. How is that possible? Why do we not have universal coverage from our employer mandates?

Some people get unemployed, some people are not eligible. In our original bill, in our original law, which we have amended only in terms of benefits, if one worked less than 20 hours a week, you were not required to be covered. So the employer mandate only went to those people in terms of requirements for providing coverage to those who were working 20 hours a week or more.

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There was no requirement for dependents to be covered, no requirement for dependents to be covered. Think about it, those of you who are really interested, and you know you are. We get inquiries in our office all the time. Think about it.

Think about Hawaii's plan, only people 20 hours a week or more to be covered, dependents not required to be covered, the unemployed or others, which I will go into in a little bit of time, not required to be covered, and yet, even with all of that, Hawaii has the highest level of insurance coverage anywhere in the Nation.

How is it possible?

Well, of course it was possible because virtually immediately we got to the serious insurance providers as opposed to those who were merely looking to extract the highest amount of premiums out of the most people and give the least service and recompense back. We got rid of those people. Those companies left the State of Hawaii in 1974.

Mr. Speaker, I want to point out that our bill passed in 1974, and it was implemented on January 1, 1975; in other words, 6 months, was passed in June, signed in June in 1974. We put it into effect, not in 6 years, as is being contemplated here in the House and Senate, but in 6 months, and I will go on later to explain how, when we take care of those on Medicaid, when we take care of those who are not otherwise eligible for insurance coverage, that we have implemented that program in 6 weeks. We started August 1. We are going to be finished by September 9. All done with private insurance, all done with private insurance.

That is another thing they talk about getting, the Government. You are going to have the Government involved in the health care provision. Mr. Speaker, just think about it for a moment. Our act, and I can quote it to you in here, this act is intended to be self-administering, self-administering.

We have more than a million, 1.2 million, people in the State of Hawaii. We have more than a million permanent residents in the State of Hawaii. We have had mandatory employer mandated health insurance for 20 years. We have had health insurance companies providing insurance under our prepaid health care law for 20 years, and it is entirely self-administered. Where are all these bureaucrats that they are talking about?

You see it on the ads on television. Why would anybody believe an ad on television? I mean it astounds me that people could take seriously an advertisement, a commercial advertisement, coming from the insurance companies of America seriously. I mean how can you take—let me make an analogy to the crime bill:

You got Charlton Heston. He is an actor, boys and girls. He is an actor, not a real person. There is no Charlton Heston. We know that. Charlton Heston belongs to the Screen Actors Guild. He has got insurance. He does not have to worry about it. He has it made. He is rich. He has got rich pals. He is an actor who works.

Most actors do not work. Some of the actors that we have seen in the health care routine, except for the actors here on the floor, on these commercials—let me draw a parallel.

You know they get some young guy on there with too much hair and too few brains. I mean I ought to know about that one. I do not know about the second part, but the first part I have some experience with. And he stands up there and says, "I'm not a doctor, but I play one on TV." Then he tells you to, you know, buy aspirin, or whatever it is that he is hawking. He is an actor. He even tells you. I suppose this is a variation on the truth in advertising kind of thing.

"I'm not really a doctor." Somehow I guessed that he really was not a doctor. I knew that. I imagine most people in the United States know it, that this clown is not really a doctor. But he says so just in case some of us out there are fooled by his little smock that he has on. "I'm not a doctor, but I play one on TV."

Well, you get people on television now. You can see it everywhere. I mean after the news, before the news, before Donahue comes on, there is a lot of actors come on, and they look, oh my goodness, that they are trying to take our insurance away; oh, the Government is going to get involved in insurance. And in health insurance; you mean like Medicare? The Government is involved in Medicare.

Now does anybody want to come on the floor and say they want to take Medicare away? I invite them. You do? You have noticed, Mr. Speaker, I handed out the invitation here for quite some time now. I do not see a rush of people coming down here to get into a dispute with me, particularly inasmuch as I have invited them to explain what their health care coverage is before they start telling other people that they cannot have any. They have not come down here.

Now what you have is actors. What they should be saying is, "I don't really have health insurance, but I pretend I do on TV." That is what it really is. They do not have any health insurance. They are actors.

You know, it is real interesting. I tried to find out who some of the actors were. I mean they play people on television with health care insurance. I thought I would just make little inquiry. What I did was I said, "Well, why don't we find out who they are and find out if they actually have health insurance?"

You want to know something? We found out who those folks were. I mean I do not want to expose them, I do not mean in the sense of getting their names and addresses and publicizing them on television or any other area. I just wanted to find out do they have insurance.

Well, it turns out that the insurance companies have hired these folks, and of course they are actors, and they are out of work all the time, which means they do not have any regular health insurance, or when they are out of work they lose their health insurance; but one of the stipulations for these poor folks is they cannot talk about it. Ha, ha, ha. The insurance companies do not want you to know that these are folks who otherwise would not have health health insurance, and they are on television pretending that they are worried about the rest of us.

And this is what is happening down here on the floor day after day when Hawaii gets attacked for the crime apparently of seeing to it that all our people have health insurance. I mean it stuns me. I thought we were supposed to be acting on people's behalf. I do not feel bad that everybody in Hawaii has access to health insurance. I think it is a good thing. I happen to think it is one of the reasons that I get elected.

In fact, I would be delighted to have anybody who is against health care insurance, against health care security for everybody, to come out to Hawaii and run for office. I would be delighted to have someone run for office against me who says, "Well, ABERCROMBIE is for you having health care insurance, and I'm against it. Vote for me." I mean, how dumb can you get?

In fact, we have a situation right now where we have a Republican candidate for Governor who is on her way to losing what was at one point a 20–25 point lead and is going to lose the governorship because she associated herself with people from Hawaii who came to

Washington, who said they are going to try and get rid of the health care system we have in Hawaii.

So, the Republican opposition to health care is now practicing what they preach. I give them credit for that. I will give credit for that. The Republican candidate for Governor out in Hawaii is presently associated with those in her party who want to end health care in Hawaii as we have it in our prepaid health care plan. They want to go back to the old system. They want to go back to the system that many of the people here visiting our Capital and many of the people in the United States, other than Hawaii, have right now—namely, you are a complete victim of predator insurance companies. It is interesting they say they want the government out, but it is apparently OK for an insurance agent to tell you whether you can have care or not, to tell you whether you can have health insurance or not.

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What happens if you get sick? What happens if you have a heart condition arise? What happens if some other wasting disease comes into your family? You can find your health care taken away, your insurance taken away.

That does not happen in Hawaii. You cannot take any one's health care insurance away in Hawaii. You can do it if you legislative it. We have a candidate who actually associated herself with people who wanted to take health care away, and as a result she is now, as people find that out, her lead in the polls, presumed lead, if you are to believe these polling people, is now evaporating. The election will be lost. Of course, one of the reasons, I believe the principal reason, will be that when people find out that there is demonstrated across-the-board hostility on the part of the Republican Party, in this instance in Hawaii, to health care security as we have in the State, they, of course, are going to lose.

I understand what they are doing. Do not get me wrong, Mr. Speaker. They believe this. This is an ideological belief. This is a principal part of the belief system of some of the prominent people in the Republican Party in Hawaii.

They are entitled to that. I do not object to them having that. On the contrary, I am delighted that they do, because obviously it makes our job a lot easier as Democrats to stand for health care security and making sure that everybody has health care insurance in Hawaii.

Let me give you another reason why we do not have necessarily universal health care as a result of the employer mandate, which I indicate, once again, was never intended to be provided from the employer mandate.

GAO itself gives an example. For example, private providers are not always willing to serve Medicaid patients. Some people are on Medicaid. They do not want to serve these people. So obviously the law with respect to employer mandate cannot take care of that. It never was intended to.

Let's go on into some of the other results in Hawaii according to the GAO. Health insurance premiums are lower than in the nation as a whole and in the last decade have risen more slowly in Hawaii than nationally.

I will repeat. Insurance premiums are lower than in the nation as a whole and in the last decade, the last 10 years, have risen more slowly in Hawaii than nationally.

We identify two factors that contribute to lower premiums in Hawaii. Reduced cost shifting, which, of course, is one of the principal reasons we have the universal employer mandate, so that some businesses are paying into the insurance plans of their employees, and others are not. You see, if some businesses are paying in and others are not, the others who are not have an advantage over those who do. They are free riders.

The cost is shifted. Somebody has to pay for insurance. When we hear the phrase who is going to pay for it. Mr. Speaker, you and I both know we are already paying for it. The question is some of us are paying for it and some of us are getting away with not paying. And you will find that those who are most vociferous, those who most loudly proclaim their right, quote-unquote, not to participate in an employer mandate, are those who do not want to pay. But they are perfectly willing to let others do so. They want to ride on the backs of those who are trying to do the right thing.

In Hawaii, because this law covered everyone in the State, everybody started from the same starting line, everybody started at once from the same position, and therefore nobody was put at a disadvantage. So there is, as the General Accounting Office says, reduced cost shifting, and insurance companies' use of modified community rating for small businesses. This is not me speaking, this is the Government Accounting Office.

The insurance companies' use of community rating for small businesses. Actually, what happened when our law was passed 20 years is small businesses got a break. Previously, and this happens all over the United States now, it happens to virtually everybody who is visiting the Capitol, everybody who is viewing the proceedings here today on television, they are in a situation in which large companies, those with very high numbers of employees, are able to get favorable insurance treatment because they have a group rate based on their numbers, whereas a small business with 1, 2, 5, 10, or 20 employees, does not get that rate, because they are small and because the insurance company does not have to give them a good rate. The insurance company can beat them up.

I feel for the small businesses in this regard. We are looking out for them. That is why we passed the bill that we did. Small businesses do not take a beating in Hawaii on insurance because they are not allowed to be discriminated against by predator insurance companies.

Next sentence: "Hawaii's requirement that employers provide health insurance has not resulted in large disruptions in Hawaii's small business sector."

Again, Mr. Speaker, believe me. I could quote page after page after page in context here of the General Accounting Office report, and will come up with the same kinds of things, the exact opposite of what has been said on this floor with respect to what has happened to small businesses.

Obviously, there are people in Hawaii, businesses in Hawaii, who would prefer not to pay. Does this strike anyone as strange? Does anyone want to pay more taxes than they actually have to pay on their income?

No. We are at great pains to make sure that yes, we are being straightforward and honest about our incomes. But, by golly, if there is an opportunity for an exemption or an opportunity for a deduction that we are entitled to, why, we want to take it. Not only is it our right, I am sure it is your obligation. You want to retain the maximum amount of income for yourself and your family. Of course you do that.

Well, naturally if businesses could get out of paying, many of them would like to do so. Not all, because many of them do recognize their social and economic responsibilities. They understand what cost shifting is all about. They understand that we all have to pay in the end. They understand that this is the most sensible way in order to get a broad-based community-based statewide and hopefully nationally based health care system underway.

But the principal argument that has been made by business, according, again, to the GAO, really is not to get out of the employer mandate, but they have concern about the cost, and that is a perfectly legitimate item. They have expressed concern, business owners have expressed concern, about the cost and inflexibility of the employer mandate. Not the employer mandate itself, they have expressed concerns about the cost, which again I will say is not only perfectly natural, but I would expect that people would be concerned about costs. I will get to that, how our costs have been lower than they were on the mainland and continue to be lower, despite the fact that we are subject to the same kinds of pressures that have caused a general rise in expenditures and costs for

health care elsewhere on the mainland. We are subject to the same kinds of things.

As a matter of fact, one of the points I would like to raise at this juncture is we have even more pressures on us. Our State, after all, is made up of islands. We cannot travel as you can, say, from the District here into Maryland and Virginia by car or by bus on by foot, for that matter. Unless you are very strong and practice almost all year long, you cannot even get between islands by canoe. We have special races for the canoes. Only the best athletes can do that. We have to fly. And we have remote parts on our islands, rural sections on our islands.

My colleague in the House, Mrs. MINK, PATSY MINK, who serves the Second District, as you know, Mr. Speaker, I serve urban Honolulu, the Honolulu that maybe many people are familiar with, with the outline of Diamond Head against a beautiful blue sky and Waikiki and its beautiful beaches, and all of which I am privileged to represent and invite everybody to and hope you will come out and help improve our economy so we can keep our health care insurance premiums low. We would be delighted to have you come out. We will take care of you, by the way, if you get sick while you are out there.

You are familiar with that. The friendly skies will take you there to Hawaii. Mrs. MINK has the rest of Oahu, on which Honolulu is located, and all the other islands. In other words, when her plane lands from the friendly skies in Honolulu, at Honolulu International Airport, she has to get on a plane again and fly to Kaui, Molokai, Niihau, the big island of Hawaii, fly to both sides of the island of Hawaii, to the Kona or Hilo side. When she is there, she has to drive 1, 2, or 3, hours to Hana on Maui. We invite you there, too. It is a small quiet community if you want to get away from it all. We have universal health care coverage in Hana.

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It will take 2 to 3 hours to drive there. So naturally we have some difficulties in actually putting the providers, the physical capacity to provide the health care that we have on paper, that is to say what the law requires in terms of coverage, every one has that. But actually physically providing it is difficult. It is costly. And yet with all of these cost factors which drive our figures up, we still are below the costs associated with the rest of the United States.

Mr. Speaker, I have enjoyed this discussion with you and those who are observing and listening today so much, I know my good friend Mr. DORNAN has some things he wants to share with us. I am going to let him know that I will not be taking the full 25 minutes. I am anxious to hear what he has to say. In fact, I cannot cover all the material in this particular segment, but I will come back; I am sure that people want to know, now that the issue has been raised, that we do, in fact, have universal health care coverage in Hawaii.

We are not saying and never have said, by the way, Mr. Speaker, as you well know, that we seek merely to duplicate the Hawaii system in the rest of the country. Mrs. MINK and myself have never said that. We have never indicated that. I think that our law, as I said was 20 years old, it has been very effective. I would think it forms a good foundation. We think that it offers an opportunity for objective people, for people of good will and good faith to take a look at what we do and how we do it and how we have modified, how we have modified it and what we would like to see changed. Certainly, we see that. But we do believe that there has to be more than a coincidence involved.

When our little State in the middle of the Pacific, just two Representatives here in this vast body, 435 people, suddenly is zeroed in on as somehow misrepresenting what it is that takes place in our State or somehow trying to foist off on the rest of the Nation that which we do, on the contrary. What we have said, and in fact I note that there are some Members in the Senate now, am I allowed to mention the Senate, by the way, during special orders or do I have to say the other body. I do not mean any disrespect.

I understand there is some concern in the Senate that has been expressed at least by newspaper reports, although I wish some of these folks would actually get in touch with us and speak to us personally about it, about Hawaii possibly having a waiver in whatever results in health care. Well, it is of no concern to me, Mr. Speaker, at all.

If Members of the House of Representatives and the U.S. Senate want to pass a health care bill that provides for health care less than that which is already in effect in the State of Hawaii, I would presume that no one would object if Mrs. MINK and myself and our good Senators across the way, Mr. INOUYE and Mr. AKAKA would like to have the people of Hawaii not have health care coverage taken away from them. It only makes sense. I am not worried about waivers or changes. We have one of those already. We have a waiver that we have been given. Of course, the reason was we are the only one that has the national health care plan.

The waiver we have is from the Employment Retirement Income Security Act of 1974, commonly known as ERISA. If I use that acronym, what it means is the Employee Retirement Income Security Act. That is a Federal law. And we have limited exemption from it. Why? The ERISA, the Employee Retirement Security Act, preempts State authority in terms of regulating self insured employer health plans. It preempts our State authority.

Inasmuch as we already passed a universal health care bill before the enactment of the ERISA, we wanted to make certain that our act, our ability to take care of our people was not impaired. So we have a limited exemption.

In fact, our exemption is so limited it is virtually impossible for us to amend our act. Believe me, Mr. Speaker, we would be delighted in the State of Hawaii to amend the prepaid health care plan that was written 20 years ago in some administrative ways that we think would advance the case, the kinds of things that are now being proposed in the national health care bill in 1994, but we are disenabled from doing that because of the restrictions about preemption on the Federal level.

So we find ourselves, then, in a situation where we are able to provide health care insurance at a lower rate than anybody else in the rest of the Nation, despite disquisitions here on the floor of the House and pronouncements on the floor of the House to the contrary. I do not know where all these statistics come from. I can tell you what the statistics actually are. I have the Hawaii Medical Service Association's statistics here. I have the Kaiser Permanente Health Maintenance Organization plans here, prices here that we pay in Hawaii. I have all of it.

I want to indicate one other thing that comes up with respect to the, I will not say false but misleading, the misleading statement that our employer-based mandate for insurance somehow is supposed to provide total coverage. For those who are low-income residents, the gap group that were not covered by our insurance plan were not otherwise eligible for Medicaid, we had what was called the State health insurance plan, which we put into effect. Enrollment is voluntary, you cannot force everybody into it.

So I think that for my purposes today, Mr. Speaker, I would like to wind down my remarks and allow Mr. DORNAN to launch into his remarks for the day by repeating, then, an obvious point to us that, and this is highlighted in the General Accounting Office report, Hawaii has the highest rate of coverage but not universal care. I will repeat what is in the report: Hawaii has the highest rate of coverage of any State, but does not have universal coverage. This widespread coverage is the result of State's employer mandate, the Medicaid Program, and SHIP, the State health insurance plan coverage for the gap group. Estimates of Hawaii's uninsured rate range from 3.75 percent in 1991, survey to a 7-percent determined by data from the current population survey.

In other words, that is done strictly by statistics. So you can come up, anybody can come up with something that says, it is 3 percent, somebody else says it is 7 percent, but with our new program, which we have put into effect called the Healthquest Program. We came up to the Congress. We came up to the new administration and we said, look, we are quite aware of the fact that because we have not been able to amend our law the way we want to as a result of Federal preemption, that we do not cover 100 percent of our people the way we want to.

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We want to make more certain of that. So this year we were able to get another small waiver enabling us to put together what is called health quest, and improvement on the State health insurance plan known as SHIP. We have the Health Quest Program. That is going to be fully in place, as I said, by September 9 of this year.

The Health Quest Program, Mr. Speaker, I want to indicate to you, is again not a government program in the sense that it has been portrayed here on the floor of the House. It is again self-administering. It was competed for. We have five different groups.

I have heard down here on the floor our Hawaiian Medical Services Association, and I suppose even Kaiser, I do not know if lambasting is exactly the word, but let me put it this way: The implication of the discussion on the floor was that somehow the choice of our people was limited as a result of these two providers having the major share of employees and others in the State of Hawaii.

Mr. Speaker, they have competed for 20 years. They have a major share because they have provided good service. I am astounded by people who tout the private care system, the private sector system, who then complain when it works.

Mr. Speaker, are those of us who are satisfied—I have been a member of the Kaiser system, the Kaiser Health Maintenance Organization, for 35 years, 35 years. The reason that I have been associated with them for 35 years is that I am satisfied with the service that I get. Does it sound strange, then, that I would continue to be a member?

I have good friends who are members of the Hawaii Medical Services Association, the HMSA, and they have been there for 35 years. Why? Because they are satisfied with it.

I happened to start with Kaiser. I suppose I could have picked the HMSA at the time. I was a student at the University of Hawaii at the time. That is the way we got started. I could have changed.

There are other plans out there now. There are three or four other plans that are available to us in Hawaii, all competitive with one another. I am not compelled to stay with any one system. I can change.

Every year, I want to point out, every year those who are not satisfied with their health plan can change the plan that is provided. We are not stuck. We have nobody there that makes us stay there.

As a matter of fact, Mr. Speaker, I have indicated that our plan is self-administering. The other gentlewoman from Hawaii [Mrs. MINK] has told me she believes there are two clerks in the Department of Labor and Industrial Relations that monitor the health care plan system in Hawaii. I am not certain and she is not certain. She believes there are two clerks.

Two clerks for 20 years is not bad. We are not sure where they actually are, but if we find them I will bring them in, their names and where their desks are in the State. I am not sure where they are; I will have to look real hard.

That is the sum total of the bureaucracy associated with our health plan. It is all self-administered. After all, does anybody think that the health providers are going to let a member disappear and not pay? Of course they are not. It is in their interest to do it. That is why it is self-administered.

Mr. Speaker, I want to conclude by saying that we have taken care not only of those who are employed, but we have taken care of the gap group, we have taken care of those on Medicaid, we have taken care of everybody to provide what for all intents and purposes is 100 percent coverage. I will go into the costs of that coverage in another special order.

I will be happy to discuss Hawaii's health care system with any of the opposition to national health care reform. I will be happy to share with them what our experiences have been, and hopefully convince them that if they keep an open mind, if they are willing to discuss it in good faith and with a modicum of good will, that perhaps we can arrive at a proposal and a plan that will allow all of us here, regardless of our party affiliations, to act on a nonideological basis on behalf of the interests of all the people of the United States.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 3355, VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993

Mr. ABERCROMBIE. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

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

There was no objection.

POTENTIAL INVASION OF HAITI

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the minority leader.

Mr. DORNAN. Mr. Speaker, I want to tell my colleague of the great State of Hawaii that I did listen to his remarks. They were fascinating. He has to be one of the three or four best speakers in this Chamber.

I wish we could debate at length the health plan in the State that I refer to quite seriously as paradise on earth. After all, that is the way Robert Louis Stevenson referred to those beautiful islands of the Hawaii chain, and that is also the way Mark Twain, Samuel Clemens, referred to them.

When you live in paradise and rake in all that great tourist money from the United States, sometimes you have a financial base that the rest of us do not have. As I said on the floor yesterday, and you explained it a little bit today, lack of universal coverage is what is causing them to be in such high dungeon over in the Senate. I'm going to refer to that if I have time at the end of my remarks.

Mr. Speaker, this is, tonight, about a briefing that I had yesterday in which I will not discuss any of the classified details, because it was a top secret briefing, but only the fact that I and all of the Republican Members at this briefing on Haiti believe there is still a large group of people in the administration, who have the President's attention, who want to invade this small island with physical force to restore a man, Gen. Bertrand Aristide, who, although fairly elected with a percentage in the high sixties—not an Adolf Hitler, who was elected with 37.4, but someone up in the high sixties—was elected, and then deposed in a military coup.

I believe Aristide is nonetheless not worth one drop of American blood to restore him, particularly when no one is considering a covert operation to depose him. Or let us call it the President Ronald Reagan Contra operation, people who are counter to Aristide, Contra to the military junta, Contra to Raoul Cedras, who should be a colonel but has made himself a three-star general without the troops to hold that exalted command.

If this Government wants to convince us, and both intelligence committees in this great Congress, that a covert operation is in order to snatch Cedras and dump him to a horrible life of exile on the Cote d'Azure, Riviera coast of France, where Baby Doc, one of the

dictator predecessors, has gone through $100 million, then make your case for a covert operation. But do not put young Marines and young Army people, including young women now, on the beaches down there where, if a sniper shoots one or two or three or five, or a young officer, or a top sergeant is killed in a rescue operation, the President will find himself in the position he was in on the morning of May 23, 1994, when the father of a great American hero, who had been posthumously awarded the Medal of Honor, refused to shake the President's hand.

I have spoken to that father and to the mother of 1st Sgt. Randall Shughart. I have spoken to the parents of Gary Gordon, master sergeant, who died alongside Randy Shughart rescuing Michael Durant.

At least they succeeded in saving the life of that fine young chief warrant officer, the pilot of the second H-60 Blackhawk, shot down over those dirty alleyways of Mogadishu, an area now totally controlled by the people that we were trying to arrest and remove from power, and tormenting and bringing starvation back on the good men and women and children of the troubled nation of Somalia.

□ 1550

Gary Gordon's parents and the parents of Randy Shughart, they feel their sons' lives were lost in a hopeless cause and that the Commander in Chief was so uninvolved in that he tried to tell them he did not even know about the operation. It was called Operation Ranger.

Mr. Shughart told me that when he said to the President after refusing to shake his hand, "Why did you send Aideed the killer of my son with a Marine guard on an Army airplane down to Kenya?"

Again Clinton claimed ignorance. He said, "I didn't know about that, Mr. Shughart."

That happened December 2, I believe. That is one of the insults to the U.S. military among 15 that I will enumerate later, Mr. Speaker.

Then Mr. Shughart told me he said to the President, "My son's colleagues in the Delta Force"—the special operations officers and sergeants and other men trained so highly to do the job that they were not allowed to complete in Somalia—"they tell me they and the Rangers"—the best light infantry forces in the world—"that they had several opportunities to take out Aideed with lethal force if necessary, to kill him."

And Mr. Shughart told me that Clinton looked at him and said, "Well, you may not be aware, Mr. Shughart, but our country doesn't have a policy of assassinating the leaders of other countries."

Mr. Shughart came right back at him and said, "Leaders of other countries? I thought you had called him a warlord and a thug and ordered his arrest" after his forces had butchered 27 Pakistanis and disemboweled them, the crowd tearing the wounded and the dead apart as they tried to tear our 5 dead men apart at the Durant site, the two being our two Medal of Honor heroes and the other three included Ray Frank, who was Michael Durant's copilot, who had three full combat tours in Vietnam, was a month from retirement, had thousands of hours as a helicopter pilot; had suffered a terrible helicopter crash in Arkansas 2 years ago, was recovering from that, came back to fill out his 30 years in the military, flying again in a tough combat situation. Ray Frank was murdered by the mobs as were the two-door gunners.

Most of the people hearing my voice tonight have seen these people, Mr. Speaker. They saw their dead and mutilated bodies being dragged by ropes and poked and prodded with poles and AK-47's and M-16's as they were dragged through the streets of Mogadishu. Five dead, three Durant crewmen—Durant miraculously released after 11 days of captivity—and these two Medal of Honor heroes, and Clinton is calling their thug-murderer/warlord Aideed a leader of another country.

And I said, "Mr. Shughart, what did he do when you said back to him that this was a thug and a warlord?"

He said, "Well, he got very red in the face, tried to stare a hole through me, so I stared right back. Then I told him I had nothing else to say to him."

My point in bringing up that unpleasant moment which no Americans, Mr. Speaker, have read about in American papers unless they subscribed to the Washington Times in this city or unless they have heard it on talk shows across this country, begun by Rush Limbaugh and Gordon Liddy and picked up by hundreds of other talk show hosts across this country, most Americans still do not know about this story. AP, maybe through no fault of their own, New York Times, USA Today, they did all call Mr. Shughart but out of respect to Clinton who by a week's delay was then over in Normandy for those unending photo opportunities, Mr. Shughart said, "I will not talk about the President while he is out of the country" and nobody followed up on this. So unless you listened to radio in America, you would never know this happened.

The reason I bring it up: What is going to happen if we have a hero somewhere on the beaches or in the alleys of Port-au-Prince in Haiti and a young American man or woman is killed and another American gets a high decoration trying to save that person, and as it says in scripture which I said on this House floor before I knew the names of Shughart and Gordon begging the Defense Department to award the Medal of Honors to these two to me, then unknown heroes, I said this is the very essence of John 15:13 in scripture:

"Greater love than this has no man that he give up his life for his friends."

Shughart and Gordon begged three times over the radio to the Ranger command headquarters, the Delta headquarters at Mogadishu airport:

"Let us go down and see if we can save Durant and his crew. We see them moving in the chopper. They can't get out of the chopper. They probably have back injuries."

All four were alive and all four were trapped in their harnesses by severe back injuries from the hardness of the crash. Three times these two men begged to be given the chance to offer up their lives to try and save somebody else, and it is beautiful that they did at least save Michael Durant. They took all four out of the crashed Blackhawk, but the two that were on the side closest to the wall where it crashed survived. The other two we hope were shot to death before they were dragged through the streets, and Durant was taken alive with another crew member. When that other crew member died, only God and his killers, and torturers know, because two were taken alive and only one came back.

Maybe Gary Gordon and Shughart were alive on the other side of the airplane, down to fighting with pistols—they had exhausted all their ammunition—gave the last final clip to Michael Durant, leaning against the wall, too injured in his back to move. Gary Gordon's last words to any American that we know of was, "Good luck, pal." He went around to the front of the helicopter and moments later Warrant Officer Durant heard him groan when he was shot, as he had heard Shughart groan when he was shot before that.

What is going to happen if we get this relived in Haiti? Why should any American man or woman be put in harm's way over Aristide? This very month, Aristide has attacked all of the Catholic bishops and all of the priests in Haiti because they came up with a resolution against the U.N. suggesting that we had the right to invade Haiti. The Catholic bishops are saying down there, "There's another way to go down here." And I am saying, as not a holy man of the cloth but as someone with a military experience, "What about the covert option?" before we put heroic line Marines or 82d Airborne paratroopers into a situation where—and of course Haiti does not have the wherewithal to put up a fight with their obsolete and decaying equipment. But they can run a guerrilla operation for a few days.

Napoleon. Napoleon Bonaparte lost 50,270 young Frenchmen—they did not put women in combat in those days—in trying to conquer Haiti, and he lost. He created a black Napoleon that he said

was the most skillful general in the world. He let him use his name. My history escapes me. I used to know that general's name. It may be Toussaint L'Ouverture. Fifty thousand dead. That is more than Napoleon lost at Waterloo.

When I bring that up to Clinton people, they say, "Well, Haiti has been denuded of all its forests. There will be no guerrilla warfare in the forests." First of all, all the forests are not gone. I have been down to Haiti twice and been out in the countryside. Number 2, when I flew over Mogadishu a few days after we had lost 19 of our very highest trained Rangers and special operations sergeants and enlisted men, I did not see many trees throughout the city of Mogadishu. That was open, a typical African sub-Saharan open city, where urban warfare took place behind all those walls and up and down those little alleys.

We will take some casualties. The Clinton advisers that are telling him to invade admit that. And most of these people have never been in combat and several of them are in the category of our President: They let other young high school graduates go and serve in their place as they avoided military service.

Mr. Speaker, we have got a tough situation now, with a person who, as I said on this floor, before he was elected did not have the moral authority to order young men and women into combat. And I think Somalia made my case. Oh, Clinton unleashed about 33 Tomahawk missiles on the intelligence buildings of dictator Saddam Hussein in Iraq, but that is not putting men in harm's way. They did not have the wherewithal to come out and to get at our cruisers, our Aegis cruisers and other ships that were launching the Tomahawk missiles. That was rather antiseptic. At that we killed one of the leading artists in Iraq, an innocent women artist, I believe, and her children, because one of the Tomahawks went off course. Maybe it was struck by Iranian defensive fire, maybe the computer system in that Tomahawk went out. But that was not putting men and women in harm's way as happened in Somalia.

□ 1600

Mr. Speaker, anonymous Clinton high-ranking officials told the Washington Post, the story appeared April 3, that we can partly blame Bosnia on President Bush, that that problem was left to us. We can blame Haiti on President Bush, that problem was left to us. But we cannot blame Somalia. Bush's humanitarian effort ended in Somalia on May 5. You remember the insulting scene of using marines as props, ordered to come to the White House in their work clothes, fatigues, the first time ever in all my tracking of military people hanging around at the White House. They always come in formal gear at night, or mess dress uniform minimum for daytime wear, or Class A, or if given permission, presentable shirt and tie. Never have I seen people come to the White House in their camis, that is their desert, chocolate chip camouflage so that the President can set the mike way down on the ellipse, the south lawn, and line up all of the men and women marines, veterans from Somalia, and march down the White House lawn to the microphone with the President in his new blue suit at the lead. Unbelievable scene. I still gag when I see it. That was May 5 saying that the operation on May 4, 1994, was over, the flag had been turned over to the United Nations.

These anonymous high-ranking Clinton people in the April 3 Post article said this one is totally our fault, and it tells how President Clinton in his second trip to Martha's Vineyard of his life—his first was in 1969 at a big organization of all of the pro-Hanoi honchos to work for a Communist victory over South Vietnam, that was his first trip in 1969. The media would not tell about that trip though because when he went back on vacation in 1993, it was then he said it was the second trip back to Martha's Vineyard. But on Martha's Vineyard, the Post says, Clinton left the golf game and went to a telephone at the golf club, called to the Pentagon and said, "Send in that Delta Force, or whatever you call it in Mogadishu and arrest this guy, Aideed, for killing the Pakistanis." This operation was all Bill Clinton's, and since Haiti seems to me an inevitability of American young service people dying, not to help the starving people or to get rid of a thug, as in Somalia, but offering up their lives for this fraud, radical, Pope-hating, fallen away Catholic priest. I have heard the recordings of him bragging that necklacing, burning people to death with tires filled with gasoline so that it burns their face first, and they writhe around in front of the crowd. He said that is a good way to treat his enemies, and that the smell of burning flesh was a beautiful smell to me, Aristide, him. We are going to let American men and women die for that?

So I think it is time, since Clinton has 809 days to go in office for a man that does not have the moral authority to endanger lives for the first time since September 1992, when the Nation ignored the letter of Col. Eugene Holmes, commander of the ROTC at the University of Arkansas, when he was deceived by Bill Clinton. I have spoken to Colonel Holmes within the week. I had been led to believe over the last 2 years that he was in failing health. He is not in failing health, although his health must be guarded because, after all, he spent 3½ years in brutal Japanese captivity, tortured, watching 20, 30, 40, 50 men, his friends, die in front of him after suffering through months of a combat on the Peninsula of Bataan. As he told me, the hardest thing he can ever remember in his life is watching his friends die in front of him. He said it feels like your arms are being cut off, that you yourself are dying partially as you watch each one of your friends die.

Then he told me a Vietnam-era story about one of his honor graduates at the same ROTC program that Clinton had avoided. About a young man named Tim, who graduated at the top of his class, He said "Tim, you're one of our graduates who is married with children. You have beautiful little children. Tim, you can do anything you want." I remember having argued like this with my father who had won three wound chevrons in World War I, which we now call Purple Hearts, when I told him that I wanted to fly jet fighters. He said no, you go into transports. I have seen enough blood shed in our family, he said. I had two brothers, and we all went into the Air Force and volunteered for whatever dangerous assignment there was. I said, "Dad, you cannot ask your son to make choices different from your own."

But Colonel Holmes told Tim as an honored graduate he can go to the Signal Corps. These are the exact words, "the Signal Corps, the Chemical Corps, Intelligence, you can do anything you want." And he said, I want to get the exact words now, he said, "Colonel, Airborne, Infantry, Special Operations, All the Way, sir." All the Way is an Airborne expression, 82d Airborne. And he said, "Tim, I'm asking you again, I'm asking you to think of your wife." Holmes had been at the wedding. "Your children. I have seen these beautiful little babies. I'm asking you, Tim, don't think of yourself. Think of all of the jobs, other jobs in the military where you can serve honorably." And Holmes said, "He looked at me and his response was; 'Airborne, Infantry, Special Operations, All the Way, sir.'" And he said, "and Tim got what he wanted," and he sent him to Vietnam. And Holmes said, "A few months later, it seemed like 2 weeks, I was at his wake. And his mother came up to me," to Colonel Holmes, "and said, 'You were Tim's role model. He admired you so much, Colonel.'" And Holmes said, "Her eyes filled with tears." She said, "We're proud of Tim." And Holmes said, "I didn't know what to say because inside I was dying." And he said, "and these are the kind of men I saw die on Bataan, die in the Japanese prison camps, and the kind that I commissioned." I had not known he had been at the University, I think of San Francisco, which is a Jesuit school, or maybe he said it was the city college where he had been head of the ROTC there. He said he commissioned all of these young men in San Francisco, and then at Little Rock. So he said, "when

I was deceived by Clinton it gave me extra pain."

One of the wives of these heroes said to me within the last few days that she had just seen the film, "Lion King," with her grandchildren, and she said, "I think of this administration when I think of "Lion King." And I said, "Well, ma'am, let me tell you something. Maybe we're two of a kind, because I took five of my nine grandkids, and I thought of this administration when I saw "Lion King." And she said, "Well, you give me goose pimples saying that, because I thought I was the only one in the world."

Now here is Colonel Holmes' letter and anybody who is listening, or if they would like to call a friend, Mr. Speaker, to reminisce over the last 20 years on all of the insults we have seen to the military and to recall if you ever heard this letter or have seen it in print. To my knowledge, if you get the Washington Times you are the only people who will recall any memory. Then look forward to a possible invasion of Haiti for American troops, thousands of them—25,000 supposedly committed to Bosnia where the evil snipers are back killing men, women, and children in the streets of Sarajevo, the very city where World War I began June 28 of 1914.

Colonel Holmes puts at the top of his letter the date, September 7, 1992. Now remember, the election was November 3, Mr. Speaker. We had 2 months to make this letter a part of the national discussion of our Presidency before we dumped an honorable Commander in Chief named George Bush who flew 58 combat missions in the South Pacific, 10 of them after he had been shot down the second time and lost Johnny Delaney, his youngest crewmember, and lost a friend who was 4 years older and had graduated from Yale, where Bush was to go and graduate in only 2½ years. But he was 4 years older than Bush, a family friend. And when he came to young lieutenant j.g., friend, and said, "George, you're lucky, you're a combat pilot. I'm a deck officer. I've never been in combat. Give me one mission," Lt. Ed White. It turned out to be his first mission, his last mission, his only mission. How do you think George Bush felt about giving the one and only mission to a family friend that he died on ambush, was picked up by what they call a lifeguard submarine, assigned duty to go around and pick up our pilots floating around at sea. I bailed out once at sea in peacetime, and believe me, more die than ever get saved when you bail out in high sea, the Pacific Ocean. And he spent 30 days on that sub as they picked up the other pilots they found out there, and the Japanese depth-charged, and he went back to Hawaii. In Hawaii they said, "You are on your way home." And Bush said, "No, no. Send me back to my carrier. I want to finish my combat tour with my group on the carrier, *San Jacinto*."

□ 1610

He went back and went for missions 48 to 58. I mention that in detail because we are going to go through Bush's 50th anniversary of that September 2 shootdown when he lost White and Petty Officer Delaney, Delaney who always flew with a rosary around his neck. That is September 2, the 50th anniversary.

I would beg people who rejected President Bush for Bill Clinton. I want you to think about replacing that Commander in Chief with this flawed Commander in Chief, on September 2, that 50th anniversary. So there it is. The election is November 3. Holmes gives his Nation this letter September 7. I beg my fellow countrymen through you, Mr. Speaker, to listen to this.

In military style he types:

Memorandum for RECORD. Subject: Bill Clinton and the University of Arkansas ROTC Program.

There have been many unanswered questions as to the circumstances surrounding Bill Clinton's involvement with the ROTC Department at the University of Arkansas. Prior to this time I have not felt the necessity for discussing the details. The reason I have not done so before is that my poor physical health, a consequence of participation in the Bataan death march and subsequent 3½ years' internment in Japanese POW camps, has precluded me from getting into what I felt was unnecessary involvement.

However, present polls show that is the imminent danger to our country of a draft dodger becoming the Commander in Chief of the Armed Forces of the United States. While it is true Mr. Clinton has stated that there were many others who avoided serving their country during the Vietnam war, they are not aspiring to be President of the United States.

The tremendous implications of the possibility of his becoming Commander in Chief of the U.S. Armed Forces compels me now to comment on the facts surrounding Mr. Clinton's evasion of the draft. This account would not have been imperative had Bill Clinton been completely honest with the American public concerning this matter, but as Mr. Clinton replied during a news conference this evening, September 5, 1992,

and my aside is that obviously it took him 2 days to compose the rest of the letter:

after being asked another particular about his dodging the draft, Clinton said, "Almost everyone concerned with these incidents are dead. I have no more comments to make."

Since I may be the only person living who can give a firsthand account of what actually transpired, I am obliged, by my love of country and my sense of duty, to divulge what actually happened and make it a matter of record.

Mr. Speaker, as I read these words, I want people to hear in their heads, "Invade Haiti, invade Haiti," and think, "God almighty forbid it."

Bill Clinton came to see me at my home in 1969 to discuss his desire to enroll in the ROTC program at the University of Arkansas. We engaged in an extensive 2-hour interview. At no time during this long conversation about his desire to join our program did he inform me of his involvement, participation, and actual organizing of protests against U.S. involvement in Southeast Asia.

He was shrewd enough to realize that had I been aware of his activities he would not have been accepted into the ROTC program as a potential officer in the U.S. Army.

At this point, Mr. Speaker, I must go back to my own remarks during September of 1992, and state a fact that causes most Americans to look at me with blank faces, those unfamiliar with the military, and believe I am putting a harsh spin on something. I am not. I am going to state it factually again.

Unless elected to the House or the Senate, or to the Presidency of the United States, Bill Clinton could never have been commissioned an officer in any of our military branches or the Coast Guard, which leaves the Transportation Department and goes under the Defense Department in time of war. He could never have served in the FBI, CIA, National Security Agency, or all of the other security agencies of this country, because he organized demonstrations against his country, thereby giving aid and comfort to an enemy engaged in hot combat with the United States, killing 47,000-plus of our men in combat and another 10,000 in accidents because of the heightened tempo.

The SPEAKER pro tempore. The gentleman is reminded that reference of personal offense are not allowed on the floor.

Mr. DORNAN. I am stating a fact. He could not have been commissioned in our services. It is not an insult. It is a statement of fact. You cannot be commissioned when you have demonstrated against your country in a foreign nation.

The SPEAKER pro tempore. The Chair will not engage in a dispute. The Chair is perfectly aware of what was said after the remarks about being able to be commissioned as an officer, and the Chair reminds all Members that they are not to engage in remarks offensive to the person of the President.

Mr. DORNAN. I will not go back to it. But I reiterate I was stating an historical fact. It is a fact of record. Anybody who has done that, try and get a commission. I will go back to Holmes' letter:

"The next day," this is in July 1969:

I began to receive phone calls regarding Bill Clinton's draft status. I was informed by the Arkansas draft board that it was of interest to Senator Fulbright's office that Bill Clinton, a Rhodes Scholar student, should be admitted to the ROTC program at Arkansas University. I received several such calls. The general message conveyed by the draft board to me was that Senator Fulbright's office was putting pressure on them, the draft board members, and that they needed my help. I then made the necessary arrangements to enroll Clinton into the ROTC program at the University of Arkansas.

"I was not 'saving' him from serving his country," and "saving" is in

quotes, "as he erroneously thanked me for in his letter from England dated December 3, 1969. I was making it possible for a Rhodes Scholar to serve in the military as an officer."

Of course, Clinton never stood for his exams later that year or in 1970 and came home without an degree. He picked up an honorary one recently after all of those D-day, 50th anniversary photo ops.

Here is the text of Bill Clinton's letter, which I will put in the RECORD tonight. There is that lines, "I decided to accept the draft for one reason, to maintain my political viability within the system." He says, "I tried to make something out of the second year at Rhodes Scholarship." There is no evidence he ever went back to class again.

And he says, "How is it that so many people have come to find themselves still loving their country but loathing the military?" That is really what this is about, what all of these 15 insults I am going to put in the RECORD later are about, is loathing the military.

Back to Colonel Holmes' letter, and I am going to go back one line:

Making it possible for a Rhodes Scholar to serve in the military as an officer. In retrospect, I see Mr. Clinton had no intention of following through with his agreement to join the Army ROTC program at the University of Arkansas or even to attend the University of Arkansas law school.

I had explained to him the necessity of enrolling at the University of Arkansas as a student in order to be eligible to take the reserve officers' training program at the university. He never enrolled at the University of Arkansas, but, instead, after going back to Oxford, enrolled at Yale after attending Oxford.

I believe that he purposely deceived me, using the possibility of joining the ROTC as a ploy to work with the draft board to delay his induction.

Clinton had already gotten his induction notice; he was drafted, past tense, "ed," drafted, with a showup date of July 28, 1969.

He got that draft induction showup date crushed, suppressed, reversed, politically obliterated. I have never heard of that in my life. This was a well-connected 23-year-old in the State of Arkansas. Back to Colonel Holmes' letter:

The December 3 letter written to me by Mr. Clinton and subsequently taken from the files by Lieutenant Colonel Clint Jones, my executive officer, was placed into the ROTC files so that a record would be available in case the applicant should ever again petition to enter the ROTC program.

I add at this point, Mr. Speaker, any military program, NCO program. The information in that letter alone would have restricted Bill Clinton from ever qualifying to be an officer in the U.S. military, or NCO:

Even more significant was his lack of veracity in purposely defrauding the military by deceiving me both in concealing his anti-military activities overseas and his counterfeit intentions for later military service. These actions cause me to question both Clinton's patriotism and his integrity.

When I consider the caliber, the bravery, the patriotism of the fine young soldiers whose deaths I have witnessed and others whose funerals I have attended, when I reflect on not only the willingness but the eagerness that so many have displayed in their earnest desire to defend and serve their country, it is untenable and incomprehensible to me that a man who was not merely unwillingly to serve his country but actually protested against its military should ever be in the position of Commander-in-Chief of our Armed Forces.

I write this declaration not only for the living and future generations but for those who fought and died for our country. If space and time permitted me, I would include the names of ones I knew and fought with, and along with them I would mention by brother, Bob, who was killed during World War II and is buried in Cambridge, England. He was killed at the age of 23, the age Bill Clinton was when he was over in England protesting the war.

□ 1620

Another aside, Mr. Speaker: I went to that Cambridge cemetery. I meant to look up Bob Holmes' grave. But I was with SONNY MONTGOMERY's group going over there to memorial ceremonies. We were on a tough schedule and could not break away. I did later at the D-day Coeurvill Cemetery. And I wanted to particularly go to Bob Holmes's grave, particularly when Clinton showed up and made a speech at that very cemetery as though nothing had ever in his life precluded him visiting all of these memorial sites of true heroes, their average age being younger than his age when he was chanting in Grovesnor Square England in front of the United States Embassy. I will return someday and pay homage to Colonel Holmes' brother. Colonel Holmes told me it was his middle brother. This was his kid brother. So I see him dying slowly on an airplane finding its way back through the Luftwaffe to England where many times we sat at home as children viewing the film of these young men, either broken, bleeding, clinging to life or their dead bodies being taken off the airplane. And all the others that were missing in the countryside of France and Germany, up in the North Sea, or downed in the English Channel, their remains never to be returned. There is a huge missing-in-action wall at that cemetery. Prominent names are pointed out, like Joe Kennedy, the oldest brother of the Kennedy family, and Glenn Miller, the great musical bandleader, who brought so much uplift to our men and who was himself an actual officer in the 8th Air Force Command there in England.

Colonel Holmes finishes:

I have agonized over whether or not to submit this statement to the American people. But I realize that even though I served my country by being in the military for over 32 years and having gone through the ordeal of months of combat under the worst of conditions on Bataan, followed by years of imprisonment by the Japanese, it is not enough. I am writing these comments to let everyone know that I love my country more than I do my own personal security and well-being.

He expected the news media to descend on him and, with a liberal twist, ruin his life.

I will go to my grave loving these United States, the United States of America, and the liberty for which so many have fought and died. Because of my poor physical condition, this will be my final statement.

I will tell Colonel Holmes when I meet him that I think he should have taken those interviews with the media. I called the AP tonight and they said they did try to reach him and he said he was unavailable. I think he should have fought this battle through to its conclusion and should have made the American people listen to this. After all, Ted Koppel read the entire Clinton letter, putting the best spin possible on it, on Abraham Lincoln's birthday, February 12, 1992. So, months later, in September, I think Koppel could have been pressed by my colleagues, Congressman DUNCAN HUNTER, Navy ace, Congressman "DUKE" CUNNINGHAM, 7-year POW and badly tortured hero, Congressman SAM JOHNSON, Air Force colonel in Hanoi imprisonment. We could have appealed to Ted Koppel, and he could have put on Colonel Holmes and Colonel Holmes could have read this letter. But Colonel Holmes made his statement and assumed naively, assumed this would be on the front pages across the country. It was not. He signs it "Eugene J. Holmes, Colonel, U.S. Army, Retired." He has it notarized, State of Arkansas, County of Washington, by Barbara J. Powers, Notary Public. She says her commission expired that December 1993. He has every page of this letter notarized.

Mr. Speaker, I would ask our wonderful official recorders of debate to use a different type style, out of respect to Colonel Holmes' letter, so that when my asides appear they are not ascribed to Colonel Holmes, that the text of his letter appear in different context.

The SPEAKER pro tempore (Mr. ABERCROMBIE). Without objection, the gentleman may insert any extraneous material.

Mr. DORNAN. Thank you, Mr. Speaker.

SEPTEMBER 7, 1992.

Memorandum for Record.

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avoided serving their country in the Vietnam war, they are not aspiring to be the President of the United States.

The tremendous implications of the possibility of his becoming Commander-in-Chief of the United States Armed Forces compels me now to comment on the facts concerning Mr. Clinton's evasion of the draft.

This account would not have been imperative had Bill Clinton been completely honest with the American public concerning this matter. But as Mr. Clinton replied during a news conference this evening (September 5, 1992) after being asked another particular about his dodging the draft, "Almost everyone concerned with these incidents are dead. I have no more comments to make". Since I may be the only person living who can give a first hand account of what actually transpired, I am obligated by my love for my country and my sense of duty to divulge what actually happened and make it a matter of record.

Bill Clinton came to see me at my home in 1969 to discuss his desire to enroll in the ROTC program at the University of Arkansas. We engaged in an extensive, approximately two (2) hour interview. At no time during this long conversation about his desire to join the program did he inform me of his involvement, participation and actually organizing protests against the United States involvement in South East Asia. He was shrewd enough to realize that had I been aware of his activities, he would not have been accepted into the ROTC program as a potential officer in the United States Army.

The next day I began to receive phone calls regarding Bill Clinton's draft status. I was informed by the draft board that it was of interest to Senator Fullbright's office that Bill Clinton, a Rhodes Scholar, should be admitted to the ROTC program. I received several such calls. The general message conveyed by the draft board to me was that Senator Fullbright's office was putting pressure on them and that they needed my help. I than made the necessary arrangements to enroll Mr. Clinton into the ROTC program at the University of Arkansas.

I was not "saving" him from serving his country, as he erroneously thanked me for in his letter from England (dated December 3, 1969). I was making it possible for a Rhodes Scholar to serve in the military as an officer.

In retrospect I see that Mr. Clinton had no intention of following through with his agreement to join the Army ROTC program at the University of Arkansas or to attend the University of Arkansas Law School. I had explained to him the necessity of enrolling at the University of Arkansas as a student in order to be eligible to take the ROTC program at the University. He never enrolled at the University of Arkansas, but instead enrolled at Yale after going back to Oxford. I believe that he purposely deceived me, using the possibility of joining the ROTC as a ploy to work with the draft board to delay his induction and get a new draft classification.

The December 3rd letter written to me by Mr. Clinton, and subsequently taken from the files by Lt. Col. Clint Jones, my executive officer, was placed into the ROTC files so that a record would be available in case the applicant should again petition to enter into the ROTC program. The information in that letter alone would have restricted Bill Clinton from ever qualifying to be an officer in the United States Military. Even more significant was his lack of veracity in purposefully defrauding the military by deceiving me, both in concealing his anti-military activities overseas and his counterfeit intentions for later military service. These actions cause me to question both Clinton's patriotism and his integrity.

When I consider the calibre, the bravery, and the patriotism of the fine young soldiers whose deaths I have witnessed, and others whose funerals I have attended. . . . When I reflect on not only the willingness but eagerness that so many of them displayed in their earnest desire to defend and serve their country, it is untenable and incomprehensible to me that a man who was not merely unwilling to serve his country, but actually protested against its military, should ever be in the position of Commander-in-Chief of our Armed Forces.

I write this declaration not only for the living and future generations, but for those who fought and died for our country. If space and time permitted I would include the names of the ones I knew and fought with, and along with them I would mention my brother Bob, who was killed during World War II and is buried in Cambridge, England (at the age of 23, about the age Bill Clinton was when he was over in England protesting the war).

I have agonized over whether or not to submit this statement to the American people. But, I realize that even though I served my country by being in the military for over 32 years, and having gone through the ordeal of months of combat under the worst of conditions on Bataan followed by years of imprisonment by the Japanese, it is not enough. I'm writing these comments to let everyone know that I love my country more than I do my own personal security and well-being. I will go to my grave loving these United States of America and the liberty for which so many men have fought and died.

Because of my poor physical condition this will be my final statement. I will make no further comments to any of the media regarding this issue.

EUGENE J. HOLMES,
Colonel, U.S.A., Ret.

State of Arkansas, County of Washington.
Notary Public—Barbara J. Powers. My commission expires 12/1/93.

Mr. Speaker, I asked my staff to rush over here and they handed to me in the Cloakroom just before I came out here, to get my remarks from September 30, 1992, when I took the letter of a young Rhode Island 2d Regiment soldier killed out near where I live when the House is in session, at Manassas, in the Battle of Bull Run, Manassas. His name was Sullivan Ballou. The letter was written to his wife and his two young sons before he died in that battle.

I wrote an article entitled "The Tales of Two Men," and I compared Clinton's December 3, 1969, letter to Colonel Holmes to Sullivan Ballou's letter to his wife, Sarah.

I do not think I have ever known an American worthy of the name American who watched the beautiful Ken Burns Civil War series, who heard the text of Sullivan Ballou's letter, who did not get a huge lump in their throat or actually have tears running down their face, where he described to his wife what an honor it was to serve his country and how he owed it to the men in the Revolutionary War, which is an easy period before to remember, it is Lincoln's opening of the Gettysburg Address, "Four score and seven years ago." Where the first Bull Run was 61, so subtract 2—85 years before, he talked about the beginning of that Revolutionary War and how he owed it.

Later on that night—I may put in Sullivan Ballou's letter if we go into Haiti and lose people, I will put it in again, the tale of two men. But here are my words about why all of this has been coming out about civil cases that we are not supposed to discuss on the House floor, where you have to hire one of the top fix-it-up lawyers in this town, my friend Bill Bennett's older brother, Bob.

Here is what I said: "All of this is going to come out." I was talking about the March stories on Whitewater that were suppressed and all the stories about all these draft dodgers, the demonstrations, and still to this day, the unexplained trip to Moscow. It was not pure tourism, to stay in the National Hotel with George McGovern. There was a meeting, a gathering there. It was not just tourism. There were 10 inches of snow cover, 27 degrees below zero, going alone to Moscow and Prague was not just your average tourism. That was not the European grand tour of Rome and Paris and Athens if you had the money, that European students had been taking—for over two centuries—Rhodes scholars have been taking for over a century.

Here is what I said, quoting myself now: "And it will come out, the horror of all of it is that this will come out after he is President, if he picks up the radioactivity of the position leader of the free world." Now here is what makes it painful to the military. When I was at Utah Beach and we waited over an hour for President Clinton and then found out that maybe it was President Mitterrand that we were waiting for. When it was announced that Clinton would be an hour late, the crowd booed. There was kind of an ugly mood. People were mumbling about Clinton time. And maybe he was innocent, maybe it was President Mitterrand. But that day there was a man next to me who lost his elbow—one arm did not have an elbow—in the Battle of the Bulge, he was with the 101st Airborne. He had fought through the Normandy campaign, got his severe wounds and was taken prisoner. So they put a cast on him, and that cast did not come off until he was in New Jersey 6 months later. That is how poor his medical treatment was, because Germany was collapsing.

That gentleman turned to me and he said he thought it was a sacrilege for Clinton to show up at Utah Beach. I said to him, "Well, frankly it would be worse if he did not show up, would it not?" He said, "Why is he showing up and reading his written speeches? Why doesn't he just introduce veterans?" When somebody, one of my Democratic

friends, and I mean a friend, challenged me and said, "What would you do if you were Clinton, Dornan?" I said, "I would introduce Joe Dawson, the hero company commander on Omaha Beach, the first officer to take his men off the beach."

□ 1630

I would have introduced him, and told his story, and let Dawson give the commemorative speech on the 50th anniversary, not make a hero with the Distinguished Service Cross, this Joe Dawson, Captain hero, introduce Clinton for those words about we are the children of your sacrifice. Well, most of the children are these heroes, answered the call in Korea, and Vietnam, and Somalia, and will answer the call to Haiti, wherever he chooses to send them. They will answer that certain trumpet because these are the sons and daughters of the families.

And here is a picture of Clinton in U.S. News and World Report on the beach with three heroes. These are the very three heroes where, described using Maureen Dowd's words; all I know, she is not a conservative writer, works for the New York Times, said the prepubescent yuppie staffers of Clinton grabbed the sleeves of these three heroes and pulled them out of the picture so Clinton could walk down the beach reflectively to a little cairn of stones that his staff had built. And then he took those stones and made them into a cross, and, as Maureen Dowd writes, one of the staff said, "Fantastic, awesome, Dude," or something like that.

I want to tell you about these three people the Clinton staffers pulled out of the picture. Here is John Robert Slaughter, known as Bob. He is all the way through the great Stephen Ambrose book, "D-Day," as one of the narrative young enlisted men telling about this desperate fight on Omaha Beach.

Here is Medal of Honor winner, Walter Ehlers, sergeant; I will come back to him.

And here is Joe Dawson. Let me tell you Captain Dawson's story. Dawson, a retired Army colonel, served in Vietnam, too, and Korea of course. He was in the front of his landing barge, and he could hear the bullets hitting the front, and then they stopped. When the barge door opened, he and one of his platoon leader lieutenants and his radio man stepped off the barge in the water up to their neck. The minute they hit the water the firing started, and the Germans had their field of fire down perfectly. They had had months to practice it. The fire entered the landing craft behind the lieutenant, the radio man, and killed all 30 men on board that first landing craft. There were just three survivors from that first craft to hit the beach at Omaha.

Dawson fought his way to the beach. I think his lieutenant was killed. He went around. That was A Company, 116th Regiment, of a National Guard unit, the Old Blue and Gray, the 29th of Virginia and Maryland, hitting the beach next to the regulars in the Big Red One in the First Division that had seen such combat and won such glory in World War I.

They hit the beach. He assembles other units all day long and finally says, "We must get off this beach or we die," and he was the first captain to fight across. When I stood up there in those bluffs with my wife, Sallie, and looked down at Omaha, it was my fifth visit, but I had never seen this perspective or how far it was from the waterline or even the beach wall through these dunes under intensive fire from the very ground that is now American soil in perpetuity forever that the French have given us, 796-some acres, the Colleville sur Mer cemetery. That was the firing field for the Germans to slaughter our kids on that beach.

And Joe Dawson was asked to introduce Clinton instead of the other way around. And he was pulled on his sleeve to get out of the picture to make way for those photo ops that were "awesome, Dude."

And here is Walter Ehlers. Last night I went to my Medal of Honor book at home and looked up Walter Ehlers when I noticed these gentlemen are unidentified in this picture. It took me all week to find out who they were, but I saw the powder blue ribbon on Ehlers. I did not know what his rank was. He has three rows of ribbons. He has won it all, including the Medal of Honor, and here is the story of Walter D. Ehlers, Staff Sergeant, U.S. Army, 18th Infantry, First Infantry Division, 18th Regiment. Place and date of Medal of Honor: near Goville, France, 9 to 10 of June of 1944, 4 days after surviving the beaches of D-Day. Here is his story:

Entered the service at Manhattan, KS, born in Junction City, KS. He got his citation right while his unit was fighting in the Battle of the Bulge, 2 days after the Bulge had started, and he is probably still in combat. He gets his Medal of Honor 19 December of 1944.

Citation:

"For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty on 9–10 June 1944, near Goville, France. Staff Sergeant Ehlers, always acting as the spearhead of the attack, repeatedly led his men against heavily defended enemy strong points exposing himself to deadly hostile fire.

I want those following the electronic proceedings of this House, Mr. Speaker, to be reminded that Medal of Honor winners posthumously, Gary Gordon and Randy Shughart, could not get within 150 yards of Michael Durant's down sight of his Blackhawk helicopter. They did not rope down. They were brought down on the ground. That helicopter took intense fire, eventually had to be ashcanned, class 86, it was destroyed. It took so much heavy fire and tore the leg off of one of the men. They had to run through a gauntlet of 150 yards of fire; Gordon, and Shughart, and Walter Ehlers cut out of the same bolt of cloth.

It says that under hostile fire whenever the situation required heroic leadership, courageous leadership, Ehlers was there, without waiting for an order. That is what is so special about noncommissioned officers in our Navy, and Army, and Air Force, and Marine Corps.

Ehlers, far ahead of his men, led his squad against the strongly defended enemy strong point, personally killing four of them, enemy patrol who attacked them en route. Then, crawling forward under withering machine gun fire, he pounced upon the gun crew and put it out of action, turning his attention to two mortars protecting the cross-fire of two machine guns. Sergeant Ehlers led his men through a hail of bullets to kill or put the—to flight the enemy up in mortar section, killing personally three men. After mopping up the mortar positions, he again advanced on a machine gun, his progress effectively covered by his squad. When he was almost on top of the gun, he leapt to his feet, and, although greatly outnumbered, he knocked out the positions single handed.

The next day, after having advanced deep into enemy territory, the platoon of which Sergeant Ehlers was a member found itself in an untenable position as the enemy brought increased mortar, machine gun and small arms fire to bear, and it was ordered to withdraw. Sergeant Ehlers, after his squad had covered the withdrawal of the remainder of the platoon, stood up, and by continuous fire at a semicircle of enemy placements diverted the bulk of the heavy, hostile fire on himself, thereby permitting the members of his own squad to withdraw. At this point, though now wounded himself, he carried his wounded automatic rifle man; that is a Browning automatic rifle, BAR, carried all the way from Utah Beach all the way across into Germany by the Republican leader BOB MICHEL. BAR men were picked for their expertise in marksmanship, their size and strength so they could carry this much heavier gun with a little bipod on the front that the average—very heavy by today's terms M–1 grand rifle. So, he picks up his BOB MICHEL-type BAR man, carries him to safety, and then returned fearlessly over the shell-swept field to relieve the automatic fire, automatic rifle which he was unable to carry previously. He went back to get his precious semiautomatic, Browning automatic rifle.

After having his wound treated, he refused to be evacuated and returned to lead his squad further. The intrepid leadership, indomitable courage and fearless aggressiveness displayed by Staff Sergeant Ehlers in the face of

overwhelming enemy forces serve as an inspiration to others, an inspiration to Clinton's young staffers who pulled on his sleeve to get him out of this picture so that the news media that night would not show this picture, but the picture of Clinton playing with the stones and the very small commemorative forces, ships at sea.

This is why I list this as one of my 15 reasons why Clinton, or his administration, have insulted the military and why morale is so far down, and why the defense bill, though not quite the hot debate of days passed, why we heard the word hollowing out the military over and over again and why I voted against the Senate-House conference report on military because of its savage cuts.

□ 1640

Clinton doubled his sworn promise in the campaign that he would go $60 billion beyond George Bush's savage cuts, because after all the cold war was over, the Berlin Wall came down on the birthday of Jesus Christ, December 25, we saw that ugly hammer and sickle come down, and the old Russian czar's powder blue and red flag go up.

But we had to cut something. He said he would cut $60 billion beyond Bush. Now it is $120 billion, we are in free fall, and the count gets even deeper.

Here are the 15 insults. At some point in early April 1993, a three-star general, now the four-star commander in chief of Southern Command in Panama, then the recent two-star commander of the 24th infantry mechanized, the point of Schwarzkopf's spear during that Hail Mary left hook around Kuwait and into Iraq, ending that land war in 4 days, Barry McCaffrey was in the White House, in uniform, with all of his ribbons. If he had been in his short-sleeved shirt you would have seen his arm torn up from Vietnam combat, several purple hearts. At least one officer and son in combat in Somalia as lieutenants in different units than their dad. One of the sons I think was under him. The daughter was in a military police unit.

He says "good morning" to a young staffer, a female, not that gender means anything. She leans over in his face, and says, "We don't talk to people over here who wear their uniforms." Nobody was ever fired for that despicable insult. As far as we know, nobody was even disciplined. Then it began.

A few days later, May 5, there was an asinine photo opportunity on the south lawn of the White House saying Operation Restore Hope was over, which was Bush's humanitarian effort that Clinton merely supported once he came into office. That was May 5. On October 3, just 5 months later, we saw what happened. Nineteen Americans were killed in Somalia in the worst firefight since Vietnam

Insult three: Removing the AC–130 Hercules, they call them Spectre gunships, two days before the Rangers were sent, because Halperin, who the Senate would not confirm for reasons like this, convinced Les Aspin that it would look too offensive. I guess he means small o and military offense, to have the gunships, that fly at 5,000 feet above rifle fire and small arms rocket propelled grenades, and clear the area when a helicopter goes down and the men are about to be murdered and cut up, cut to ribbons, and at least one taken alive. That was a denial.

Then I put in with it, though it could be a separate insult, the denial of armor asked for by the two commanding generals over there for a rescue operation contingency if something went wrong in Operation Ranger.

The formal date of that denial of land armor was July 13. The gunships were pulled out shortly after that.

The gunships, by the way, were the first things put back in after the firefight, and nobody in the world press and not Aideed or any of his warlords or killers in the streets complained, oh my God, the Americans have brought back the Spectre gunships with the 105 recoiler howitzer. Nobody complained. Nobody even knew they should never have been pulled out.

Number four: Clinton's offensive speech at Fort McNair announcing new homosexual policy, that SAM NUNN and IKE SKELTON of this Chamber reversed. Clinton used general officers, admirals and generals, as background, extras, they call them in Hollywood, on Broadway they are called supernumeraries or spear carriers.

Number five: Use of members of the Army, spit-and-polish old guard at Fort Myer, to deliver documents to Members of Congress. I put down October 22, 1993, because that is when one of them showed up in my office. I said you are not being used as a messenger boy or a courier, are you, Sergeant?

Number six: U.S. military air transportation for Somali warlord Aideed, after the killing of 19 U.S. troops. That took place December 2. I discussed that at length tonight.

Number seven: Press conference in Colorado, featuring Hillary Clinton and U.S. military troops all around her while she discusses health care on March 14, 1994.

Number eight: May 23, the insults to Herb Shugart. I didn't know about Operation Ranger. I didn't know about us flying Aideed on an Army airplane with a Marine escort. They wouldn't insult the remaining Army guys by making them escort him, but he was on a Army airplane. That is insulting, to tell that to the father of a dead hero at the posthumous awarding of the Medal of Honor in the East Ballroom of the White House.

Number nine: Use of Marine Corps presidential helicopters for White House staff on a golf trip to Maryland. Well, that fellow Watkins is long gone. That was May 24, the very day after the insults to the father of the Medal of Honor winner.

Number ten: The President's staged reflective prayer at Sicily/Anzio Cemetery on June 3. Picking up a flag that his staff picked up out of the ground and laid down next to a cross. Clinton comes along and pretends he finds it on the ground and sticks it back in the ground. Only as you saw only several television shows, as he is pretending to pray, you see his eyes look up and check at the camera, and they freeze the frame on him.

Mr. Speaker, I will include the list of 15 insults against the military in the RECORD, as well as the text of Bill Clinton's letter to ROTC Colonel Holmes.

CLINTON AND THE MILITARY

1. Senior military officer insulted by junior White House Staff (GEN McCaffrey) without disciplinary action. April 1993.
2. White House press conference on front lawn featuring U.S. Marine units from Somalia. May 5, 1993.
3. Removal of AC–130 Spectre Gunships and then a September 1993 denial of Armor to "Operation Ranger". July 14, 1993.
4. Clinton's speech at Ft. McNair announcing new homosexual policy using General Officers as background "extras". July 19, 1993.
5. Use of members of the Army's "Old Guard" to deliver documents to members of Congress. October 22, 1993.
6. U.S. military air transportation for Somali warlord Aidid after killing of 19 U.S. troops. December 2, 1993.
7. Press conference in Colorado featuring Hillary Clinton and U.S. military troops. March 14, 1994.
8. Insults to Herb Shughart. May 23, 1994.
9. Use of Presidential helicopters for White House staff golf trip to Maryland. May 24, 1994.
10. Clinton's "staged" reflective prayer at Sicily/Anzio military cemetery in Italy. June 3, 1994.
11. Pilfering of towels aboard a Navy aircraft carrier during D–Day ceremonies. June 5, 1994.
12. Clinton's "staged" reflective prayer on Normandy beaches for photo opportunity, pulling aside Joe Dawson, John Robert Slaughter, Walter Ehlers, etc. June 6, 1994.
13. Release of phony story about Hillary Clinton attempting to join Marine Corps in 1975 when she was 29 years old. June 17, 1994.
14. Use of military officers (Captains and Lieutenants) at a partisan White House event as "waiters". June 21, 1994.
15. Sending "condolences" to North Korea on the death of Kim Il Sung. July 9, 1994.

TEXT OF BILL CLINTON'S LETTER TO ROTC COLONEL

The text of the letter Bill Clinton wrote to Col. Eugene Holmes, director of the ROTC program at the University of Arkansas, on Dec. 3, 1969:

I am sorry to be so long in writing. I know I promised to let you hear from me at least once a month, and from now on you will, but I have had to have some time to think about this first letter. Almost daily since my return to England I have thought about writing, about what I want to and ought to say.

First, I want to thank you, not just for saving me from the draft, but for being so kind and decent to me last summer, when I was as low as I have ever been. One thing

which made the bond we struck in good faith somewhat palatable to me was my high regard for you personally. In retrospect, it seems that the admiration might not have been mutual had you known a little more about me, about my political beliefs and activities. At least you might have thought me more fit for the draft than for ROTC.

Let me try to explain. As you know, I worked for two years in a very minor position on the Senate Foreign Relations Committee. I did it for the experience and the salary but also for the opportunity, however small, of working every day against a war I opposed and despised with a depth of feeling I had reserved solely for racism in America before Vietnam. I did not take the matter lightly but studied it carefully, and there was a time when not many people had.

I have written and spoken and marched against the war. One of the national organizers of the Vietnam Moratorium is a close friend of mine. After I left Arkansas last summer, I went to Washington to work in the national headquarters of the Moratorium, then to England to organize the Americans here for demonstrations Oct. 15 and Nov. 16.

Interlocked with the war is the draft issue, which I did not begin to consider separately until early 1968. For a law seminar at Georgetown I wrote a paper on the legal arguments for and against allowing, within the Selective Service System, the classification of selective conscientious objection for those opposed to participation in a particular war, not simply to "participation in war in any form."

From my work I came to believe that the draft system itself is illegitimate. No government really rooted in limited, parliamentary democracy should have the power to make its citizens fight and kill and die in a war they may oppose, a war which even possibly may be wrong, a war which, in any case, does not involve immediately the peace and freedom of the nation.

The draft was justified in World War II because the life of the people collectively was at stake. Individuals had to fight, if the nation was to survive, for the lives of their countrymen and their way of life. Vietnam is no such case. Nor was Korea an example where, in my opinion, certain military action was justified but the draft was not, for the reasons stated above.

Because of my opposition to the draft and the war, I am in great sympathy with those who are not willing to fight, kill and maybe die for their country (i.e. the particular policy of a particular government) right or wrong. Two of my friends at Oxford are conscientious objectors. I wrote a letter of recommendation for one of them to his Mississippi draft board, a letter which I am more proud of than anything else I wrote at Oxford last year. One of my roommates is a draft resister who is possibly under indictment and may never be able to go home again. He is one of the bravest, best men I know. His country needs men like him more than they know. That he is considered a criminal is an obscenity.

The decision not to be a resister and the related subsequent decisions were the most difficult of my life. I decided to accept the draft in spite of my beliefs for one reason: to maintain my political viability within the system. For years I have worked to prepare myself for a political life characterized by both practical political ability and concern for rapid social progress. It is a life I still feel compelled to try to lead. I do not think our system of government is by definition corrupt, however dangerous and inadequate it has been in recent years. (The society may be corrupt, but that is not the same thing, and if that is true, we are all finished anyway.)

When the draft came, despite political convictions, I was having a hard time facing the prospect of fighting a war I had been fighting against, and that is why I contacted you. ROTC was the one way left in which I could possibly, but not positively, avoid both Vietnam and resistance. Going on with my education, even coming back to England, played no part in my decision to join ROTC. I am back here, and would have been at Arkansas Law School because there is nothing else I can do. In fact, I would like to have been able to take a year out perhaps to teach in a small college or work on some community action project and in the process to decide whether to attend law school or graduate school and how to begin putting what I have learned to use.

But the particulars of my personal life are not nearly as important to me as the principles involved. After I signed the ROTC letter of intent, I began to wonder whether the compromise I had made with myself was not more objectionable than the draft would have been, because I had no interest in the ROTC program in itself and all I seemed to have done was to protect myself from physical harm. Also, I began to think I had deceived you, not by lies—there were none—but by failing to tell you all the things I'm writing now. I doubt that I had the mental coherence to articulate them then.

At that time, after we had made our agreement and you had sent my 1-D deferment to my draft board, the anguish and loss of my self-regard and self-confidence really set in. I hardly slept for weeks and kept going by eating compulsively and reading until exhaustion brought sleep. Finally, on Sept. 12 I stayed up all night writing a letter to the chairman of my draft board, saying basically what is in the preceding paragraph, thanking him for trying to help in a case where he really couldn't, and stating that I couldn't do the ROTC after all and would he please draft me as soon as possible.

I never mailed the letter, but I did carry it on me every day until I got on the plane to return to England. I didn't mail the letter because I didn't see, in the end, how my going in the Army and maybe going to Vietnam would achieve anything except a feeling that I had punished myself and gotten what I deserved. So I came back to England to try to make something of this second year of my Rhodes scholarship.

And that is where I am now, writing to you because you have been good to me and have a right to know what I think and feel. I am writing too in the hope that my telling this one story will help you to understand more clearly how so many fine people have come to find themselves still loving their country but loathing the military, to which you and other good men have devoted years, lifetimes, of the best service you could give. To many of us, it is no longer clear what is service and what is disservice, or if it is clear, the conclusion is likely to be illegal.

Forgive the length of this letter. There was much to say. There is still a lot to be said, but it can wait. Please say hello to Col. Jones for me.

Sincerely,

BILL CLINTON.

The letter from Major Ballou follows:

CAMP CLARK, WASHINGTON,
July 14, 1861.

MY VERY DEAR SARAH: The indications are very strong that we shall move in a few days—perhaps tomorrow. Lest I should not be able to write again, I feel impelled to write a few lines that may fall under your eye when I shall be no more.

I have no misgivings about, or lack of confidence in, the cause in which I am engaged, and my courage does not halt or falter. I know how strongly American Civilization now leans on the triumph of the Government, and how great a debt we owe to those who went before us through the blood and sufferings of the Revolution. I am willing—perfectly willing—to lay down all my joys in this life, to help maintain this Government, and to pay that debt.

Sarah, my love for you is deathless, it seems to bind me with mighty cables that nothing but Omnipotence could break; and yet my love of Country comes over me like a strong wind and bears me unresistibly on with all these chains to the battlefield.

The memories of the blissful moments I have spent with you come creeping over me, and I feel most gratified to God and you that I have enjoyed them so long. And hard it is for me to give them up and burn to ashes the hopes of future years, when God willing, we might still have lived and loved together, and seen our sons grown up to honorable manhood around us. I have, I know, but few and small claims upon Divine Providence, but something whispers to me—perhaps it is the wafted prayer of my little Edgar, that I shall return to my loved ones unharmed. If I do not, my dear Sarah, never forget how much I love you, and when my last breath escapes me on the battlefield, it will whisper your name. Forgive my many faults, and the many pains I have caused you. How thoughtless and foolish I have often times been! How gladly would I wash out with my tears every little spot upon your happiness. . . .

But, O Sarah! If the dead can come back to this earth and the unseen around those they loved, I shall always be near you; in the gladdest days and in the darkest nights . . . always, always, and if there be a soft breeze upon your cheek, it shall be my breath, as the cool air fans your throbbing temple, it shall be my spirit passing by. Sarah, do not mourn me dead; think I am gone and wait for thee, for we shall meet again.

S. BALLOU.

PRESIDENT SHOULD NOT UNDO THE CUBAN ADJUSTMENT ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from New Jersey [Mr. MENENDEZ] is recognized for 60 minutes as the designee of the majority leader.

Mr. MENENDEZ. Mr. Speaker, I want my comments today directly to go to our President with reference to the situation in Cuba. I am joined this evening by my distinguished colleague from Florida [Ms. ROS-LEHTINEN], whom I will yield to in a few moments. I think this is a very important time.

You know, Mr. President, Fidel Castro is a chess master. He has played skillfully with eight previous American administrations. He has now begun his game with you by threatening to instigate another boatlift like Mariel in 1980. He made his opening gambit, and we have responded with a very poor move.

Mr. President, your new policy of repatriating freedom seeking Cubans

hurts the people who are fleeing one of the world's most brutal tyrants. Human rights organizations such as Freedom House list him as among the 10 worse human rights abusers in the world. But it fails to address the root of the problem, which is the Castro government itself.

Unless you assure us otherwise, the actions today in effect undo the Cuban Adjustment Act, which authorizes Cubans who flee Communist Cuba to ultimately seek U.S. residency.

In my view, you would be well-advised to expand on today's pronouncements. We apparently have moved toward consistency with our immigration policy toward Haiti. We must now move toward a more consistent policy, if that is going to be our goal, with respect to both the Cuban and Haitian dictatorships.

So I urge you to do the following measures: immediately suspend all United States flights to Cuba; immediately suspend all cash transfers to Cuba; immediately suspend, except for humanitarian assistance, all material remittances from the United States to Cuba. This adds up. The humanitarian response of the Cuban-American community comes to nearly $400 million a year. Castro cannot afford to lose approximately $1 million a day from his economy. Now, $1 million a day in the context of the American economy is nothing. But $1 million a day in Castro's freefall of an economy is something that he cannot resist, he cannot have, and, in fact, you will see how quickly he changes his immigration policy. The fact of the matter is we have to understand what Castro is seeking to do here. He seeks to very clearly do two major things. No. 1 is 2 weeks ago, nearly 30,000 Cubans, along Havana's seawall, demonstrated in unprecedented manner against the Castro government, saying that they wanted to see changes within the government.

□ 1650

And his response in those 2 weeks is to relieve the pressure. If they are unhappy with my government, do not let me seek to make change within my government. Let me seek to have them leave. And in a callous disregard for their danger crossing the Florida straits, for the numbers of hundreds that may have made it, there are hundreds who have died at sea. And so his response is, let me relieve the pressure and at the same time let me wreak havoc with U.S. immigration policy. Let me change this into an immigration issue. Let me take it away from the political issue that it is, as it relates to democratic and economic change in Cuba. And hopefully, while I am doing this and relieving the pressure, I will also go ahead and get my No. 1 foreign policy objective, which is to have undone the U.S. embargo against the Castro government.

So the present situation, secondly, is not only a challenge but an opportunity. Now is the time to use our technology, to make sure that Television Marti fully penetrates the entire island of Cuba, nearly 10 million people who live in a closed society, who do not have, as we do here, television of what is going on in their House of Representatives, who do not have free and unfettered press, who only have a state radio and television and, in fact, by doing so, communicate directly with the Cuban people as to our intentions. Show them the pictures of what it is to risk your lives on the Florida straits. Understand the many who have died, the children who have become orphans in this process. Understand and know about, because we cannot conceive, maybe, many of us, that what we see here instantly happens in one part of our country is known in another, that in Cuba that is not the case.

Let them see the powerful images of television as we have seen through CNN throughout the world that in fact in Cuba there were 10,000 to 30,000 people who rose up against the Castro government 2 weeks ago. Let them know that their desires for freedom are not alone.

If we do this, and we have the technology, we have satellite communications that we could have, we have ship to shore possibilities, we have C-130 planes that can transmit as we recently did in Haiti to directly communicate with the Cuban people.

This is a powerful tool, one that Fidel Castro spends an enormous amount of money trying to jam because of the present frequency that we use instead of using that money to put food on the plates of Cuban families. It would create an opportunity and force a hoped-for democratic change by opening a window on the world and even a window about what happens in Cuba.

The administration must have the will that others have lacked to give the people of Cuba who live in this closed society that window on the world.

Fidel Castro has challenged our national security at a time when we find ourselves busy in both humanitarian missions in Rwanda and the restoration of democracy in Haiti. It is in the national interest to provide free and unfettered information to the Cuban people.

Also let us work with our hemispheric partners, who seek hemispheric integration, to voice publicly what we know that they are telling Castro privately. As a member of the Foreign Affairs Committee, the Western Hemisphere Subcommittee, I have had the opportunity to speak to several Latin American leaders about our relationships between the United States and Latin America and their countries. I have also talked to them about our relationships with Cuba.

We know what happened in the Latin American in Colombia where they in private told him that there must either be change or in fact he must go. Now we need for those who seek hemispheric integration, who want greater relationships with the United States, who say that they support democracy to say what they say in private, to say it publicly, because it is time to end this Havana-Washington issue. It is time to, certainly within our hemisphere, get our partners to speak up for the democratic principles they say they stand for.

It is time to allow the Cuban people to freely express themselves by voting with ballots in a booth versus fleeing, voting by their feet, by fleeing on a raft.

Lastly, before I yield to my colleagues from Florida, let me just say that we must take the long overdue move to establish a proactive policy toward Cuba. I have encouraged the administration for some time now to endorse our Free and Independent Cuba Assistance Act, to send a message to the Cuban people that we are in solidarity with you, but not the dictatorship who oppresses you. We respect your right to national self-determination. We are prepared to assist you in your transitions toward a democratic government. But, in fact, we are unwilling to support the dictatorship that oppresses you.

Had we done that, by sending the message of our both humanitarian assistance, developmental assistance that would be available, we would not have people fleeing because they would have seen the opportunity for hope.

We would not, Mr. President, today be reacting to Castro's cynical ploy and, lastly, lest we forget, the 40 men, women and children who died nearly 3½ weeks ago at sea, which is another reason that Castro has done all of this. The world community was raising their voice against what he did, which is when 70 or so, men, women and children went to sea in an attempt to flee the tyranny of Castro's Cuba. Their boats were hit with high water pressure cannons knocking over women and children, nearly 20 children in this process. Their boats were rammed by Cuban Government boats. The boat was split. People were drowning and the Cuban Government, in circular motion with these three boats, created a whirlpool effect to have those people drown into the sea.

Those who survived and were eventually brought back to Cuba, nearly 30 survived, 40 died at sea, including nearly 20 children, were courageous enough to tell their story to what press exists in Cuba, to those limited press that are there from outside of Cuba. And in doing so, let the world community know about it. We should be seeking a resolution in the United Nations and refocusing the reality, that we do not

need and the Cuban people do not want to flee in massive numbers.

We need one person to leave the island of Cuba, and that is Fidel Castro.

I want to yield to my distinguished colleague, the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. I thank the gentleman for yielding to me. I congratulate him not only for his great leadership in many of the crucial domestic issues that confront this great country, health care, crime, education, but also for his leadership on the international domain, especially in his call, never ending, for the liberation and the freedom of the enslaved Cuban people.

We are joined here tonight with another esteemed colleague from the Florida delegation, Mr. DIAZ-BALART, who has an important piece of legislation which we all support that calls for an international embargo that, as the gentleman from New Jersey [Mr. MENENDEZ], pointed out, would help to bring about the defeat of Fidel Castro and help to bring abut the democracy that the Cuban people so earnestly yearn for day in and day out.

We are all deeply disappointed that President Clinton did not take the opportunity this afternoon at his press conference to announce a tougher U.S. policy against this failed Castro regime.

The decision by the Clinton administration of intercepting in the high seas and then detaining at the Guantanamo Naval Base Cuban refugees who flee the Castro regime is indeed extremely disappointing. These Cuban refugees who risk their lives in the high seas in search of freedom should be processed as indicated by the Cuban Adjustment Act and be granted political asylum.

The wave of Cuban refugees will not stop, as Mr. MENENDEZ pointed out, unto the root cause of the problem, and that is the Castro dictatorship, is eliminated from Cuba.

Castro's failed Marxist policies have brought misery and hunger and a repressive political environment to the island. The solution is not to detain Cuban refugees, who are the real victims in this cruel situation. The solution is to bring down from power Cuba's dictator, Fidel Castro.

The United States should strengthen its foreign policy toward Cuba. It is hypocritical for the administration to lobby for an international embargo against the undemocratic government of Haiti but turn its back on the 35-year old Castro tyranny.

President Clinton should encourage and actively lobby for the international community to cut off all of its commercial ties with Cuba and, instead, implement an international embargo against the thugs who rule the island.

□ 1700

An international embargo, as proposed by Congressman DIAZ-BALART, would cut all resources to the regime, resources that it now uses to further enslave the Cuban people and maintain itself in power. If Cubans and Haitian refugees are to be treated the same in terms of immigration, why are the two dictators who rule these islands not treated the same in terms of the U.S. military response?

There is an international blockade against Haiti. Nothing is to get there, except for strictly humanitarian aid. There is no such international blockade against Castro. There are strong worded U.N. resolutions, forceful, against the Haiti dictatorship. Where are the anti-Castro resolutions of action against Castro?

This, today, has been a very sad day for the liberation of the Cuban people. On this day, the United States made it very clear to Fidel Castro and to the international community that we, indeed, have no proactive policy to remove this cruel dictator from power.

Mr. Speaker, I thank the gentleman for this time.

Mr. MENENDEZ. I want to thank the gentlewoman from Florida, who has been a strong voice on behalf of freedom for people of Cuba and freedom for people everywhere, and for respect of democracy and the rule of law.

I would like to take this opportunity to yield to my colleague, the distinguished gentleman from Florida, LINCOLN DIAZ-BALART.

Mr. DIAZ-BALART. Mr. Speaker, I agree with, obviously, what the gentleman from New Jersey [Mr. MENENDEZ] and the gentlewoman from Florida [Ms. ROS-LEHTINEN] said with regard to the sadness of the day.

Yes, it is a sad day. It is a sad day in the history of this process, because, I guess, those who support the continuation of slavery for the Cuban people scored a victory in that the underground railroad was dealt a setback.

We all know that the underground railroad, when we study our American history, was the hope during slavery that the slaves in the United States had to try to reach the North. Today, yes, it is a hopeful day for those who support the slavery of the Cuban people because there has been a setback to the underground railroad, but the underground railroad ultimately is not the issue. It is an important matter in the sense that it means hope in this process, this interim process, the duration of slavery, but slavery is not going to remain as a permanent condition.

That is why it was so much our hope that even though we, under all circumstances, would oppose with vehemence and with firmness the interruption of the underground railroad, we hoped that that opportunity would have been used by the President to give hope that the source problem would be addressed.

As has been mentioned by the gentlewoman from Florida [Ms. ROS-LEHTINEN], in effect what was mentioned today was an immigration policy like the one that exists with regard to Haiti. Yet, there was not announced a foreign policy, like the one that exists toward Haiti.

In Haiti we have a situation, as the gentlewoman from Florida mentioned, where there is a blockade. It is an international blockade, but in effect it is the United States doing the blockading.

We did not ask permission when the decision was made to so-called quarantine Cuba because of the threat to the national interests of the United States in 1962 in Cuba. We did not ask the world's permission for that.

Today there is one superpower, and it is the United States of America. Not only is it the superpower of the world, it is the moral reserve and reservoir of the world. There is absolutely no reason why, 90 miles from our shores, we cannot give hope and concrete assistance to the people that for 35 years have been languishing under a torturer who has destroyed not only the economy but has brought the people to an extraordinary state of despair and desperation.

We could have announced today steps not only to give hope but to give concrete assistance to the Cuban people, overtly and covertly, if necessary, like we are doing in Haiti, so that the Cuban people will shortly—would shortly achieve their freedom. There were many things that could have been announced that were not announced. The only issue that was addressed was the issue of the underground railroad. The issue of slavery was not addressed.

Even this issue, this immigration issue, will not be solved while we ignore, and if we continue to ignore, the core, the source problem, because Castro knows now that it is his last card, but this card is working. He has used his last card, which is another threat, another form of blackmail, telling the United States, "We are going to unleash this refugee problem on you." It is his last card.

Instead of saying, "You have used your last card and it backfired," we have said, "No, well, okay, we'll cut the underground railroad." The reality of the matter is that now Castro is seeing that it is working, because he was given something. He was given something by virtue of having unleashed this threat and this blackmail, this instrument of blackmail.

He is going to continue. The refugees may be put in Guantanamo tomorrow and third countries the next day. Castro is going to continue to unleash them, because he knows that the threat, the process of pressuring the United States, is working.

If the United States today, while announcing this unacceptable policy, I think ethically improper policy that was announced today, if the United

States would have announced, "We are blockading, by the way, refugees," we still would have opposed that on ethical grounds. But if in addition to that the United States would have announced, "But we are blockading the ports of Castro, and no oil is going to go in, and your card, your last card, has backfired," then the Cuban people would see the source problem, the oppression, the dictatorship, the tyranny, is coming to an end.

The oil, which is what runs regimes in these days, and which, by the way, the Haitian regime continues to obtain because of the filtering of the embargo through the Dominican border—there is no Dominican border in Cuba.

Besides that, the Cuban people have already demonstrated, even the totalitarian state they are living under, that they have hit the streets, they have passed the threshold that was passed in 1989 with the peoples of Europe. They have hit the streets; they are in a state of insurrection.

There is no press in Camaguey, there is no press in Oriente, there is no press in Pinar del Rio and a number of other places where insurrection has already occurred in recent days, and yet we hear the people have hit the streets. And in Havana, of course, since it is the capital city and there are so many tourists there, some of them with video cameras, 30,000 people were seen hitting the streets spontaneously, attacking the symbols of the dictatorship just a few days ago on the 5th of August.

It was that day, on the 5th of August, that Castro unleashed, using his last card, this threat of the immigration crisis. Instead of calling his bluff and say, "It is your last card and it has backfired and your ports are blockaded," like we are doing in Haiti, a dictatorship 2½-years old, not 35, that does not have a state of insurrection of the people against it, that does not have the political prisons full, like Castro does, instead of doing that we say, "We are just going to deal with the immigration issue."

That is not correct. That is not wise. That is not understanding who you are dealing with, the demented mind of Fidel Castro, someone who, like you said today, a chess player but who has nothing left except one remaining threat, but he is going to continue to reiterate threats as long as he remains in power.

It is time, I would say to the gentleman—and I appreciate him yielding these precious moments that he has obtained today to address our colleagues and the American people—it is time for the United States to say "enough is enough" with regard to the suffering of the Cuban people. We have a long relationship, a historic relationship of friendship with the Cuban people. When the Cuban people fought for 100 years in the 19th century, it was the United States that ultimately came to their help. Now it is time to come to their help.

Cuban people, Cuban-Americans do not want a single GI to die for the cause of freedom in Cuba. Cuban-Americans are not asking for U.S. invasion. They are asking for the right to fight for their brothers and sisters in Cuba. The Cuban people are asking for the right to fight, for the recognition of the State of belligerence of the Cuban people, which exists, but it should be recognized.

We have gotten into a situation now where we are deciding which laws to enforce and which laws not to enforce. There is a law called the Cuban Adjustment Act that today the administration decided not to enforce.

□ 1710

Then we must question the enforcement as rigidly as it is in effect enforced of the so-called neutrality law. I mean, we had Nicaragua, 20,000 people fighting in Nicaragua a few years ago, helped by the United States, despite something called the neutrality law. We had Angola. We had Afghanistan. But Cuba remains on the back burner and the issue has always been simply, whoever can reach here is able to be free, but there is no assistance, overtly or covertly, nor permission even for those who want to fight with regard to Cuba. The time for that has ended. The time for assistance has come. The time for solidarity has come. The time for freedom has come.

Cuban people will be free anyway. The gentlewoman from Florida [Ms. ROS-LEHTINEN] said it is a sad day. It is. But despite defeats like today, in the sense of lack of perceiving the historical moment and the opportunity, despite that, and despite the lack of solidarity in the world, a coldly indifferent world, that United Nations that condemned Cedras and condemns the South African apartheid and yet continues to ignore the suffering of the Cuban people, those elderly and those little children that we see striving for freedom, who are now going to be diverted and sent to who knows where under what conditions.

Despite all that, despite the defeats, despite the indignity of the indifference of the world, I have no doubt just as Cuba was free at the end of a struggle of 100 years against Spanish and European colonialism, I have no doubt that that people will be free. And because of the difficulty of this process, that people will be able to hold its head very high and tell the entire world, after opening the concentration camps, "Yes, we know what your attitude was, but we're free, and we're going to reconstruct and once again we will be the envy of Latin America."

Mr. MENENDEZ. Mr. Speaker, I thank the gentleman for his strong and passionate statement.

We have the opportunity to turn around what we consider to be a failed policy today. We have an opportunity to be proactive and not reactive. We have an opportunity to stop dancing to Castro's tune and change it to our own music. I think that it is important to do so. Ultimately we do not want the Cuban people to have to leave their own country, a beautiful country, an idyllic island, but they leave because they cannot make political change within their own country. They do not have as we have a process here by which they can create that change. We have seen time and time again that lack of political opportunities in terms of political freedom creates lack of economic change. Because how does one go about creating economic change if they have no representative democracy?

Lastly in that respect, if we look at this issue, and let me close on this note, that beyond releasing the pressure within Cuba for those who wanted to create change but for which the dictatorship will not respond to and seeks to have them go so that he will not have that pressure, the question then becomes and the issue I know that is circulating here in this House on the question of the embargo: Castro can buy food, medical supplies, and material goods anyplace in the world. He has allies in Spain, in Canada, and in Mexico. All he has to do is have the hard currency to purchase from them. Or in turn if they wish to give it to him, they could do that but they choose not to, and he chooses not to create the type of economic reform that would put more food on the table of Cuban families.

We should never lose sight of who has the control to make life better for the people of Cuba and who has the arms so that they in fact cannot seek democratic change. There is only one group that has the arms within Cuba and that is the Castro army and its security. There is only one person under that structure that exists that can permit market reforms in Cuba, and when he has done it, when he has done it, it has been tremendous success and the industriousness of the Cuban people has shown to rise up and live up to expectations.

When he created farmers markets and said if you meet the state quota, anything above and beyond that state quota, you will be able to keep the benefits of, and it was a tremendous success. Not only were the state quotas met that had not been met for many years before, but they were surpassed. More food was created for Cuban families, and the personal profit of that was kept by those who worked hard to do it.

The response: The reform that Castro himself had permitted was shut down in 6 months. Why? Because he cannot control it. And as his daughter who escaped to the United States told me here in the House of Representatives, "You call him a dictator. I call him a

tyrant. A dictator is someone who wants to dictate the policy of the country. A tyrant is someone who wants to dictate every aspect of your life."

Fidel Castro will not willingly—he did not do it when the Soviet Union was giving him $6 billion a year at that time that the Soviet Union existed in assistance, $6 billion a year which kept his economy afloat, when Gorbachev went to them and said, "Let's have some openings, let's have glasnost, let's have perestroika," he said, "No," and he bit the hand that fed him. When he did on his own create market reforms, he rejected them, because again he could not control them. He privatized over 100 jobs and told people, "Go get a license, we'll see how it works." It was very successful. And what did he do? He repealed it. Then subsequently passed a harsh decree law 149, I think it was, that says, "All the ill-gotten gains you have got from that which we permitted you to do in terms of private enterprise cannot be kept anymore."

Castro has shown that he is unwilling on his own to permit reform, to create reform. He does not need any signals from the United States. He can do it on his own. He refuses to do so, he will only do so by necessity, and that is where we must learn our lesson, that is where we need to respond and that is where we need to be in solidarity with the Cuban people.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

HEALTH CARE

The SPEAKER pro tempore (Mr. ABERCROMBIE). Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 60 minutes.

Mr. SAXTON. Mr. Speaker, I take this time this evening to talk about an issue that is on the minds of all American people, that of health care, but before I do, let me just remark that I believe the American people recognize the important message that the gentleman from New Jersey [Mr. MENENDEZ], the gentlewoman from Florida [Mr. ROS-LEHTINEN], and the gentleman from Florida [Mr. DIAZ-BALART] just conveyed as being one of a great deal of seriousness and a great deal of importance to the American people as well as to the people of Cuba. Obviously this has been an issue that has been on the minds of Americans for many, many decades, and the actions today certainly are something that everybody that I have talked to has had a lot of questions about, and we hope that we resolve the Cuban issue in the near term and we do it successfully.

Let me turn to a domestic issue, as I said, health care. As we debate the crime bill in this house, the other house is well into the debate on health care. It seems to me that there is something in the debate that has kind of fallen by the wayside, and that is that our health care system today is really a pretty good system.

As I sat and listened to the debate and the remarks of the previous speakers about Cuba and about institutions in other countries around the world, I thought just how fortunate we are to be Americans and to be able to avail ourselves of the many institutional facilities that we have that dispense wonderful health care in our country.

As a matter of fact, one of my constituents said not long ago at a town meeting, "Congressman, if you were ill and you could be treated any place in the world, where would you go?" And I said, "right here in the United States of America," because what we do in the way of health care is the best.

It is not the health care system that dispenses health care, it is not that that we have the problem with. What we have the problem with is the economics of health care. The economics of health care do not work under the system that we have. They have worked somewhat over the years but because of some occurrences that have taken place, health care today, the economics of health care, really do not work very well.

□ 1720

Our economic system, the free market economy that we have in our country, has been very successful. It has been successful in terms of retail sales, it has been successful in terms of manufacturing, it has been successful in terms of trade. As a matter of fact, statistics show that 85 percent of our economy works pretty good. We have recessions, we have up cycles when our economy gets better, we have soft economies, but overall America is an economic wonder. The American economy has worked very well 85 percent of the time.

The 15 percent of the time that it does not work well today is the economy that we call health care; the way we buy it, the way we pay for it are problems and we need to look and recognize those two concepts. We have a wonderful health care system in our country where the economy of it is weak and does not work, 15 percent of our economy.

So if it were me calling all the shots, as we all here like to think we would be able to do, if I were calling all of the shots I would say let us not fix what is not broke, let us worry about the economics of health care. What is it that is different we might start by asking, what is it that is different about the economics of health care than exists in other aspects of our economy?

We look at the activities, the economic activities that take place every day in our country. We manufacture goods and we provide services of all kinds to Americans. We buy and sell goods and services. It works pretty good. We market and advertise goods and services. And as we go through our daily lives, our economic system has one thing that all of those activities that I just mentioned, they all have one concept implicitly in common in every activity that we do. It is called competition.

We have competition in manufacturing, we have competition in retailing, we have competition in marketing and advertising. And when we decide to carry out an economic activity, small businesses, for example, in our country, a small business person gets ready to initiate his economic activity, to establish his establishment and he goes in and finds a location. He goes to find a good location because a good location helps him compete. And then after he gets his location he says well, I have to have some kind of a structure, of a facility, and so he says what will the aesthetics of my facility be like, because it is important for it to be attractive so that he can compete. And he decides what kind of stocks and inventory to buy because stocks and inventory are important because he wants to compete. And when he gets his stock and inventory he decides on how he is going to price those goods, because the price of those goods help him compete.

I would suggest that that competition is absent in our medical care system to a large degree. Mr. Speaker, I was just making the point that in the medical care system the 15 percent of our economy that does not work well, there is something that is missing, there is something that is different than in all of the rest of our economic activities that we carry out in our country. It is competition.

That is because somebody else is paying the bill 83 percent of the time. That is right, 83 percent of the time when we go to avail ourselves of medical services, 83 percent of the time somebody else pays the bill. That has created some changes in the economics of medical care that are really very important. That is what we generally expect, as a matter of fact. What we have done we have done to ourselves, because when we as Americans, when this Congress set up the Internal Revenue Code it said to businesses we are going to treat the expenses you pay for medical care different than the expenses that individuals pay for medical care. Mr. Corporation, we are not going to tax yours, but we are going to tax the individual who pays for medical care.

So all of us, recognizing that the Internal Revenue Code influences our behavior, all of us said, gee, we want our employers to pay for medical care, because they do not have to pay taxes on

it and we as individuals do. That is what we generally expect. We have negotiated with big businesses, small businesses, government employers to pay for our medical care for us as well as through programs that this House has enacted like Medicare and Medicaid so that 83 percent of the time somebody else pays the bill.

What does that mean to me as a medical consumer? It means when I go to the doctor, if the doctor says, "Well, you need to have these four tests," I do not have to ask the question: "Can't we get by with just two?" because 83 percent of the time somebody else pays for it, and it does not cost me much or anything. When I go to the doctor it means that if the doctor says, "Well, we need to schedule you for six visits," I do not have to say, "Gee, can we do it in three," because 83 percent of the time somebody else pays the bill. And when I go to the doctor and the doctor tells me, "You need to go to the hospital for some tests," I do not have to say to the doctor, "Can't we do it as an outpatient?" Because 83 percent of the time somebody else pays the bill.

So if we can look at the economics of health care, the American people do not want us to mess up their health care system, but they would like to find better ways to pay for it. If we could look at the economics of our health care system and creatively find some ways to change what we do to make consumers players, players in the decisionmaking process, it would certainly help and give individuals a chance to say, "I don't want four tests, I just want one. Can't we do it that way?" It gives individuals a chance to say, "Gee, can't I just come here three times instead of six, can we get it done that way," and give the individual a chance to say, "I don't really need to be in the hospital. Let's do it as an outpatient."

Those are the kinds of decisions that can save billions of dollars in our total system.

There are some examples that we can look to, at people, employers and employees who have agreed to do things differently. Earlier this week the Republican members of the Joint Economic Committee held a forum on this subject and we had a couple of relatively well-known Americans here to share with us some ideas and some thoughts on some activities that they have been involved in. One of those people was a mayor of Jersey City, a young man by the name of Brent Schundler. He recognized his taxpayers were having to meet a tremendous bill for medical care for city employees, about an average of $6,900 a year. So being a creative young fellow he said, "I think there is a better way to do this," and through a decisionmaking process they decided that they would buy only a catastrophic care policy with a whopping $2,000 deductible. And of course, having a city with people where the average income is below the average income in America, I think he mentioned the figure of the average income in Jersey City of about $10,000, having a city with relatively low income people and employees as well, obviously they could not afford to have a $2,000 deductible. But they are buying the catastrophic policy with a $2,000 deductible, and instead of asking the employees to pick up the first $2,000, the mayor is putting $2,000 in a special account for each employee, and the medical care that they use in that $2,000 is paid for by the city. At the end of the year if the employee has not used that $2,000 to pay their family's medical care, they get a check for the balance which may be left.

Now what has this done?

□ 1730

Well, first of all, last year the total medical bill per individual was $6,900. Mayor Schundler told us that he pays $4,700 for the catastrophic care policy, and the $2,000 that he puts in the special account to pay for the first 2,000 dollars' worth of medical bills for each family brings the total of $6,700, or a $100 savings.

Now, what Mayor Schundler is hoping will happen is that as consumers of medical care who are employees of Jersey City go through the year, they will say to themselves, "If I tell the doctor, if I ask the doctor the question, 'Can we not do this with one test instead of four? Can we not do this with three visits instead of six? Can I not do this as an outpatient deal instead of going to the hospital,'" that the total pool of employees that are covered by this system will use less health care and be less costly, and when the mayor goes to buy the catastrophic policy next year, it will cost less because it paid for fewer services.

That is putting competition back into the medical system for the employees of Jersey City. Are they better off? Well, at the end of the year, they get a check. All of their medical bills are otherwise paid for, and the system saves money. The taxpayers of Jersey City save money, and everybody wins.

The other witness at our JEC forum earlier this week was Malcolm Forbes. He is someone that a lot of Americans have heard of, the president of Forbes, Inc., the publisher of Forbes magazine, also has a large company, and he recognized something similar to what Mayor Schundler did 3 years ago, that is, Forbes recognized it 3 years ago.

They have in their company a medical health care system that has a $500 deductible, and he recognized that competition was missing from the consumers who went to the doctor, because they had to shell out that $500 regardless, pay the $500, then everything is paid for, or there may have been a copayment; most everything is paid for.

And so what Mr. Forbes said to his employees was this: "We are going to keep the same policy, the $500 deductible, but we are going to take care of that $500 deductible for you this way. I am going to put $1,000, twice the amount of the deductible, in a special account for you, and for every dollar that you spend on medical care this year, we are going to deduct $2 from the $1,000 account."

Now, what did that mean? It meant that when the family went to the doctor and spent $10 on medical services, $20 was deducted from the account, and he said, "At the end of the year, whatever is left I am going to write you a check for it."

Now, when the family goes to the doctor, the Forbes people, just like the Jersey City people, they ask them questions: "Is there a less expensive way to do this?"

The first year, at the end of the first year, when Malcolm Forbes went to reapply to buy his policy for the beginning of the second year, he found that their medical care expenses had been reduced by 15 percent, and at the beginning of the third year, when he went to buy the health care policy, same one, he found that medical care expenses had been reduced by an additional 13 percent, in 2 years, a 28-percent reduction because consumers became players in the decisionmaking process.

Now, as we debate health care here, I know it sounds to many people like somehow the Government can do it better. I do not believe that. I do not believe that Government can do it better.

What I think we need to do is to not rely so much on big Government to collect our money, send it down here from our employers; the Senate version says 50 percent from the employer, 50 percent from the employee, send it to a big bureaucracy here in Washington or Baltimore or someplace, and then have decisions made as they are currently by someone other than the patient.

I do not think that works. I do not know why we do not understand that here.

This may sound like an oversimplification of an easy way out; that some people are going to say it certainly will not work, but it certainly makes sense to me.

There are a few other things we need to do to clean up our act as well, expenses that medical care providers must pay, and then pass along to consumers, medical malpractice insurance, the practice of defensive medicine as a way to keep medical malpractice insurance as low as possible. That is an issue we certainly have to address. I think we probably need some administrative reform and some action to reduce paperwork and standardize forms, those kinds of things. Those things can be done.

We can reduce the cost of medical care without standing the rest of the

medical care delivery system on its head. That is what the American people are concerned about. That is why the American people this week in Newsweek magazine, that magazine reported that 65 percent of the American people in the survey said, "Congress, stop, please go home. Please, do not do anything with medical care until next year," because they are afraid in their wisdom, they believe that we are going to do this wrong.

So I wanted to bring this concept to the Members, people who are, I know, good-intended, with good intentions, and as the debate goes forward in the other House, I hope that everyone recognizes just how complicated this issue is and that we really need to stop, take a good look, understand that the economy of the medical care system is where we ought to put our emphasis and where we ought to fix.

Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SERRANO] be allowed to control the remainder of my time.

The SPEAKER pro tempore (Mr. ABERCROMBIE). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. There are approximately 35 minutes remaining.

THE CUBAN CRISIS

Mr. SERRANO. Mr. Speaker, I thank the gentleman from New Jersey [Mr. SAXTON].

Mr. Speaker, we are faced once again with a very difficult situation. We are calling it the Cuban crisis.

I think it is important to note that there are some of us in this country who believe that this crisis was brought on by our own policies and that it is time that we face up to it and begin to deal with it in a proper way.

Let us very quickly review what has been happening. For over 30 years now we have had and maintained an embargo on Cuba, and that embargo, economic embargo, did not allow travel by anyone in this country, did not allow any kind of interchange or exchange, did not allow Cubans to come here or Americans to travel there or participate in any way. The rhetoric from both sides was a very strong anti-Cuban Government and Cuban society rhetoric, and it was destined supposedly to bring down the Cuban Government by enticing the Cuban community in Havana and other parts of Cuba to rise up against their government. Throughout those 30 years, part of that policy has been to invite them to flee their homeland and to come here.

Second, one of the advantages or disadvantages I have is that by being able to understand Spanish I can tell you that Miami commercial radio stations on a daily basis transmit programs which in fact invited the Cuban people throughout these years to rebel, rise up against their government and to flee.

We have sponsored and paid for out of taxpayers' dollars, much to my dismay, Radio Marti, which uses thousands of hours every year sending not only the message that they should be sending of what American society is like, but, in fact, encouraging Cubans again to rise up against their government and flee, and when a Cuban shows up in Miami with a hijacked airplane, we never treat that person as a hijacker. We treat them as a hero fleeing a Communist dictatorship.

□ 1740

And when a person showed up, for many years and throughout the years, from Mexico or from Spain or from Latin America or from Canada, having left Cuba and made their way to those other countries, we treated them as a hero. We even have had in place until this afternoon—and we are not clear if it is still in place or not—a law which allowed only Cubans, no other group in the world, to come to our land and be accepted immediately, no questions asked, with special assistance, funding different organizations in Florida to assist them to become citizens in a shorter time than it takes any other alien to become a citizen in this country. That would seem to me that that is a policy that directly or indirectly has invited the Cuban people to come here.

Now, since the demise of the Soviet Union and the Cuban economy took the brunt of not being able to receive any help from the Soviets, the Cuban people started coming here in larger numbers. That began to worry some people in Miami and it worried some people in the administration and people throughout the country because it was no longer a sexy issue.

When one Cuban a month showed up in Florida, we were able to put that person in front of the TV camera on the 6 o'clock news and he would denounce the Cuban Government. He would then be lost and integrated into the society. But when dozens started to come and hundreds started to come this year, when thousands started to come, then the situation became a little different. Do we have room for them? Can we control what they say? What? Heaven forbid, some people would say if some Cuban showed up here and said, "Hey, listen, my education system back there was not bad, my political system, I was born under that system, my parents did not have it any better, it has not been any good for a lifetime. But I had good sports and recreation and I had a good health care system. The reason I am here is because I am hungry." That would destroy the whole theory of why we want Cubans to come here.

Now, all of a sudden, all of a sudden we have a situation where we find ourselves contradicting what we in fact set up. Let us understand what we did today. I am dismayed to find out that our administration, the administration I support, has decided that Cubans who flee Cuba will now be considered illegal aliens, will now be stopped, again after we have been inviting them to come here for over 30 years, they will be stopped and will be taken to Guantanamo Bay, the irony of ironies, in Cuba.

By detaining them, which is a fancy word for arresting them, we will be setting them in Cuba while accusing Castro of detaining his people, and we will be detaining Cubans in Cuba.

Now, let us understand that, that is really kind of an interesting situation we find ourselves in. We are going to now arrest Cubans and then put them in a piece of Cuba that we control and have them under some sort of arrest because that is what detention is, in Cuba. So we will say that Castro is detaining his people on two-thirds of the island and we will be holding people in another part of the island under our supervision and our control.

Now, what is to stop the Cuban people from deciding tomorrow that instead of taking the chance of facing sharks in the Caribbean waters, that they will just go to Guantanamo Bay, stand up again and say, "Take me in"? How are you going to deal with that? In my opinion, the time has come to deal with this situation in the only sensible way we can do it.

Mr. Speaker, I have introduced legislation this past week which would end the embargo against Cuba and let nature take its course after that, end the embargo against Cuba, just lift it completely and let things flow after that.

People ask, "What do you mean by that, Congressman? What is it that you mean by 'things will flow'?" I will tell you what it means. I will tell you what it means. It means that George Steinbrenner will be in Cuba the next day signing up 50 ballplayers. That means that Don King will be in the next day signing up 25 boxers. That means that Coke and Pepsi will be making a mad rush to see who sets up the first processing plant in Cuba. It means that Burger King and McDonald's and Wendy's will be rushing into Cuba. And the minute Cuba feels that flow of capitalism, Cuba will never be the same.

In the meantime, the situation that we risk is one where thousands of people will continue to flee Cuba, we will have to arrest them and detain them, so we will be detaining Haitians, we will be detaining Cubans, and we have already delicate situation in the Dominican Republic, and we have our own problems at home.

Would it not be simpler and better to say, "You know, we are dealing with Communist China, we are dealing with China, we are ready to deal with Korea

if they put away the bomb, and Vietnam, we are dealing with Vietnam. We lifted the embargo on Vietnam after a war that still has an effect on our society, that is felt every day in our society dealing with Vietnam, as we should''?

What is it that still drives us to this misguided policy on Cuba? Is it that we are troubled by the fact that this gentleman has lasted for 35 years under our very noses, 95 miles away? Why do we continue to believe that we have to have this policy?

This is the opportunity, and I know that my colleagues have been asked little by little, one on one, to support my legislation. This is the opportunity to put an end to what could turn out to be a major tragedy.

Miami cannot withstand the rush of 100,000 Cubans. Cuba cannot withstand standing on line 4 or 5 hours a day for a pound of beef, for a pound for rice, half a pound of beans .

Children in Cuba are suffering because they have no food, because our embargo does not allow food or medicine or vitamins to go into Cuba.

If our policy was the same on China, on Vietnam, on Korea, then perhaps it would make some sense. But our policy is not the same. I would hope that over this weekend, that over this coming week, over the next week and the next coming days we would be able to put aside whatever it is that irks us as Americans about Cuba and the Cuban Government, and understand that for 35 years our policy has not worked; that it is time to talk to the Cuban Government, to allow the Cuban people the freedom to travel here, to allow us the freedom to travel there, to exchange that which made us friends in the past, our passionate love for sports, for music, for culture.

The Cuban people do not dislike the American people; they just do not understand the American Government. And we do not dislike the Cuban people, we just have a fetish about its leader.

Let us put it away now, let us open up and let us avoid a bloodbath, civil strife, and a catastrophe at sea.

This is the time to do it, and I think we can do it if we join in approving our legislation ending the embargo and wishing the Cuban people a new future.

Let them decide what government they want once they are eating, once they are being fed, once they have medicines, once again when they have vitamins; let them decide what government they want

If you look at the rest of the world and the changes that are taking place, it is easy to understand what changes they will make. But as long as we continue to push this embargo on them, the nationalistic fervor will envelop that island and will not allow people to dialog. This is wrong. This has been a wrong policy

Somewhere tonight when the Members of this House, the members of this Government and the American people go to dinner, maybe we should take 1 minute to think about the fact that their parents in Cuba, who do not know how they are going to feed their children tomorrow, we can put a stop to it now and it is the proper thing to do.

□ 1750

1993 REPORT ON ACTIVITIES OF THE U.S. GOVERNMENT IN THE UNITED NATIONS AND AFFILIATED AGENCIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. ABERCROMBIE) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I am pleased to transmit herewith a report of the activities of the United States Government in the United Nations and its affiliated agencies during the calendar year 1993. The report is required by the United Nations Participation Act (Public Law 264, 79th Congress; 22 U.S.C. 287b).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *August 19, 1994.*

CONTINUATION OF EXPORT CONTROL REGULATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs, and ordered to be printed:

To The Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b), I hereby report to the Congress that I have today exercised the authority granted by this Act to continue in effect the system of controls contained in 15 C.F.R., Parts 768–799, including restrictions on participation by U.S. persons in certain foreign boycott activities, which heretofore have been maintained under the authority of the Export Administration Act of 1979, as amended, 50 U.S.C. App. 2401 *et seq.* In addition, I have made provision for the administration of section 38(e) of the Arms Export Control Act, 22 U.S.C. 2778(e).

The exercise of this authority is necessitated by the expiration of the Export Administration Act on August 20, 1994, and the lapse that would result in the system of controls maintained under that Act.

In the absence of controls, foreign parties would have unrestricted access to U.S. commercial products, technology, technical data, and assistance, posing an unusual and extraordinary threat to national security, foreign policy, and economic objectives critical to the United States. In addition, U.S. persons would not be prohibited from complying with certain foreign boycott requests. This would seriously harm our foreign policy interests, particularly in the Middle East.

Controls established in 15 C.F.R. 768–799, and continued by this action, include the following:

—National security export controls aimed at restricting the export of goods and technologies, which would make a significant contribution to the military potential of certain other countries and which would prove detrimental to the national security of the United States.

—Foreign policy controls that further the foreign policy objectives of the United States or its declared international obligations in such widely recognized areas as human rights, antiterrorism, regional stability, missile technology nonproliferation, and chemical and biological weapons nonproliferation.

—Nuclear nonproliferation controls that are maintained for both national security and foreign policy reasons, and which support the objectives of the Nuclear Nonproliferation Act.

—Short supply controls that protect domestic supplies, and antiboycott regulations that prohibit compliance with foreign boycotts aimed at countries friendly to the United States.

Consequently, I have issued an Executive order (a copy of which is attached) to continue in effect all rules and regulations issued or continued in effect by the Secretary of Commerce under the authority of the Export Administration Act of 1979, as amended, and all orders, regulations, licenses, and other forms of administrative actions under the Act, except where they are inconsistent with sections 203(b) and 206 of the International Emergency Economic Powers Act (IEEPA). In this Executive order I have also revoked the previous Executive Order No. 12923 of June 30, 1994, invoking IEEPA authority for the prior lapse of the Export Administration Act of 1979, as amended, extended on July 5, 1994, by Public Law 103–277.

The Congress and the Executive have not permitted export controls to lapse since they were enacted under the Export Control Act of 1949. Any termination of controls could permit transactions to occur that would be seriously detrimental to the national interests we have heretofore sought to

protect through export controls and restrictions on compliance by U.S. persons with certain foreign boycotts. I believe that even a temporary lapse in this system of controls would seriously damage our national security, foreign policy, and economic interests and undermine our credibility in meeting our international obligations.

The countries affected by this action vary depending on the objectives sought to be achieved by the system of controls instituted under the Export Administration Act. Potential adversaries may seek to acquire sensitive U.S. goods and technologies. Other countries serve as conduits for the diversion of such items. Still other countries have policies that are contrary to U.S. foreign policy or nonproliferation objectives, or foster boycotts against friendly countries. For some goods or technologies, controls could apply even to our closest allies in order to safeguard against diversion to potential adversaries.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *August 19, 1994.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MORAN (at the request of Mr. GEPHARDT), for today, on account of illness in the family.

Mr. MCDADE (at the request of Mr. MICHEL), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GOSS) to revise and extend their remarks and include extraneous material:)

Mr. EWING, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today.

Mr. MICA, for 5 minutes, today.

(The following Members (at the request of Mr. SAWYER) to revise and extend their remarks and include extraneous material:)

Mr. DINGELL, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. BARCA of Wisconsin, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. BACHUS of Alabama, for 5 minutes, today.

(The following Member (at the request of Mr. BARCA of Wisconsin) to revise and extend his remarks and include extraneous material:)

Mr. GLICKMAN, 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. GOSS) and to include extraneous matter:)

Mr. GOODLING.

Mrs. JOHNSON of Connecticut.

(The following Members (at the request of Mr. SAWYER) and to include extraneous matter:)

Mr. MONTGOMERY.

Mr. HOLDEN in two instances.

Mr. NEAL of North Carolina.

Mr. DINGELL.

Mr. HAMILTON.

Mr. KLEIN.

Mr. LANTOS.

(The following Members (at the request of Mr. SERRANO) and to include extraneous matter:)

Mr. EDWARDS of California.

Mr. GLICKMAN.

Mr. GOODLING.

Mr. MATSUI.

Mr. DORNAN.

Mr. BROWN of California.

Mr. PORTER.

Mr. WOLF.

Ms. PELOSI.

Mr. MINETA.

Mr. SHAYS.

Mr. TORRICELLI.

Mr. TILNER.

Mr. MAZZOLI.

Mr. KILDEE.

Mr. ACKERMAN.

Mr. MANTON.

Mr. STRICKLAND.

Mr. GILMAN.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2407. An act to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following title:

On August 18, 1994:

H.R. 2815. An act to designate a portion of the Farmington River in Connecticut as a component of the National Wild and Scenic Rivers System; and

H.R. 4812. An act to direct the Administrator of General Services to acquire by transfer the Old U.S. Mint in San Francisco, California, and for other purposes.

ADJOURNMENT

Mr. SERRANO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 52 minutes p.m.), under its previous order, the House adjourned until tomorrow, Saturday, August 20, 1994, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3723. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, "Review of the Office of People's Counsel Agency Fund Deposits and Expenditures for Fiscal Year 1992 and 1993", pursuant to D.C. Code, section 47–117(d); to the Committee on the District of Columbia.

3724. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Secretary's determination and justification to exercise the authority granted him under section 451 of the Foreign Assistance Act of 1961, as amended, authorizing funds for assistance to support third-country participation in the multinational observer group [MOG] to assist Dominican Republic authorities in enforcing a comprehensive trade embargo against Haiti, pursuant to U.N. Security Council Resolution 917, pursuant to 22 U.S.C. 2261(a)(2); to the Committee on Foreign Affairs.

3725. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a memorandum of Justification for Presidential Determination (94–41) regarding the drawdown of defense articles and services from the stocks of DOD for emergency military assistance to Jamaica, pursuant to Public Law 101–513, section 547(a), (104 Stat. 2019); to the Committee on Foreign Affairs.

3726. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Memorandum of Justification for Presidential Determination regarding the drawdown of defense articles and services for international disaster assistance in Rwanda and neighboring countries, pursuant to Public Law 103–87, section 515 (107 Stat. 949); jointly, to the Committee on Foreign Affairs and Appropriations.

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. CLAY: Committee on Post Office and Civil Service. H.R. 2721. A bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 to improve the effectiveness of administrative review of employment discriminations claims made by Federal employees, and for other purposes; with an amendment (Rept. 103–599 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2305. A bill to authorize and encourage the President to conclude an agreement with Mexico to establish a United States-Mexico Border Health Commission; with an amendment (Rept. 103–710, Pt. 1). Ordered to be printed.

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. DINGELL (for himself, Mr. CONDIT, and Mr. SWIFT):

H.R. 4995. A bill to require the disclosure of service and other charges on tickets, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARRETT of Wisconsin (for himself and Mr. BARCA of Wisconsin):

H.R. 4996. A bill to prohibit the use of certain assistance provided under the Housing and Community Development Act of 1974 and the Housing and Community Development Act of 1992 for employment relocation activities; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BROWN of California (for himself, Mr. EDWARDS of California, Mr. BEILENSON, Mr. WILSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEHAN, Ms. WOOLSEY, Mr. TORRES, Mr. FARR, Mrs. MALONEY, Mr. STUDDS, Mr. NADLER, Mr. MANN, Mr. LANTOS, Mr. MORAN, Mr. SWETT, and Ms. PELOSI):

H.R. 4997. A bill to amend title 18, United States Code, to prohibit interstate-connected conduct relating to exotic animals; to the Committee on the Judiciary.

By Mr. CRAMER (for himself, Mr. MCCLOSKEY, Mr. ROEMER, Mr. BEVILL, Mrs. LLOYD, Ms. LONG, Mr. BARLOW, Ms. KAPTUR, and Mr. POSHARD):

H.R. 4998. A bill to provide for an independent review of the implementation of the national implementation plan for modernization of the National Weather Service at specific sites, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. EDWARDS of California:

H.R. 4999. A bill to amend the United States Commission on Civil Rights Act of 1983; to the Committee on the Judiciary.

By Mr. GLICKMAN (for himself, Mr. ROBERTS, Mr. SLATTERY, and Mrs. MEYERS of Kansas):

H.R. 5000. A bill to provide for the establishment of the Tallgrass Prairie National Preserve in Kansas; to the Committee on Natural Resources.

By Mr. JACOBS:

H.R. 5001. A bill to establish the Federal right of every unemancipated child to be supported by such child's parent or parents and, therefore, to confer upon certain local courts of the District of Columbia and every State and territory of the United States jurisdiction to enforce such right regardless of such child's residence; to the Committee on the Judiciary.

By Mrs. JOHNSON of Connecticut:

H.R. 5002. A bill to amend the Internal Revenue Code of 1986 to provide that disabled individuals shall be eligible for the one-time exclusion of gain from sale of principal residence; to the Committee on Ways and Means.

H.R. 5003. A bill to amend the Internal Revenue Code of 1986 to allow certain expenses for overnight camps to qualify for the credit and exclusion relating to dependent care expenses; to the Committee on Ways and Means.

H.R. 5004. A bill to amend the Internal Revenue Code of 1986 to provide that a consent to waive a survivor annuity form of retirement benefit shall also be effective if made before marriage; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. TORRICELLI (for himself, Mr. ROMERO-BARCELO, Mr. GILMAN, Mr. WHEAT, Mr. GALLEGLY, Mr. ANDREWS of New Jersey, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. HASTINGS, and Mrs. MEEK of Florida):

H.R. 5005. A bill to require periodic plebiscites in United States territories and to require congressional notification of executive branch actions impacting the status of United States territories, and for other purposes; to the Committee on Natural Resources.

By Mr. LEVY (for himself, Ms. MOLINARI, Mr. KING, Mr. SAXTON, Mr. ENGEL, Mr. MCCOLLUM, Mr. ZIMMER, Ms. ROS-LEHTINEN, Ms. LOWEY, Mr. LAZIO, Mr. COOPER, Mr. DORNAN, Mr. MCNULTY, Mr. ANDREWS of New Jersey, Mr. CANADY, Ms. SCHENK, Mr. SCHIFF, Ms. MARGOLIES-MEZVINSKY, Mr. HOCHBRUECKNER, Mr. KLEIN, Mrs. MALONEY, Mr. CUNNGINHAM, Mr. LINDER, Mr. MANTON, Mr. PALLONE, Mr. OWENS, Mr. SOLOMON, Mr. ROHRABACHER, Mr. COX, and Mr. ROYCE):

H. Con. Res. 287. Concurrent resolution condemning inflammatory statements made by Yassir Arafat relating to certain terrorist activities; to the Committee on Foreign Affairs.

By Mr. GILMAN (for himself, Mr. GEJDENSON, Mr. GOODLING, Mr. LANTOS, Mr. LEACH, Mr. ACKERMAN, Mr. HYDE, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. FALEOMAVAEGA, Mrs. MEYERS of Kansas, Mr. BORSKI, Mr. GALLEGLY, Mr. ANDREWS of New Jersey, Mr. BALLENGER, Mr. BROWN of Ohio, Mr. ROHRABACHER, Ms. MCKINNEY, Mr. LEVY, Mr. HASTINGS, Mr. DIAZ-BALART, Mr. FINGERHUT, Mr. ROYCE, Mr. DEUTSCH, Mr. WOLF, Mr. WYNN, and Mr. GUTIERREZ):

H. Con. Res. 288. Concurrent resolution expressing the sense of the Congress with respect to children infected with AIDS in Romania; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. MCKEON.

H.R. 127: Mr. HOEKSTRA and Mr. JOHNSTON of Florida.

H.R. 746: Mr. FIELDS of Texas.

H.R. 1080: Mr. QUINN.

H.R. 1337: Mr. HASTINGS.

H.R. 1600: Mr. PRICE of North Carolina.

H.R. 1671: Mr. LEWIS of Georgia.

H.R. 1924: Ms. ROYBAL-ALLARD.

H.R. 1961: Mr. PRICE of North Carolina.

H.R. 2004: Mr. BISHOP and Mr. MANTON.

H.R. 2019: Mr. CLAY.

H.R. 2227: Mr. MINGE.

H.R. 2292: Ms. FURSE.

H.R. 2310: Mr. FALEOMAVAEGA.

H.R. 2418: Mr. BEREUTER.

H.R. 2541: Mr. LEWIS of Kentucky.

H.R. 3261: Mr. KNOLLENBERG and Mr. SHAYS.

H.R. 3397: Mr. UNDERWOOD.

H.R. 3722: Mrs. UNSOELD.

H.R. 3795: Mr. THOMAS of Wyoming.

H.R. 3797: Mr. TORRICELLI.

H.R. 3875: Mr. MANZULLO and Mr. TEJEDA.

H.R. 3906: Ms. ENGLISH of Arizona, Mr. HANCOCK, Mr. KIM, and Mr. KILDEE.

H.R. 3990: Ms. WOOLSEY.

H.R. 4019: Mr. SHAYS.

H.R. 4026: Mr. THOMPSON.

H.R. 4051: Mr. HASTINGS and Ms. KAPTUR.

H.R. 4063: Mr. KOPETSKI.

H.R. 4138: Mr. MCCRERY.

H.R. 4161: Mr. THOMAS of Wyoming.

H.R. 4291: Mr. DEAL, Mr. SPENCE, Mr. STUPAK, and Mr. KILDEE.

H.R. 4314: Mr. KREIDLER and Mr. HINCHEY.

H.R. 4318: Ms. MCKINNEY and Mr. FORD of Michigan.

H.R. 4711: Ms. WOOLSEY.

H.R. 4739: Mr. JOHNSON of Georgia.

H.R. 4758: Mr. LEVY.

H.R. 4767: Mr. HINCHEY and Mr. TORRES.

H.R. 4793: Mr. HUGHES.

H.R. 4828: Mr. RANGEL and Mr. SERRANO.

H.R. 4831: Mr. MCHUGH.

H.R. 4839: Mr. LEHMAN, Mr. LIPINSKI, Mr. LANTOS, Mrs. SCHROEDER, Mr. DEFAZIO, and Mr. MILLER of California.

H.R. 4887: Mr. PENNY and Mr. RAMSTAD.

H.R. 4912: Mr. EMERSON, Mr. BEILENSON, Mr. FROST, Mr. LIPINSKI, Mr. CRAMER, Mr. VALENTINE, Mr. TRAFICANT, Mr. RANGEL, Mr. BLACKWELL, Mr. DE LUGO, Mr. TOWNS, Mr. EWING, and Mr. PETE GEREN of Texas.

H.R. 4938: Mr. GILMAN and Mr. BEREUTER.

H.R. 4967: Mr. DINGELL, Mr. FORD of Michigan, Mr. CONYERS, Mr. BARCIA of Michigan, Mr. EHLERS, Mr. CAMP, Mr. UPTON, Mr. SMITH of Michigan, Mr. CARR, Mr. KILDEE, Mr. KNOLLENBERG, Mr. STUPAK, Mr. HOEKSTRA, and Mr. BONIOR.

H.R. 4971: Mr. EDWARDS of California.

H.J. Res. 349: Mr. HASTINGS, Mr. ANDREWS of New Jersey, Mr. MCDERMOTT, Mr. MEEHAN, Mr. THOMPSON, and Mr. BURTON of Indiana.

H.J. Res. 358: Mr. HUTTO, Mr. QUILLEN, and Mrs. MEEK of Florida.

H.J. Res. 383: Mr. DELAY and Mr. MARTINEZ.

H. Con. Res. 17: Mr. GINGRICH and Mr. HALL of Texas.

H. Con. Res. 148: Mr. HERGER.

H. Con. Res. 166: Ms. PELOSI, Mr. STRICKLAND, Mr. BONIOR, Mrs. LLOYD, Mr. INHOFE, Mr. HEFLEY, Mr. BORSKI, Mr. ANDREWS of New Jersey, and Mr. RUSH.

H. Con. Res. 254: Mr. MANTON, Ms. VELAZQUEZ, Mr. ROHRABACHER, Mr. YATES, Mr. WOLF, and Mrs. BYRNE.

H. Con. Res. 274: Mr. LEWIS of Georgia, Mr. MCCURDY, Mr. GALLO, Mr. ROSE, Mr. JOHNSON of South Dakota, Mr. LIVINGSTON, Mr. FROST, Mr. ACKERMAN, Mr. MANTON, Mr. LANCASTER, Mr. GLICKMAN, Mr. GORDON, Mr. HEFLEY, Mr. BERMAN, Mr. FIELDS of Texas, Mr. OXLEY, Mr. FRANKS of New Jersey, Mr. ANDREWS of Texas, Mr. ROEMER, Mr. POMEROY, and Mr. PAYNE of New Jersey.

H. Con. Res. 286: Mr. ARMEY, Mr. BAKER of California, Mr. BILIRAKIS, Mr. BLILEY, Mr. BOEHNER, Mr. BONILLA, Mr. BUNNING, Mr. COX, Mr. CUNNINGHAM, Mr. COBLE, Mr. DELAY, Mr. DREIER, Mr. GILMAN, Mr. GOODLING, Mr. GOSS, Mr. HASTINGS, Mr. HAYES,

Mr. HERGER, Mr. HOUGHTON, Mr. KNOLLENBERG, Mr. LUCAS, Mr. MCCOLLUM, Mr. MURTHA, Mr. KYL, Mr. RAHALL, Ms. ROS-LEHTINEN, Mr. SAXTON, Mr. SERRANO, Mr. SMITH of New Jersey, Mr. SMITH of Oregon, Mr. SKELTON, Mr. SWIFT, Mr. TORRICELLI, Mr. WILSON, and Mr. WOLF.

H. Res. 510: Mr. ACKERMAN, Mr. DORNAN, Mr. FINGERHUT, Mr. FRANK of Massachusetts, Mr. FROST, Mr. KING, Mr. LEACH, Mrs. MALONEY, Mr. MCDADE, Mr. MCNULTY, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mr. SARPALIUS, Mr. SAXTON, Mr. WAXMAN, and Mr. WILSON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4291: Mr. STUMP.