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House of Representatives

The House met at 10 a.m.

PRAYER

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

O gracious God, from whom all blessings flow and from whom comes every good gift, we are indebted to You for our hopes, our dreams, our faith. On this day we are specially thankful for all those people who use their abilities to alleviate the conflicts between nations or individuals, who work to ease estrangement between the nations and who bring serenity and a peace to others. Our prayer is to repeat the truth that peacemakers are blessed, that those who encourage reconciliation are honored among us, and that those who seek peace will be blessed, for it is in giving to others that we receive Your bountiful gifts of peace in our own hearts. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio [Mr. BROWN] come forward and lead the House in the Pledge of Allegiance.

Mr. BROWN of Ohio led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize 10 Members on each side for 1-minute speeches.

SAVE MEDICARE

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

Mr. LARGENT. Mr. Speaker, a few weeks ago, the Medicare Trustees, a bipartisan group appointed by both Republican and Democrat administrations, confirmed to Members of the House of Representatives that unless substantial reforms are made, Medicare will go bankrupt in just 7 years.

To reemphasize—if no action is taken to reform Medicare, and spending continues to increase at the current rate, Medicare will go bankrupt by the year 2002.

This is why we have been working in the House to develop proposals to preserve and protect Medicare. During this work the first and foremost concern is to ensure that Medicare patients receive quality, affordable, and easily accessible health care.

After studying the problem, we learned that preserving the financial stability of the Medicare system can be achieved by doing two things.

First, we must simplify the Medicare system—we must cut out burdensome paperwork and redtape. By private industry standards, the program today is an outdated, Government-run bureaucracy.

We must open up more opportunities within Medicare for seniors to have access to the same type of voluntary offerings available in the private sector.

Second, we must aggressively go after waste, fraud, and abuse that exists in the Medicare system. Ten percent or $16 billion of the Medicare budget is spent on fraudulent and abusive claims each year.

Critics are already claiming that this reform is a cut in the Medicare Program. This is simply not true. By enacting these modest reforms, Medicare will continue to increase—but at a slower rate.

In fact, costs per beneficiary will continue to increase from $4,800 per participant in 1995, to $6,400 per recipient in 2002. How is that a cut?

To play politics with this issue does not help in finding a solution to this problem. To do nothing is totally irresponsible, and unacceptable, as it will result in the Medicare system going bankrupt in 7 years.

Our commitment is to simplify Medicare in order to save Medicare—it is just that simple.

HISTORY OF MEDICARE

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

Mr. BROWN of Ohio. Mr. Speaker, 30 years ago this month on July 30, 1965, President Lyndon Johnson in Independence, MO, signed the legislation crating Medicare. Earlier that year, 93 percent of House Republicans, including then-Congressman BOB DOLE from Kansas, opposed the creation of Medicare as we know it. Let me repeat that: 93 percent of Republican Members of the House of Representatives in 1965 opposed the creation of Medicare.

In the 1970's and the 1980's the far right of the Republican Party continued to try to make cuts in Medicare and dismantle that program. Today, in 1995, the mainstream part of the Republican Party, Republican leadership, again wants to dismantle Medicare and end the program as we know it.

They were wrong in 1965 when 93 percent of Republicans opposed Medicare. They were wrong in the 1970's and 1980's when the far right wing of the Republican Party wanted to cut Medicare, and they are wrong today to give tax breaks to the wealthy to the tune

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of $300 billion and cut Medicare $270 billion.

Mr. Speaker, it is simply not right.

HOUSE AUDIT IS SYMBOL OF REPUBLICAN COMMITMENT TO OPENNESS

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

Mr. CALVERT. Mr. Speaker, on opening day of the new Republican Congress we voted to have an independent audit of all House financial records. This week we fulfilled our promise.

Republicans are committed to having regular future audits. We will continue to monitor our progress and instill faith in the American people.

This audit is a symbol of the new Republican Congress and our commitment to openness and reform.

The auditors found that the Democratic controlled 103d Congress had gross disregard for financial controls, business-like practices and frequently waived congressional rules.

We Republicans have already implemented a number of reforms suggested by the auditors. This audit is a road map for future management improvements and for the sake of the American taxpayer we must stay on this course.

The American people deserve this type of government. That is what they voted for on November 8, and that is what the Republican Congress will deliver.

LAWS ARE MEANINGLESS WITHOUT ENFORCEMENT

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

Ms. FURSE. Mr. Speaker, question: What is the best way to gut a law when you do not want people to know what you are really doing?

Answer: Do what the new majority is doing, cut all the funding for enforcement, and call it fiscal responsibility.

It is obvious that they do not want to be seen for what they really are, antienvironment. So they have decided to take all the money away from enforcement. Everybody knows a law is meaningless if you cannot enforce it.

The new strategy is so simple, but it is so wrong. Here is how it works. If you and your cronies do not like the Clean Air Act regulations, just slash the enforcement funding, and you gut the act without having to vote against the act.

If you and your special interest friends do not like the environmental protection of the Clean Water Act, just zero out the enforcement budget. If you and your buddies do not like the Endangered Species Act and wildlife protection laws, cut all the enforcement money, and poachers and habitat destroyers will go scott free.

The cuts this Republican Congress is making to our environmental protection laws are extreme, unwise, and underhanded.

MEDICARE

(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, it is common knowledge that liberal Democrats have absolutely no plan to save Medicare. None. The closest they come to saving Medicare is Bill Clinton's alleged balanced budget. And even here, the Democrats would just delay Medicare bankruptcy by just 3 years—which is not really saving Medicare.

We can also see that liberal Democrats will not even recognize the report of the Medicare Trustees that says Medicare will be stone, cold bankrupt in just 7 years.

After all this, though, Democrats breathlessly defend this program and denounce any Republican effort to save Medicare. Well, my friends you can not have it both ways.

If Democrats want to continue Medicare, but reject the Republican plan, you really only have three options: First, you must increase payroll taxes by 44 percent; or, second, you must immediately decrease Medicare spending by 30 percent; or, third, you must dramatically increase premiums paid by our seniors.

Mr. Speaker, to Republicans none of these possibilities are acceptable. But they show why the Democrats have been so silent about honestly dealing with Medicare.

FOUR JAPANESE TRADING COMPANIES NOW LARGEST IN THE WORLD

(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, for years the biggest company in the world—General Motors. Not any more. The new Fortune 500 list, the biggest company in the world, Mitsubishi of Japan; No. 2, Mitsui of Japan; No. 3, Itochu of Japan; No. 4, Sumitomo of Japan; and General Motors, No. 5, barely holding off Marubeni of Japan.

Unbelievable. Mitsubishi is now so big, they are bigger than AT&T, duPont, Citicorp, and Procter & Gamble combined. And, guess what, ladies and gentlemen? All these Japanese companies have one thing in common. They are all trading companies. They make their money selling to America, exporting to your town and my town. And while Japan is selling to America, Congress is fighting over food stamps.

Beam me up. There is no intelligence life left here. No wonder we have a record trade deficit. I yield back my yen.

WE ARE NOT CUTTING MEDICARE

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

Mr. KNOLLENBERG. Mr. Speaker, according to the President and I quote.

> Today, Medicaid and Medicare are going up three times the rate of inflation. We propose to let it grow at two times the rate of inflation. That is not a Medicare cut or a Medicaid cut. So when you hear all this business about cuts, let me caution you that that is not what's going on.

While this statement is an excerpt from a speech given to the AARP in 1993, the President's words are very relevant to the current debate on Medicare.

House Republicans are not proposing Medicare cuts. In fact, under our balanced budget plan Medicare will still be one of the fastest growing programs in the Federal budget. And spending per Medicare beneficiary will increase from $4,800 this year to $6,700 in 2002.

Mr. Speaker, saving Medicare from bankruptcy is too important for politics as usual. Instead of scaring seniors with imaginary Medicare cuts, my colleagues on the other side of the aisle need to acknowledge the pending crisis in Medicare, roll up their sleeves, and help us preserve, protect, and strengthen this vital program.

REPUBLICAN PLAN TO CHANGE MEDICARE

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

Mr. DEFAZIO. Mr. Speaker, the Republicans have discovered the crisis in Medicare. We did not hear much about it last year when they stonewalled health care reform. We did not hear a thing about it during the contract in the first 100 days of the Congress or during the elections.

Suddenly they have discovered it. We have got to cut $270 billion out of Medicare. That is the bottom line, they tell us. And these cuts are to be revealed on the 22d of September, not before, and adopted on the 1st of October; 8 or 9 days for debate, discussion, hearings. The largest changes ever in Medicare, in 8 days.

Why 8 days? I think it is because what they are proposing. Beneficiaries who want to enroll in MediGap plans, they are going to penalize them. They are going to make them pay more for Medicare. They do not think you should have MediGap insurance, and the rich people do not need it, so why should average Americans?

MediGap coverages would be prohibited from covering part B expenses. They would increase premiums for Medicare recipients, impose a 20-percent coinsurance on home health services, a 20-percent coinsurance on skilled nursing, a 20-percent coinsurance on clinical laboratory.

This is what they are going to sneak through in 8 days. And now they are trying to cover their fannies.

PROTECTING AND PRESERVING MEDICARE

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

Mr. TIAHRT. Mr. Speaker, last spring when the President's Medicare Trustees Board released their report on the impending bankruptcy of the Medicare system, there was and still is stone-cold silence on the other side of the aisle. No ideas, only criticism. In fact, even their buddies in the elite liberal media noticed the startling conclusions reached by the Medicare trustees. They concluded that unless we take serious steps right now to save Medicare, it will go bankrupt in 7 years.

Republicans have not dodged this issue. We have already started to take serious action to protect and preserve Medicare, not only for today's seniors, but for future generations. We will not allow Medicare to become a bargaining chip in the same old Washington shell game.

Mr. Speaker, this is not about pitting one generation against another or one party against another. It is about generational equity. We must start now to protect Medicare. The consequences for doing nothing and just criticizing are too expensive to ignore.

MEDICARE CUTS BEING FINANCED BY TAX CUTS FOR WEALTHY

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

Mr. DE LA GARZA. Mr. Speaker, this morning we've gathered to talk about the Medicare Program—it's health and its future, and specifically impending cuts. In recent weeks we've heard a lot of facts and figures, and we'll hear even more in the weeks to come as we proceed with our work. As we do, however, I think what we have to keep first and foremost in mind is that we're not talking just about numbers, or charts, or abstract concepts. What we're talking about is the Nation's seniors and their health and health care. I regard this to be among the most important issues we will address in this Congress.

Medicare is a program that is approaching its 30th anniversary. It is a program that has resulted in virtually universal coverage for the elderly. When I say this, I am referring to the fact that 99.1 percent of Americans over age 65 have health insurance coverage. There was a time when that wasn't the case, and that time was not all that long ago.

As we proceed with this debate, I think we all recognize and concur on both sides that there are many areas where we should look to make improvements. The task before us is how do we accomplish this goal in the most effective way.

One way is to reduce fraud and abuse. Every year millions of dollars are lost to health care fraud. That is why I am so pleased to see that the Department of Health and Human Services has formed a national hotline to report health care fraud involving the Medicare and Medicaid Programs. This tough new antifraud initiative is known as Operation Restore Trust. Its toll-free number is 1–800–HHS–TIPS [1–800–447–8477]. This is certainly a very strong weapon to fight health care fraud. However, it is an effort that will not be successful unless individuals participate in this fight. I encourage all citizens to help.

Now with specific regard to cuts we have heard our majority colleagues say they want to cut $270 billion out of Medicare. What I find difficult to fathom is that the beneficiaries of these cuts will be those who are quite affluent and who do not need this type relief. Based on the current plans we have seen to overhaul Medicare, approximately 37 million beneficiaries will have their Medicare benefits cut.

The facts are as follows:

Those who get a tax break are the wealthiest 13 percent of seniors;

Those who pay for the tax break are the poorest 22 percent of seniors;

The average interest income of those who receive the tax break exceeds the total income of those who don't;

And over 4 million seniors of modest means will see a dramatic increase in their out-of-pocket costs.

This, to me, is grossly wrong. We should not cut benefits to one group that is so in need just to give a tax break to another. That is something I cannot condone nor can I support.

What we need to do is work to correct the program. We need to see that it works better and more efficiently—that it is a more streamlined and economic program. We must ensure America's seniors that Medicare will be around for the next 30 years. That must be the goal toward which we work. It certainly is mine.

RESTORING FAITH OF AMERICAN PEOPLE IN CONGRESS

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

Mrs. SEASTRAND. Mr. Speaker, in this Congress promises made are promises kept. On the opening day of this Congress, we promised the American people that we would allow an outside, independent firm to audit the books of the House. This is something that had never been done before.

Now that the findings of this audit are seeing the light of day, we can see how very right we were in calling for an audit. It appears that in the previous Congress, the ledgers used to keep track of a $700 million budget were hand written. Let me repeat that. Hand written ledgers were used to keep track of a $700 million budget.

Can anyone imagine a multi-million-dollar operation in the 1990's using hand-written ledgers? It is beyond baffling.

At first glance, one might say that this audit only confirms the worst suspicions about Congress. I disagree, this audit proves that elected officials can come to Washington to expose the truth. This audit proves that the Republican majority is helping to restore the faith of the American people.

REPUBLICAN MEDICARE CUTS AFFECT US ALL

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

Mr. BENTSEN. Mr. Speaker, I rise in strong opposition to the devastating Medicare cuts proposed in the Republican budget plan. The Republican plan reduces patient choice and cuts clinical research.

These cuts certainly will mean higher out-of-pocket expenses and reduced choice of doctors for our Nation's senior citizens.

But seniors won't be the only people affected. These cuts will reduce the quality and availability of health care for all Americans by cutting payments for medical education and clinical research.

These Republican cuts will harm some of our Nation's finest teaching hospitals, such as the University of Texas Health Sciences Center and Baylor College of Medicine in my district. The Association of American Medical Colleges estimates that these cuts will reduce payments for medical education by $2.4 billion per year. The University of Texas system estimates it will lose $21 million in Indirect Medical Education payments, and Baylor College of Medicine estimates it would lose $15 million in such payments. These cuts will affect not just seniors but veterans as well since Baylor provides care to the VA Hospital in Houston.

Without sufficient funding, teaching hospitals will have to reduce the number of residents trained and the training offered. Such actions would reduce care for all Americans and kill our investment in quality health care.

Teaching hospitals also provide cutting-edge care for some of our Nation's sickest patients through their trauma centers, burn centers, cancer treatment centers, and other highly specialized facilities not available anywhere else. The proposed cuts will reduce access to these life-saving facilities.

These Medicare cuts are bad for seniors and bad for everyone else as well.

REPUBLICANS PLAN TO SAVE MEDICARE

(Mr. GANSKE asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. GANSKE. Mr. Speaker, I agree with my colleague from Texas on waste, fraud, and abuse in Medicare. Today my committee is holding hearings on waste, fraud, and abuse, a necessary part of the solution. But the Saint Paul pioneer press on June 27 had it right on Medicare. The headline blared, ''Elderly win if budget is balanced: Despite cuts in Medicare growths, benefits would increase overall.''

Under the GOP budget, Medicare will be one of the fastest growing programs in the Federal Government. In fact, comparing Medicare in the GOP budget with President Clinton's budget, one will find that the President calls for total Medicare spending of $1.679 trillion between 1996 and 2002, while the GOP budget calls for $1.601 trillion, and in 2002, the Republican balance the budget. We will be spending $274 billion on Medicare. The President, under his proposal, will be spending $289 billion. So what is the beef? Republicans plan to save Medicare period, and do not let anyone tell you differently.

□ 1020

EXPOSING THE EMPIRE OF THE GENTLEMAN FROM GEORGIA

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute.)

Ms. MCKINNEY. Mr. Speaker, earlier this year while my colleague from Georgia was leading the Republicans in cutting school lunches, he managed to deflect some criticism by making a big deal out of a pet project, ''Earning by Learning.''

In Monday's Wall Street Journal, however, we learned exactly who was doing all the earning: it was none other than Mel Steely, a close friend of the Speaker and head of this program. According to the Wall Street Journal, 90 percent of the money that comes into ''Earning by Learning'' goes to Mr. Steely who is also authorized to write the official biography of Mr. GINGRICH.

Is this a new kind of child labor, by exploiting children's education as a way to take care of the Speaker's official biographer.

Mr. Speaker, it is time the empire supporting my Georgia colleague's cult of personality be exposed for what it really is—a scam.

SAVING MEDICARE WITHOUT MUCH HELP

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

Mr. LEWIS of Kentucky. Mr. Speaker, we have a choice in this House.

We can preserve, protect, and improve Medicare—or we can watch it go bankrupt—as President Clinton's Cabinet has warned will happen—in less than 7 years.

These are facts. Doesn't sound like much of a choice, does it?

But liberal Democrats are going to try anything possible to frighten our senior citizens into believing Republicans want to cut Medicare.

Meanwhile, the G–O–P plan calls for increasing each Medicare patient's annual spending from $4,800 to $6,700 per year by 2002.

I'm a graduate of the Kentucky public school system—and back home that's not a cut, that's an increase.

I encourage our friends on the left to offer more ideas and fewer scare tactics.

We can preserve, protect and improve Medicare. The people in the real world, the private sector, have improved their health care system these past few years.

I'd say we ought to try and do the same.

SAVING MEDICARE

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

Mr. GENE GREEN of Texas. Mr. Speaker, the pollsters have told the Republicans they need to start telling the American people they are saving the Medicare system. But do you save it by cutting it by $270 billion? The American people are not stupid. The American people can clearly see that a $270 billion cut to their senior citizen health care system to finance a tax break is *not* saving the system.

Only in ''Washington speak'' could the Republicans say this: We are cutting $270 billion from the Medicare system in order to save it from bankruptcy. And by the way, we are giving a $245 billion tax cut. But we are really saving Medicare by cutting it. How can the Republican majority make this palatable? They say, ''Tell the American people this is a steep cut to 'save' the system.'' Great idea, but the people in my district are much smarter than that. You do not save Medicare by cutting $270 billion from it. The Republicans are not trying to save the Medicare system any more than Hugh Grant was asking for directions.

AUDIT RESULTS

(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, yesterday marked another important step in our efforts to reform the internal operations of the House of Representatives. As a member of the Committee on House Oversight, I heard the testimony offered by the outside auditors retained to evaluate the books of the House, the first outside audit of House finances in over half a century.

The auditors state that they had ''No opinion.'' That is a CPA's term for saying they could not express an opinion because they could not even figure out the books in order to know whether or not they were in order.

Things are in such disarray in terms of the House finances and the House books that the auditors said we have to revamp the entire system.

I believe it is very important that we brought this situation to light. It is extremely important that we address the situation. As the Committee on House Oversight, we are pledged to bring this to the attention of the House of Representatives, to put the books in order, and to make sure that all the money spent by the House of Representatives is fully accounted for and properly expended.

REPUBLICAN SECRETS CONCERNING MEDICARE

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

Mr. POMEROY. Mr. Speaker, it is becoming clear that the details of how the Republicans will cut Medicare are being held secret for as long as possible. At a time when millions of seniors are beginning to wonder, will my costs really go up more than $1,000 a year out of my pocket, will my choice of physicians really be restricted, no hearings are being held and no details are being discussed.

We all know that the Republican budget, with its tax cuts for America's most privileged, means the cuts are just around the corner. There will be higher out-of-pocket costs for seniors, very considerable higher our-of-pocket costs. There will be restrictions on physician choice. But exactly how, the Republicans are not saying, because they are going to try and sucker punch the American people by floating the details of the plan only days before the vote, notwithstanding the fact that our seniors deserve the chance to see, to evaluate and to let their Members of Congress know what they feel about these plans.

The us how you will cut Medicare, Mr. Speaker.

The American people deserve to know.

PRESERVE AND PROTECT MEDICARE

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

Mr. HERGER. Mr. Speaker, liberal Democrats would like nothing more than to frame the debate over Medicare in terms of generational conflict, where senior citizens are pitted against young people. This line of reasoning is beyond ludicrous.

The crisis that faces Medicare is something that affects everyone. Medicare must be protected and must be preserved for everyone. It must not be used to drive a wedge between people.

Since the beginning of this Congress, Republicans have been committed to ending business as usual here in Washington. That means not ignoring bad news—not even about Medicare. This spring, the Medicare trustees board reported that Medicare will go bankrupt in 7 years. Democrats, have completely ignored this news. They offer no ideas no how to save Medicare.

Mr. Speaker, Republicans will not let Medicare go bankrupt, and we will not allow Medicare to become a political football in a cheap game of generational warfare.

CONTINUE AMERICORPS

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

Mr. BAESLER. Mr. Speaker, I have been a consistent supporter of AmeriCorps. I have seen the difference it has meant for my State of Kentucky and charities all over the country.

AmeriCorps is lean and nonbureaucratic, has moved much of the decisionmaking out to the States, and is accountable.

When I see an organization that can take tough actions, it impresses me. The Corporation for National Service just made a very tough decision: it cut off a grant in midstream to the ACORN Housing Corporation.

After a demonstration by a different ACORN in March stopped a speech by the Speaker, some asked whether AmeriCorps had been involved. AmeriCorps acted immediately. They got a signed statement that no AmeriCorps member was involved, and that the two ACORN's were entirely separate.

AmeriCorps could have stopped there. But it didn't. The CEO of the Corporation asked the IG to investigate, and to find out if any of the AmeriCorps money was being used to benefit ACORN.

The IG didn't find any AmeriCorps members involved in the demonstration, but did find that there was a close relationship between the two ACORN's. AmeriCorps has always said it wouldn't permit advocacy, directly or indirectly, so it stopped the grant in its tracks.

Now, it's a better news story when an AmeriCorps program does something great, as they do every day in Kentucky. But it's also important when AmeriCorps does something that won't make the news, but shows the ability to do the right thing just as clearly. I just hope that this Congress also does the right thing, and continues AmeriCorps.

MEDICARE BASHING

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

Mr. KIM. Mr. Speaker, I am tired of listening to this Medicare bashing. I want to point out exactly what we are proposing on Medicare on this chart. I want Members to pay attention to this.

This black line is trust fund balance. Right now we have a $150 billion balance, but it is rapidly depleting. At the year 2002, the money will disappear. This blue line is spent. By the time we hit 2002, there will not be any money to spend. There will be a stop payment to all the elderly people.

We recognize this problem because the trust fund commissioned their report back in April. They are the ones that said that, not we; we did not say it. They are the ones, all the members are Clinton appointees. So we come up with this idea. All we try to do is slow down the increase, rate of increase a little bit.

The red one is Mr. Clinton's plan; as we can see, not much difference. All we are trying to do is lower a little bit. We are still spending more money. Mr. Clinton recognized we have to see this problem on this Medicare plan. I do not know why they keep calling this a cut. Is it a cut to the Members?

THE GINGRICH CORPORATE WELFARE MODEL

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

Mr. LEWIS of Georgia. Mr. Speaker, this morning Speaker GINGRICH will present a check to students who participate in the Earning by Learning Program which pays schoolchildren $2 for every book they read.

Speaker GINGRICH has touted this program for years, stressing the low overhead as a major selling point. In a speech this January the Speaker declared:

> The money only goes to the kids * * * So if you have $1,000 you can pay for 500 books, whereas in the welfare state model, if you have $1,000, you pay $850 of it for the bureaucracy.

But, lo and behold, according to the Wall Street Journal this week, Mr. GINGRICH's official biographer, Mel Steely, also happens to run this program. And according to this report Mr. Steely and two friends were paid 90 percent, yes 90 percent, of the money raised in the past year for the program.

Ninety percent for the Speaker's friends and 10 percent for the children; this is the way, this is the way things work in the Gingrich corporate welfare model.

THE AUDIT WILL CONTINUE

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

Mr. HOKE. Mr. Speaker, we had the accounting firm of Price Waterhouse do an audit of the House books. When I say we, I mean House Republicans. We had promised as a matter of the Contract With America that the first thing that we would vote on on the first day was to have an audit of the House books that have not been audited as far as I know of in history on an exterior basis. We have never had an external audit of the House books. We did that.

They published their audit just yesterday. I want to read three lines from it. First of all, they say: The House lacks the organization and structure to periodically prepare financial statements. The methods of accounting was simplistic and ill-suited for an organization the size of the House. And in conclusion, because the House's accounting and reporting methods were outdated and of limited utility, we do not express, we cannot express an opinion on the accompanying consolidated financial statements.

What they are saying is our books are such a mess that they cannot even render a financial opinion. We promised that we could fix this. We did the audit. We will continue to do the audit. We will bring the reforms and make good on the promises that we made.

EARNING BY LEARNING CRONYISM

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

Mr. WARD. Mr. Speaker, I rise today to address a new program initiated by Speaker GINGRICH called Earning by Learning, a reading program which proports to pay schoolchildren $2 for every book they read. However, according to a story in Monday's Wall Street Journal, last year 90 percent of the money went to an old friend of the Speaker, who is working on the Speaker's biography and was, in fact, on his congressional payroll. That left only 10 cents on the dollar for the kids.

This stands in marked contrast to what the Speaker has said a million times, including a televised lecture on January 21, 1995, that ''The only money goes to the kids.'' He elaborated and said, ''So if you have $1,000, you can pay for 500 books.'' But what we see is typical cronyism.

Mr. Speaker, use all of the money for books, don't mislead the American people, especially when you are using our Nation's children as your stage props.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: The Committee on Banking and Financial Services, the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on Government Reform and Oversight, the Committee

on International Relations, the Committee on the Judiciary, the Committee on Science, the Committee on Small Business, the Committee on Transportation and Infrastructure, and the Committee on Veterans' Affairs.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

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

There was no objection.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 190 and rule XXIII, the Chair declares in the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2020.

□ 1035

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2020) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1996, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, July 18, 1995, pending was amendment No. 6 offered by the gentleman from Maryland [Mr. HOYER], and title V was open for amendment at any point.

Pursuant to the order of the Committee of that day, further debate on that amendment and all amendments thereto will be limited to 80 minutes, equally divided and controlled by the gentleman from Maryland [Mr. HOYER] and the gentleman from Iowa [Mr. LIGHTFOOT].

The Chair recognizes the gentleman from Iowa [Mr. LIGHTFOOT].

Mr. LIGHTFOOT. Mr. Chairman, the gentleman from Maryland [Mr. HOYER] is detained in full committee. In order to facilitate the debate, we have an agreement with the minority side that I would yield time to the gentlewoman to present her debate and they will yield that time back to us after the gentleman from Maryland [Mr. HOYER] arrives.

Mr. Chairman, I yield 4 minutes to the gentlewoman from New York [Ms. VELÁZQUEZ].

The CHAIRMAN. Is this time yielded from the majority or is this time taken from the side of the minority?

Mr. LIGHTFOOT. Mr. Chairman, it is yielded from the majority's time with the understanding the minority is going to yield an equivalent amount of time back out of theirs so we still end up with the division we agreed on yesterday.

The CHAIRMAN. The gentlewoman from New York. [Ms. VELÁZQUEZ] is recognized for 4 minutes.

Ms. VELÁZQUEZ. Mr. Chairman, I rise in strong support of this amendment. A far-right, self-righteous minority in this Chamber has inserted a repulsive, antiwomen provision into this bill. I implore my colleagues on both sides of the aisle to join me and the majority of the American people in rejecting paternalistic measures such as these.

Some million hard-working, public-minded women currently serve their Federal Government in every State of this Union. They often work under difficult circumstance, and usually for modest pay. Radical zealots in this Congress would now single out these women for discrimination.

No matter that two-thirds of private fee-for-service plans provide the full range of reproductive health services.

No matter that 70 percent of HMO's provide abortion coverage.

No matter that the majority of the people of this Nation support a woman's right to choose.

These self-appointed morality police would nevertheless deny over 1 million women their constitutional right to choose.

The supporters of this extreme provision may argue that they do not require a woman to bring their pregnancies to term—at least not yet. They would merely refuse to fund abortions under the Federal Employees' Health Benefits Program.

For many women, that is a distinction without substance. This antiwomen ban has no place in this appropriations measure. It signals a return to a very recent, shameless decade when this Government presumed to substitute its reproductive judgments for those of mature adult females and their health care professionals.

It is also a first, giant step backward toward the grim, not-to-distant past when back alley abortions were common horrors.

I urge my colleagues not to turn back the clock. Support this amendment, and preserve every woman's right to control her health, and her body, and exercise her sound judgment.

□ 1040

Mr. HOYER. Mr. Chairman, I will yield to the gentleman from Iowa [Mr. LIGHTFOOT] such time as was used by the gentlewoman from New York.

Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Massachusetts [Mr. OLVER], a former member of our subcommittee.

Mr. OLVER. Mr. Chairman, I thank the ranking member for yielding the time to me.

Mr. Chairman, I rise in strong support of the Hoyer amendment.

The right to choose is the law of this land. It is constitutionally protected.

Eliminating this right for one group of women—just because they happen to work for the Federal Government—is discrimination.

Under present law, a Federal employee who opposes abortion can choose 1 of the 345 plans which does not cover abortion.

But under the bill before us, no Federal employee is allowed the option of a plan which covers abortion.

Women in the Federal service should not be singled out and given no choice.

We must support the right of all women to choose. We must support the Hoyer amendment.

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

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. NADLER].

(Mr. NADLER asked and was given permission to revise and extend his remarks.)

Mr. NADLER. Mr. Chairman, I rise in support of this amendment which would remove from this bill dangerous language that once again strikes out at women. The language we are seeking to remove today says that women who work for the Federal Government—women who have made a commitment to public service—should not have the same rights offered to women working elsewhere.

Mr. Chairman, women in this Nation have a constitutionally protected right to choose whether to have an abortion. This is the law of the land.

But some Members of this House, realizing that the vast majority of the American people support a woman's constitutionally protected right to choose, are trying to do away with this fundamental right bit by bit, woman by woman.

We must not allow this to happen.

Because abortion is a legal medical procedure, most major health plans provide coverage for women who choose to have an abortion. Private insurance companies recognize that their female customers are perfectly capable of making this deeply personal choice without interference.

Do we think that our moral judgment is superior to that of the thousands of women serving our communities and our Nation? What do we know that major insurance companies, U.S. corporations, and the majority of our constituents do not know?

It is time to get off the high horse, to quit playing political games with the rights of women and to respect the moral judgment of the women we represent. I urge the adoption of this amendment.

Mr. LIGHTFOOT. Mr. Chairman, I yield 6½ minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I rise in very strong opposition to the Hoyer amendment, and I urge Members to realize that this is a pro-abortion amendment and would provide and facilitate abortion on demand. It would force taxpayers to underwrite the cost of abortions, and premium payers would also have to pay for abortions as well.

Mr. Chairman, let me remind Members that we contribute as taxpayers,

we contribute 70 percent, a little over 70 percent, of the funding to the Federal Employees Health Benefits Plan. Not only that, even if it was not a taxpayer-funded issue, by providing this money we are also facilitating, by providing this authority which would be precluded by the underlying language, we are facilitating the demise and the destruction of unborn children.

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

Mr. SMITH of New Jersey. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I want to thank the gentleman, because as I have said yesterday, he is a very close friend of mine, I have great respect for his integrity, and I want to say I think what the gentleman has just said is the gravamen of this debate, and is absolutely correct. This is not a taxpayer funding issue.

Mr. SMITH of New Jersey. Reclaiming my time, Mr. Chairman, it is a taxpayer-funding issue but it also provides and facilitates abortion by granting this authority to the HMO's and other providers of health care under the Federal Employees Health Benefits Program.

Mr. HOYER. Mr. Chairman, if the gentleman will continue to yield for 1 additional second, and I will yield him 30 seconds, so I am not eating into his time, does the gentleman know that CBO does not score this either way?

Mr. SMITH of New Jersey. Mr. Chairman, that is an accounting deal. We are talking about U.S. taxpayer dollars, mine, the gentleman's, going into a fund that then is doled out as part of the Federal Employees Health Benefits Program. Yes, there is a contribution made by the employee, roughly 30 percent, but there is also a 70-percent contribution made by the Federal Government, we as taxpayers, and then there are the premium payers. I myself, my wife and I, got out of Kaiser because they were providing abortions. We were providing premiums, so then both as taxpayer and as premium payer, we were contributing to abortion at Kaiser. We got out of it because we were so upset with the killing of unborn children at Kaiser Permanente.

Mr. HOYER. I understand the gentleman's view.

Mr. SMITH of New Jersey. At the National Prayer Breakfast last year, Mother Teresa addressed thousands of political leaders, including the President of the United States, Bill Clinton. It seems to me no one can listen to Mother Teresa and not be moved to believe that this small, frail, and humble woman, in her stands a very powerful message of peace and hope and of love. She looked directly at the President of the United States and said, ''Please don't kill the child. I want the child,'' she went on. ''We are fighting abortion with adoption, by care of the mother and adoption of her baby.'' Mother Teresa said, ''The greatest destroyer of peace today is abortion, because it is a war against the child, a direct killing of an innocent child.''

She also went on to point out during her very lengthy comments that ''there is a linkage between abortion and other forms of violence. Any country that accepts abortion is not teaching its people to love, but to use violence to get what they want.'' That is why ''the greatest destroyer of love and peace,'' according to Mother Teresa, and I fully agree, ''the greatest destroyer of love and peace is abortion.''

Mr. Chairman, abortion is violence. I tried yesterday to point out to some of my colleagues the we need to strip away all of the euphemisms, all of the cover and the cloaking that is done, all of the clever marketing that is done by the abortion industry to conceal the compelling reality, the awesome and gruesome reality of abortion on demand.

Mr. Chairman, abortion methods include dismembering innocent children with razor blades and suction devices or injections of chemical poisons that are designed to kill the child. There is more research being done by some of the pharmaceutical companies to find stronger and more lethal doses, not healing, not chemicals that will provide healing for children, but those that will do the deed more efficiently by killing the unborn child.

Abortion on demand, and this, the Hoyer amendment, facilities abortion on demand, treats pregnancy as a sexually transmitted disease, as a tumor, a wart, a piece of trash to be destroyed. Yet, if any one of us have ever watched an unborn child's image on an ultrasound or a sonogram screen, you cannot help but be awed by the miracle of human life, by the preciousness of a child's being, and moved to pity by the helplessness and the vulnerability of that child. To see an unborn child turning and twisting, kicking and sucking his or her thumb while still in utero, it shatters the myth that the abortion industry so cleverly markets that we are merely removing some tissue or the products of conception, or some of the other dehumanizing words used to describe the unborn child. Peel away the euphemisms that sanitize abortion, and the cruelty to children and their mothers becomes readily apparent to anyone with an open mind.

Mr. Chairman, I have worked for 15 years as a Member of Congress on human rights. I worked with the gentleman from Maryland [Mr. HOYER] on the Helsinki Commission, I am chairman of that commission, for religious freedom, trying to get dissidents out of prisons. I have been all over Europe, the People's Republic of China and other captive nations, but I would submit that the human rights issue of our time is the unborn child, the protection of those children, boys and girls who are routinely killed, some 4,000 each and every day in this country, and many millions more around the globe.

Before this amendment was in place, the U.S. Government paid for 17,000 abortions under the Federal Employees Health Benefits Program. Then the Congress wisely moved in and said ''No, we ought not to be doing that. We ought to be protecting life, not taking it,'' and the language went in and was renewed each and every year during the 1980's and the 1990's, and we stopped this facilitation and funding of abortion on demand.

Seventeen thousand children, that is a lot of kids, a lot of boys and girls who will not be playing basketball or soccer or baseball or any other sport or any other kind of activity because their lives have been snuffed out.

Government ought to care for the innocent and weak. This amendment is antichild. I urge rejection of it.

Mr. HOYER. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman, I thank my good friend, the gentleman from Maryland, for yielding time to me. He has fought long and hard on this issue.

Mr. Chairman, I do not know that we are ever going to permanently resolve it. I want to say to my friend, the gentleman from New Jersey [Mr. SMITH], I admire his deep-seated, sincere, emotional commitment on this issue. I wish that more people in this country felt as strongly about such an important issue as the gentleman from New Jersey does. In many ways, yes, it is a human rights issue.

However, I think the real issue that we have to face is who makes the decision. It is not really a matter of my trying to dissuade the gentleman from his strongly held views on abortion. I could not do that, because I do not particularly disagree with the gentleman from New Jersey. However, I would suggest that it is not up to him to make that decision for millions of women in this country, particularly those who are covered by the Federal employees health benefits plan.

We have already increased the retirement contribution, we have made sure that any Federal employee now has reason to feel insecure about their job, we have cut 272,900 positions, we have reduced their retirement benefits at the end, when they are ready to retire, and we are now capping their health insurance subsidy that the Federal Government provides, so it is a much worse plan than they would get in a large corporation.

Now we are saying that any woman and family who is employed by the Federal Government is going to be discriminated against in terms of their ability to make a decision with regard to the most personal, private, difficult medical conflicts that will occur in their lives. We are going to make that decision for them. There are 78 million women who have this coverage in the private sector, but because we control the Federal employees health benefits plan, we are going to take away this decision from women who work for our Federal Government.

Mr. Chairman, the American Medical Association looked at this extensively. It is the doctors who we should consult

when we make this decision. They came up with the conclusion that when you deny insurance coverage, invariably it leads to very serious complications, it causes women to have to delay an abortion when they would want to do it immediately, before a fetus is formed, but they look around for money to pay for the procedure, and then they have a procedure after the fetus is much further along, which is certainly not what the gentleman from New Jersey or his colleagues would want to happen. It also endangers the life of the woman having the procedure. That is wrong.

What we are trying to do in imposing our moral decisions on all the women who are covered by the Federal employees health benefits plan is wrong. We have no right to be doing this. There is a woman in my district, a Federal employee, she has two children. She got pregnant a third time. She had amniocentesis. It turns out that the fetus had Tay Sachs disease. She knew that that fetus, once born, was not going to live very long. Its spine would not be formed, it was going to have any number of diseases. Its brain probably would not be functioning. It would only suffer after being brought into this world.

She had to make a very difficult decision, because she is a very moral person, as all the people that we are talking about denying this coverage to are moral people trying to do the right thing. She felt it was in the best interests of that life within her body and of her family, to have an abortion. She did not want to have it. But it was the most responsible thing to do. Now, the gentleman from New Jersey [Mr. SMITH] and others would make that decision for her. She will no longer have that option. That option is foreclosed to her. That is wrong.

The view of the gentleman from New Jersey on abortion is not necessarily wrong. But it is wrong to be so intolerant of people who have different views. To impose one's moral decisions like that on others, just because we have the power of the purse, is wrong. We should not be doing it to Federal employees. We should not be doing it to women. We should be trusting women to make their own moral decisions on such profoundly important matters that will affect their bodies, their lives, and their families. I urge the Members, please do not include this in the bill, and support the amendment of the gentleman from Maryland [Mr. HOYER].

Mr. LIGHTFOOT. Mr. Chairman, I yield 2 minutes and 30 seconds to the gentlewoman from the great State of Connecticut [Mrs. JOHNSON], chairman of the Committee on Standards of Official Conduct, which is a job nobody wants.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank my colleague, the gentleman from Iowa, for this opportunity to address the House on what I think is a very, very important issue.

I rise in strong support of the Hoyer amendment. Mr. Chairman, this is not about abortion, this is about equality. This is about personal responsibility. I am a Republican because I believe in personal responsibility. I believe in choice in health benefits, choice in education, work, responsibility. This is not like the Medicaid issue, where people can argue that this is 100 percent taxpayer dollars, and therefore, we have a right to say what those dollars ought to be spent on. These are wages. This is earned income.

Just as I believe every public employee can deal with spending their own earned income responsibly, I believe they can make responsible choices about what health benefit plan they want to participate in, as long as the Federal Government provides them with a significant series of choices of health benefit plans, and indeed, about half of the Federal health benefits plan include abortion and about half do not.

We are doing the responsible thing. We are providing our Federal employees the right to make the choice to invest in the health benefit plan that they choose to invest in as a result of the work they are putting in. This is part of their earned benefit. Therefore, this is not a Medicaid problem, this is an employee problem.

Let us look at the consequences of reaching into the benefit structure and Congress determining how that benefit structure ought to be shaped because there are public dollars involved. If Members vote against this amendment, the next step will be that this Congress will reach into every American's benefit plan, because there is not an American in this Nation whose benefit plan is not subsidized with tax dollars. We spend $80 billion every single year allowing employers to deduct the cost of health benefits. There is not a health benefit plan in America that is not publicly subsidized.

However, those benefit plans that are part of wage structures, where people have earned the right to have salary and benefit, those benefit plans ought to be treated differently than our involvement in Medicaid and ought not to be compromised by this body. Every employee ought to have the right to the full range of legal medical procedures without regard to whether their salary is paid or their health benefits plan is subsidized with public tax dollars. I urge strong support for the Hoyer amendment. Let us differentiate this from the larger debate.

□ 1100

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from California [Ms. WOOLSEY].

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of the Hoyer amendment to H.R. 2020.

Mr. Chairman, today the Republican leadership is making yet another attempt to chip away at a woman's right to choose—the right to choose an abortion.

A few weeks ago, military women who are stationed overseas lost their right to use their own money for a safe and legal abortion in a military hospital.

Now, this appropriations bill will deny women who are Federal employees from receiving safe and legal abortions through their own insurance plans.

Who's next? I'll tell you who is next—poor women; rape victims; incest victims; women whose lives depend on access to safe and legal abortions. Mark my words, they are next.

Mr. Chairman, under the Republican majority, the right of American women to make their own decisions about their reproductive health is threatened every day. We cannot stand by and watch the rights of American women be violated.

I strongly, strongly urge my colleagues to stand up now, before it is too late, before the right to choose rings hollow for most American women. Stand up for the women who devote their lives to service in the Federal Government. Stand up for those women who look to us, Members of Congress, to protect their right to choose. Vote ''yes'' on the Hoyer amendment.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Chairman, the new regime in Congress seized power last year, claiming that the Democrats were out of touch. These Americans wanted Government out of their lives.

But, Mr. Chairman, what the new leadership is doing to a woman's right to choose is proof of just how out of touch the new regime is. The Supreme Court will not allow Congress to outlaw abortions directly, so we are faced with a proposal to prevent Federal employees from purchasing health insurance that covers abortion services.

We hear over and over again that Americans want Government off their backs. Yet today we are faced with this incredibly intrusive vision of Government. Denying abortion services to Federal employees is another knife attack on a woman's right to choose in America.

Mr. Chairman, an overwhelming majority of Americans support the right to choose. The erosion of that right in the 104th Congress defies the national will. It proves that the far right's championing of individual liberty rings hollow. I warn my Republican colleagues, make good on your own rhetoric. Support individual liberty. Protect a woman's right to choose.

Mr. LIGHTFOOT. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. HAYWORTH], who can play football all by himself.

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman from Iowa, I think, for that athletic observation.

Again we see and rejoice in the fact, Mr. Chairman, that good people can disagree on a variety of issues. Certainly there is disagreement on this issue this morning.

I rise in strong opposition to the Hoyer amendment. As we observe, there is an important and oftentimes divisive debate in this country about the morality of abortion and the sanctity of human life. It is my strong conviction that elective abortion is the taking of innocent life.

This amendment, however, goes far beyond the question of the legality of abortion. The Hoyer amendment seeks to make abortion a taxpayer-subsidized entitlement by allowing Federal employee health plans to provide abortion.

Currently, 72 percent of Federal employee health care premiums are paid by the Federal Government. It is my belief that Congress has no right to forcibly compel taxpayers, many of whom share my strong beliefs of the rights of the unborn, to pay for elective abortions.

Elective abortion is not health care. The Supreme Court has ruled that ''abortion is inherently different from other medical procedures because no other procedure involves the purposeful termination of human life.'' That finding was in 1980.

I urge my colleagues, especially those with whom I have a philosophical disagreement on this issue, do not make elective abortion a federally funded entitlement. For that reason I would ask my colleagues to join with me in opposition and ultimately to defeat the Hoyer amendment.

Mr. HOYER. Mr. Chairman, I yield 2½ minutes to the distinguished gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. I thank the gentleman for yielding me the time.

Mr. Chairman, I know the American public must be saying, ''I cannot believe this issue is back. They settled it last Congress. They settled it in that Congress consistent with the views of the American public. What is it doing back?''

A woman's right to choose should not depend on the vicissitudes of who is in charge. But it would appear that is the case for Federal employees. Mr. Chairman, this is not an issue about abortion. This is about discrimination. This issue is about discrimination in medical services directed at millions of Federal employees.

The other side would not have the nerve to raise this issue unless they characterized the funds involved as Federal funds. That is a transparent mischaracterization. Ask employees at IBM and AT&T whether the share of compensation that they pay for their medical is IBM's or is theirs. Don't insult Federal employees by saying to them that money they have earned, their own compensation, nevertheless still belongs to the Federal Government and is Federal funds.

Mr. Chairman, we are not talking about Medicaid. These are people who work every day, and buy their own health care. Federal employees are not on welfare. It is not up to you to tell them what to spend their health care money for. They can buy any other pregnancy-related service.

We are talking about 1.2 million women of reproductive age who happen to work for the Federal Government, and for that reason incur discrimination in health care. That is an abomination. You can only do it because you can reach your own employees and you cannot reach private sector employees.

How often does an American have to go outside of her own already paid-for health care plan to get medical care? Perhaps you have to go outside of your own health care plan to get a facelift. That is not what this delicate procedure is about.

Mr. Chairman, Federal employees have had enough. They are going through the most severe downsizing in history. They do not know whether they will get their pay raises and locality pay. They are called bureaucrats derisively, when they are risking their lives as FBI agents, or inspecting meat to make sure we do not risk out lives. You get them at work. Please do not get them in the bedroom. Stop the discrimination against Federal employees.

Mr. LIGHTFOOT. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Chairman, it is wrong for taxpayers to be forced to pay for Federal employees' abortions, but that is just what is happening today.

The work of the gentleman from Iowa [Mr. LIGHTFOOT], the chairman, on H.R. 2020 will change that, and it is about time.

Few would disagree that abortion is one of the most divisive issues in our Nation.

So why do the people of this country, many of whom believe abortion is wrong, have to help pay for a Federal employee to have an abortion?

The Lightfoot language would not apply when the mother's life is in danger. It would simply keep taxpayers from subsidizing abortion on demand for Federal employees.

Abortion advocates will call this a radical idea. I suggest that the only radical part of this debate is the current system, where people who believe life is sacred and are forced to subsidize the death of innocent children.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. I thank the gentleman for yielding me the time.

Mr. Chairman, this debate has been had over and over again as we have heard this morning. It is an attempt again to make the women of America second-class citizens and the women who work for the Federal Government third class.

It is beyond belief to me that you would say that we are using taxpayers' money, when what we are saying is that we are using the salaries of women who work legitimately for a living. There is not any other string that you put on a Federal employee's salary. Why in the world could you tell women what they can do with theirs?

We do not have any right, and we have no business prohibiting Federal employees' health care plans from offering coverage for legal abortion services to women just because they work for the Federal Government. Federal employees work hard for their salaries and benefits.

We ask a lot of the Federal employees. As the Government continues to downsize, we are asking even more. Right now, as far as pensions are concerned, they are going to be paying more and getting less.

Some of the Federal employees, like park rangers, people who work in parts of the American West, workers in the Murrah Building in Oklahoma City, face injury and death on the job. Do they not at least deserve a health benefits plan that is comparable to those offered in the private sector?

Two-thirds of all private insurers cover abortion and an even higher percentage of HMO's do. Why should Federal employees be treated like third-class citizens?

The argument that the ban on FEHBP coverage of abortions simply keeps Federal tax dollars from being used to pay for coverage is disingenuous. The Federal employee benefits are not Federal handouts. They are part of a Federal employee's wages and compensation.

I do not believe that employees of private businesses would stand for it one minute if their employer told them how to spend their salaries. Federal employees should get the same rights and respect.

Some opponents of this amendment want to use the ban on abortion coverage as one more advance in the fight against the right of American women to make their own personal choice on the abortion issue. I respect the right to oppose abortion. I urge support for the Hoyer amendment.

Mr. LIGHTFOOT. Mr. Chairman, I yield 3 minutes to the gentleman from the boot heel of Missouri, Cape Girardeau [Mr. EMERSON].

Mr. HOYER. Mr. Chairman, I yield 30 seconds to the gentleman from Missouri [Mr. EMERSON].

The CHAIRMAN. The gentleman from the show me State is recognized for 3½ minutes.

(Mr. EMERSON asked and was given permission to revise and extend his remarks.)

Mr. EMERSON. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding me the time.

Mr. Chairman, I rise in opposition to the Hoyer amendment. The Federal Government should not be in the business of funding abortions, nor should

taxpayers be forced to underwrite the cost of abortions for Federal employees.

The Federal Government currently contributes approximately 72 percent of the money toward the purchase of health insurance for its employees. Thus, taxpayers do provide a majority share of the funds to purchase health insurance for the Federal civilian work force.

If this amendment were adopted, the American taxpayers would be forced to underwrite the cost of abortion for Federal employees. In addition to taxpayer funds paying for abortions, premiums contributed by conscientiously opposed Federal employees will also be used to subsidize abortion on demand.

Abortion is not just another form of routine health care. In upholding the Hyde amendment, the Supreme Court has said that the Government can distinguish between abortion and other medical procedures.

I was glad to see the gentlewoman from the District of Columbia, in her discussion of the subject, at least distinguish between the efficacy of a facelift and that of an abortion, but a lot of people put them in the same bag. The court said abortion is inherently different from other medical procedures because no other procedure involves the purposeful termination of potential life.

□ 1115

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

Mr. EMERSON. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank my friend from Missouri for yielding. I know that there are strong feelings on this issue, but the gentleman keeps saying subsidizing the abortion. The Federal employee, of course, gets a compensation package. The CBO has said there is no difference in the cost to the Federal Government with or without this. It is a choice of the employee of what policy they choose. The Federal Government does not buy the policy.

So my question to the gentleman is, the gentleman from New Jersey said this facilitates. I understand that and I think that is a valid point. All I am saying, and all that we are saying, is that the Federal employee has a compensation package. They have the opportunity to spend that. Whether this is in or out, there is no additional or less cost to the taxpayer. That is my point.

Mr. EMERSON. I understand the gentleman's point, but obviously I agree with the answer of the gentleman from New Jersey.

Mr. HOYER. On the facilitation.

Mr. EMERSON. I might also say, going a point further, we are talking about the most fundamental right, which is the right to life and the right to life should not be an elective choice. It is an entirely different thing.

Many of us in this body see it in an entirely different context than that being advanced by the gentleman from Maryland.

I agree that there is a very different, very fundamental different point of view here as to what an abortion constitutes and whether or not it should be permitted. It is very fundamental.

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

Mr. EMERSON. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. I think the point whether or not CBO scores it or not is irrelevant. We are talking about a very huge investment of Federal dollars into an employee program that I am a part of, and perhaps every Member of this Congress, over which we have jurisdiction.

OPM has made it very clear, their general counsel year in and year out, that we can limit or we can provide, if the body so chose, to provide abortion on demand. We have that capability. It seems that where we can save even one life, we ought to step in on behalf of that individual, especially when we are facilitating it by tax dollars.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Chairman, I thank the gentleman from Maryland [Mr. HOYER] for putting forth this amendment. Mr. Chairman, I look in front of me and I see Federal workers. No matter now raucous we get in this House, no matter how difficult the debate is, the Federal workers that I am looking at stay calm and make sure that our bills are complete, say what they are supposed to, and that every vote that is cast is recorded correctly.

Federal workers work hard. Federal workers run the Washington Monument. They run our National Parks. They staff our local Social Security offices, our veterans hospitals and your local soil conservation office, and they work hard and do good work. They work long hours. And as we have seen, obviously, Federal workers are called upon to risk their lives for the United States of America.

So why then, at this point in time, are we going to treat Federal workers as second class citizens? We are trying to deny health care coverage commonly available to almost everybody else in this country. Why should a Federal worker be held hostage to a political battle of wills that we know will take place and will continue to take place?

The answer is they should not be. The answer is we have always been proud in this country of our Federal workers. In other countries there has been problems with workers for the country, because you have to give a bribe. We never had that because we treat our Federal workers fairly and with respect.

In Communist countries, we found out when the Soviet Union fell what was happening with their workers. They were taking advantage of the people. Never in the United States of America does this type of thing happen, because the United States of America treats its Federal workers with respect and fairness.

Mr. Chairman, if we start to pick away at that, to discriminate against a Federal worker, where does it end? I thank the gentleman from Maryland [Mr. HOYER] for this amendment. This amendment says we treat Federal workers differently. That is wrong. That is absolutely wrong. Mr. Chairman, this amendment should win and I thank the gentleman for putting it forth.

Mr. LIGHTFOOT. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I rise in strong support of the Hoyer amendment. As a Republican, as a mother of three and as a grandmother, I support it.

Mr. Chairman, I am saying today that if the Hoyer amendment fails, we are saying to Federal employees who are the victims of rape and incest that they do not have the same rights to choice and health insurance coverage as other citizens, even those who under present law are covered through Medicaid.

In other words, the Federal employees are third class citizens. I repeat, not even in cases of rape and incest can Federal employees exercise this right to health insurance under this legislation.

The illogic of this position held by many of my idealogically conservative colleagues is very clear to me. The same people who want to get the long arm of the Federal Government out of their lives, and are proposing to repeal all sorts of Government regulations on health and safety, would put the Government in control of this profound personal and moral decision.

Mr. Chairman, we should not even be debating this. This decision should be left to the woman involved, after consultation with her family, her physician, and her religious counselor.

The long arm of the Federal Government should not mandate such a profound moral decision.

Mr. Chairman, I want my colleagues to know that all the Hoyer amendment does is maintain the law as it is currently written and allow women the access to abortion in cases of rape and incest, not just when the life of the mother is in danger.

I do not think that is too much to ask. That is what we do under Medicaid coverage. Let us vote ''yes'' on the Hoyer amendment.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. HARMAN].

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, I rise in strong support of the Hoyer amendment to strike the language that prohibits Federal employees from choosing health care plans that include abortion services.

This is the latest in a series of assaults on a woman's right to choose. The consequence of this assault, like the others being pursued through the appropriations process, is to leave women's rights under Roe versus Wade hollow—effectively to repeal those rights without directly reversing the Supreme Court's decision.

Earlier this spring, the House passed a ban on privately-funded abortions in military hospitals overseas. Then came the provision preventing international family planning organizations from using their own funds to provide abortions. Now the assault continues with a ban on abortion services for Federal employees.

One ban after another—choice opponents are on their way to rolling back a woman's right to choose.

This is a discriminatory change from current policy. Choice opponents in the Congress are now singling out Federal employees to restrict a constitutional right. This is not about Federal funding—employees' own salaries are being withheld. It is about infringing upon employees' rights to bargain for their own benefits.

Congress has no place obstructing private insurance companies from offering services that are necessary to women's health. At least two-thirds of private health insurance plans currently include coverage for abortions.

Prohibiting Federal employees from choosing insurance plans that offer abortion services endangers their health. The question for our House colleagues is whether they can justify limiting Federal employees' constitutionally-protected rights and limiting their health care options simply because these women receive benefits through the Federal Employees Health Benefits Plan. I strongly believe we cannot.

Today's vote is part of a larger agenda to roll back a woman's right to choose without directly reversing Roe versus Wade. This provision hurts Federal employees, and I urge my colleagues to vote for equal rights and health services for Federal employees and their dependents.

Mr. LIGHTFOOT. Mr. Chairman, I yield 3 minutes to the gentlewoman from the State of Washington [Mrs. SMITH], a new Member of our body.

Mrs. SMITH of Washington. Mr. Chairman, I was in my office listening to this debate, and it always gets really confusing, because it comes back to the fact that we are always hearing the argument: It takes a woman's choice away.

This does nothing, nothing, the current bill, with the woman's right to choose. Women can still choose to terminate the life of their unborn baby. They can still terminate the life of their unborn baby clear through, in many States, the day before the birth as long as the woman decides she does not want that baby to take the first breath.

In another bill we will be discussing late term abortions, but that is not the issue here. The issue here today is whether or not American taxpayers, through their tax dollars, should fund a very controversial issue of taking away the life of a baby through the performance of an abortion. Abortion just means taking away the baby's life and deciding that baby will not grow up to be an adult.

Mr. Chairman, these folks still can use their adequate public salaries to buy this procedure from any doctor who will perform it throughout the 9 months of the baby's life, the first 9 months of the baby's life. It just says that people of conscience, including public employees, do not have to have their hard-earned dollars used for this procedure.

I think one thing that is clear in this controversial issue in America is that Americans do not believe their tax dollars should be used for taking a baby's life. Whether they believe that should be legal or not, they do not support taxpayer-funded abortions.

The bill as it came out of committee just says we will go on with the will of the people and we will not use the taxpayers' money to fund abortions. Very simply put: vote against this amendment. You will guarantee a woman's right to choose.

We are not talking about poor women. We are talking about public employees who are substantially, in many cases, and in most cases funded through salaries and should they want to choose to terminate the life of their baby, they can do it from their own money and not the taxpayers'. Vote no on this amendment and yes on the bill.

Mr. HOYER. Mr. Chairman, I yield 2 minutes and 40 seconds to the distinguished gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Chairman, I rise in support of the Hoyer antidiscrimination amendment because that is what this amendment is about; discrimination against young women who serve this country as public employees.

We are talking about the young park ranger who is the victim of rape. We are talking about the young nurse at a VA hospital who is the victim of incest. And what does this appropriations bill say to those young women? You cannot have the health care procedure that you and your physician think you should be able to have. That is discrimination, pure and simple.

We know that some 70 percent of the health maintenance organizations and the vast majority of private insurance companies in this country provide to those in the private sector the right to choose the procedure that they and their doctor think is appropriate.

But this bill, which fortunately the gentleman from Maryland [Mr. HOYER] has come forward and attempted to amend through an antidiscrimination provision, says do not consult your doctor, do not consult your family, do not consult with your minister or your rabbi, talk to your Member of Congress.

Mr. Chairman, that is outrageous. It involves the government in the most private of decisions that a young woman might choose to make, and that is wrong and that is discrimination against one group of our population, and that is the young women who serve this country so ably in public service.

Health care benefits are only a form of compensation. They are just like salary. What is the next thing going to be? The same kind of extremist views coming to the floor of this Congress and saying not in the future, not in the future do we want our Federal employees to spend their wages to get an abortion?

That is the same thing that is being done here. A form of compensation is being cut off from these young women, and the next step is to tell them how they are going to spend their Federal wages because those are tax dollars also, and yet they would be permissible under the current bill, but not under the next step.

This provision is harmful to women's health in this country. It suggests they cannot follow their physician's direction. It is unfair treatment. It has nothing to do with tax dollars being spent. It has everything to do with discrimination and the rights of young women.

□ 1130

We hear plenty these days from the political commentators about angry white men. I would say it is time to hear a little more about angry young women of all ethnic origins who should be angry about having this personal decision interfered with by this Congress.

Support this Hoyer antidiscrimination amendment.

Mr. LIGHTFOOT. Mr. Chairman, I yield 3½ minutes to the always calm and quiet gentleman from California [Mr. DORNAN].

Mr. DORNAN. Well I am a happy warrior Mr. Chairman, and I am in the minority. The world is 53 percent female, and I am not a WASP. I am a white Celtic Catholic, although I associate with mostly WASP's in this House of both genders.

But as a minority male, 47 percent on the globe, let me set history straight here a little bit. People speak about Roe-Wade on the other side of the aisle and a few on this side with reverence. Roe-Wade was a fraud. Roe, Norma McCovey, has never had an abortion. She has three daughters around this country. Each one, she wanted to kill them singly at the time. She never did succeed, thanks, to in the last case, the laws of Texas, and her daughters are all estranged from her, and they say, ''When you are through fighting drugs and/or alcohol, mother, will you stop telling the world you wished you had killed us, and then we will reconcile with you.'' That is the Norma McCovey story.

Roe-Wade is Dred Scott.

Now, for those of you who have, and I understand this, we have got to be

civilized in this debate, for those of you that see slavery as the God-awful demonic thing it was, beating and stealing the sweat off the brow of people throughout their whole life and breaking up families, if you cannot equate that with killing them, lynching them in the womb, then, of course, we have a basic disagreement.

The thing you say about choice is if a prospective mother, and my daughter-in-law is now pregnant with our 10th grandchild in the second month; this is when most abortions happen. She is looking forward to movement and quickening. This will be her third and Sally's and my 10th grandchild. I have lived through five of my own and now a 10th, with daughters and son and granddaughters and grandsons, I mean, daughter-in-law and sons-in-law, we are talking about life here.

If a woman says, ''I am going to have the baby,'' she suddenly becomes pro-life. If they choose death, then that is what the pro-choice thing is. It is death or life, and if this is an extremist position, well, I feel your pain because we are going to win this.

It is a funding issue, and those of us who equate it with slavery, who equate it with death, who equate it with flattening a brainwave with sucking brain tissue out, the thing that drives some of you crazy in subcommittee, and it will soon be on the floor as it was on the Senate floor, the partial birth abortion, where you take brain tissue out and kill the child in the birth channel, that is going to be a heck of debate later in this year; for those of you that do not equate it with snuffing out a life, every abortion stops a beating heart. I feel sorry for you because we are in the majority now. On stopping abortions for Federal workers in uniform in military hospitals, I remind you the vote was 230 to 196.

So, when George Bush broke his tax pledge, which had nothing to do with this issue, nine seats shifted in the House, and then a daughter replaced the father. That made 10 votes shift on this issue by sheer terrible coincidence; that was 20 up, 20 down. We shifted to the pro-abortion or pro-choice, if you want to use that term, side. Now, with every pro-lifer at the gubernatorial, Senate and House level winning in the country and 40 pro-abortion either retiring or most of them were defeated, it shifted. 230 was not on funding. This is on funding. Watch us go up to 240.

I repeat, I feel your pain. We will win Mr. Chairman.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BENTSEN].

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Chairman, I rise today in strong support of the Hoyer amendment to the fiscal year 1996 Treasury Postal appropriations bill. Once again, legislation before this Congress threatens women's health and a woman's right to choose—a right guaranteed by the Constitution.

This is an issue of fairness. Women who work for the Federal Government deserve the same quality of care that women in private sector America enjoy. Furthermore, Federal employees should be allowed to use their health insurance to pay for a legal medical procedure.

Federal employees, like their counterparts in the private sector, currently can choose a health care plan that provides coverage for reproductive health services. Two-thirds of private health care plans provide such coverage for their beneficiaries. The Hoyer amendment preserves that right for the 1 million women enrolled in the Federal Employee Health Benefits Program.

Earlier this year, this House voted to prohibit servicewomen stationed overseas from using their own personal funds to obtain abortion services at military hospitals. This bill extends this discrimination another step by singling out women just because they work for the Federal Government.

It is clear that some in this Congress want to take away the right to choose for all women. To those who wish to overturn Roe versus Wade, I say have the courage of your convictions and schedule a vote to do so. This stealth campaign against a woman's right to choose—a right guaranteed by law—is deliberate and it's wrong.

American women have the right to choose. The Hoyer amendment simply reaffirms this right for the million women who work for the Federal Government. I urge my colleagues to support it.

Mr. LIGHTFOOT. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. GUTKNECHT], another member of our outstanding freshman class.

Mr. GUTKNECHT. Mr. Chairman, I thank the gentleman for yielding me this time.

You know, this is a very difficult, divisive issue, and I think there are strong opinions on both sides.

I respect the people on both sides of this issue. I happen to believe that life is a sacred gift from Almighty God, and I do believe that we have a moral responsibility to stand up and speak out on the things we believe deeply in.

But having respect for that, I understand there are differences, but there is no difference on this, and that is that 72 percent of the funds, of the money that goes toward the purchase of health insurance, comes from the taxpayers of the United States of America. And it is interesting because that 72 percent represents about what you consistently see in the national polls of the American people that say that whether you believe abortion should be legal or illegal, over 70 percent believe that Federal funds should not be paid, used to pay for them.

So the issue here today is not necessarily whether you are for abortion or whether you are against abortion, whether you believe life is sacred or whether you believe it is not sacred. The issue is: Are we going to be used to pay for them?

I think I speak on behalf of the majority of the people in my district; I know I speak for the majority of all American people, whatever they happen to believe on that other issue, that taxpayers' funds should not be used to pay for them, and that is the issue before us today. That is the issue we are going to vote on in a few minutes, and that is why I hope that my colleagues will join me in opposing the Hoyer amendment.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Colorado [Mrs. SCHROEDER], who has been such an outstanding spokesperson for human rights and civil rights in this country.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman from Maryland for yielding, and I rise proudly in support of his amendment. The gentleman from Maryland is absolutely correct.

One of the prior gentlemen, speaking on the other side, says, ''We will win, we will win.'' Well, guess what, women will lose. American women will lose if this amendment does not pass.

Why? You hear on the other side people saying, well, conscience, conscience, that we do not want Federal taxpayers, who are paying Federal employees to have to have any of their money go for any of these benefits. Well, if you really want to apply that, then people who do not think the Pentagon should be spending so much money for B–2 bombers should not have to pay their taxes for that percentage, or people who do not believe in blood transfusions should not allow Federal employees to be able to get that done with their health care insurance, and on and on and on.

Is it is not interesting we do not apply this theory of conscience or anything to anything other than women? When it comes to women, we cannot dictate enough to them in this body, and this 104th Congress is ripping up Roe versus Wade every way it can.

It is saying to Federal employees, if we do not pass this amendment, If you are raped, if one of your children is the subject of incest, if you become pregnant and the pregnancy goes amiss and your health is in danger, oh, sure, you can get health treatment for it, but, guess what, you pay. You pay. You cannot have the health care coverage that the Supreme Court says you are entitled to. You are not given the same rights as people in the private sector.

I do not know when we are going to decide that we can lower the boom enough on women. When you look at the beginning of this century, women finally walked into first-class citizenship after working very hard to get that vote. We will soon be celebrating their having had that vote for 75 years, and let me tell you, if this Congress keeps doing what it is doing, we are going to finally learn how to use that vote and say to people we insist on

being treated the same as any other citizen and are tired of this.

Vote for the Hoyer amendment.

Mr. LIGHTFOOT. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. HOSTETTLER].

(Mr. HOSTETTLER asked and was given permission to revise and extend his remarks.)

Mr. HOSTETTLER. Mr. Chairman, I have come to the floor today to express my strong opposition to the gentleman from Maryland's amendment to strike the very reasonable provision in this appropriations bill to restrict abortion coverage in the Federal Employees Health Benefits Program.

We have heard arguments that the prohibition to deny abortion insurance coverage to Federal employees would mean that Congress would violate a woman's right to choose an abortion. This is simply incorrect. Individuals who wish to purchase abortion insurance coverage are free to do so in the marketplace and individuals who wish to end the life of their unborn child can also do so, but at their own cost. Americans should not be required to subsidize abortion on demand.

We are responsible for how we spend every tax dollar that the Federal Government collects from the American taxpayer. And from these tax dollars, the Federal Government currently contributes approximately 72 percent of the money toward the purchase of health insurance for its employees. Thus, taxpayers pay a majority of the funds to purchase health insurance for the Federal civilian work force.

This plan is not like any other health plan. This is the health benefits plan for the employees of the Federal Government and therefore, the American taxpayer needs to be considered as it is their money we are spending. This is not about discrimination, this is not about a woman's right to choose. This is about protecting American taxpayers from paying for something that violates their very core values and beliefs.

I firmly believe that killing an unborn child cannot be compared to every other medical procedure. Unfortunately, ending a pregnancy by an elective abortion may be an option that is available to every woman in this country. This fact does not in any way require that the American taxpayer be forced to finance these morally objectionable procedures. This is not health care. I would contend that this is anything but and I urge you to oppose this amendment.

Mr. LIGHTFOOT. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. STEARNS].

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I rise in opposition to the Hoyer amendment.

I wish colleagues will listen carefully to this.

It gets a little complicated. Basically, if we do not speak up against this, the Hoyer amendment is going to delete two paragraphs within the bill, which will allow abortion on demand.

The Federal Government pays a portion of the Federal employee benefits program; the premium that we all pay, the Government pays a portion of it. Nine million Federal Government employees, their dependents and retirees are covered under this plan.

Should the American taxpayers have an interest in the health care coverage of Federal employees? Absolutely. You bet. Most Americans, even if they can accept the idea of abortions, do not want to pay for them. Asking anyone to subsidize abortions is offensive enough; asking the American taxpayers, whose hard-earned labor pays for the Government employees' salary to underwrite elective abortions is just plain wrong.

I ask all of my colleagues, regardless of what position you are on this, we cannot strike those two paragraphs, because then we will have abortion on demand in the employee's Federal benefit health program.

□ 1145

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

Mrs. MORELLA. Mr. Chairman, I really appreciate the gentleman, the chairman of the subcommittee, yielding this time to me, and I certainly appreciate the leadership that has come from the ranking minority member of that subcommittee for his leadership with regard to this amendment which I think is so important.

Mr. Chairman, I do not understand why we are doing this. With regard to Federal employees we are downsizing, we are increasing their retirement fees that they will be paying, and now we are taking away something else that has been part of their benefits package, their opportunity to choose for their health care.

Currently two-thirds of private fee-for-service plans and 70 percent of health maintenance organizations provide this abortion coverage. To not allow the FEHBP to provide this health service is harmful to women's health, and it discriminates against women and, certainly, Federal employees.

The Federal Employees Health Benefit Plans should be comparable to those that are offered in the private sector which, as I mentioned, overwhelmingly provide the full range of reproductive health services. They are part of the total compensation package earned by Federal and postal employees and thus should cover the full health needs of the employee. Arbitrarily banning any benefit effectively reduces earned wages.

Mr. Chairman, this is a promise made; it should be a promise that is kept.

The inequity of this measure is magnified by the fact that the Federal health care plan pays for other pregnancy-related services. If the funding ban goes into effect again, the approximately 1.2 million women of reproductive age who rely on the FEHB program must either pay with their own private funds or continue with an unintended pregnancy of major dimensions. The restriction would be put in place despite the fact that Federal workers do have a portion of their health premiums deducted out of their own paychecks.

Mr. Chairman, I ask this body to be sensible and to vote for the Hoyer amendment.

Mr. LIGHTFOOT. Mr. Chairman, I yield 2 minutes to the gentleman from the great State of Illinois [Mr. HYDE], our good friend and colleague.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, I just wish to weigh in as strongly as I can with great respect to my good friend, the gentleman from Maryland [Mr. HOYER], in opposition to his amendment. If abortion is a good thing, or even a neutral benign thing, and one really believes that, then, as my colleagues know, they should support Mr. HOYER'S amendment. But if they believe that abortion is the purposeful killing of an unborn child, a little life that is on its way to enjoying citizenship, then it is wrong. It is a rejection, a repudiation, of the notion that one should be responsible for one's acts. It is an act not of compassion and of love, but of selfishness and coldness, and abortions are just a bad thing.

Mr. Chairman, that is my conviction. I do not take a gun to anybody's head and say, ''You have to think as I think,'' but I would appeal to the common sense and the logic of people who realize that abortion is really so abhorrent that we hardly use the word. We use ''pro choice.'' We use ''reproductive rights.'' We use all sorts of euphemisms to avoid confronting the fact that abortion is the deliberate killing of a life that has begun and a mother who should be the natural protector of her child suddenly its adversary.

Mr. Chairman, I resent that if my money is paying for this extermination of this pregnancy. It is not a termination. All pregnancies terminate at the end of 9 months, but this is an extermination of a little life that has begun and is entitled in simple justice to at least have that right to life, which is an endowment which the Creator, according to our Declaration of Independence, respected.

Now I say to my colleagues, 72 percent of the costs for these premiums is Federal money, your money and my money, and people say, ''Get the Government out of the bedroom.'' Well, get the Government out of our pockets paying for this heinous activity called abortion.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan [Ms. RIVERS].

Ms. RIVERS. Mr. Chairman, this is a difficult debate, and, as has been correctly pointed out, the majority of Americans do not like abortion, but what is equally important to point out is that even a greater majority of Americans do not want the Government to make these kinds of decisions for American families.

I had an opportunity to make this decision. I was a mother at 18 under circumstances that were not optimal, but I made the decision that many people on the other side would want to see me make. I kept my baby. But the choice was much harder, much more difficult, and the life that it created was of a degree that I could have never anticipated. I had never guessed that I would find my self in a job market without skills, that I would be without health insurance, that I would not be able to buy a home, that I would get my education in a piecemeal way. That is what an early pregnancy means in real-life terms, and that is why it is important to let each and every family involved make these decisions for themselves.

I would never, having lived through it, force that kind of a decision on another human being. But the question here today is whether or not we will take away a perfectly legal and constitutionally protected choice for 1 million women simply because they work for the Federal Government. Whether or not we will allow the good burghers who populate Congress to decide the private decisions of American families, nothing could be so antithetical to the individual freedoms that the majority in this House preach in every other arena we discuss. They talk about returning to traditional values; well, let's go back to one that is basic to America: ''Mind your own business.''

The CHAIRMAN. The Chair wishes to inform the Committee that the gentleman from Iowa [Mr. LIGHTFOOT] has 8½ minutes remaining and the gentleman from Maryland [Mr. HOYER] has 7 minutes and 50 seconds remaining.

Mr. LIGHTFOOT. Mr. Chairman, I yield an additional 2 minutes to the gentleman from Illinois [Mr. HYDE].

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, in response to the gentlewoman's remarks which are common argument against our position, that we should ''mind our own business,'' that brings up a most interesting question:

Whose business is it when a member, tiny little member, of the human family is about to be killed? Is it anybody's business? Is it a matter of privacy only between the doctor and the pregnant woman, or is society involved?

I would remind the gentlewoman of the words of the great English poet, John Donne, who said ''Every man's death diminishes me for I am involved in mankind.''

Does society have any responsibility for the taking of an innocent human life? Mr. Chairman, she obviously says, ''No, turn your back, walk away,'' and I say, oh, no, we have a responsibility toward fellow human beings to protect them in the most basic right, which is the right to life.

I have seen animals protect their young with a compassion and tenderness that is very instructive. I have seen a crocodile scoop up eggs and carry them down to the waterside with a gentleness that was almost poetic, and then, when I think of the abortion mills, or reproductive health clinics, pardon me, churning out death, it is more than ironic. I say government exists to protect the weak from the strong, and the gentlewoman's party, political party, more than my party, has always been for the ones that are left out, left behind, the forgotten ones, but they sure ignore the unborn, and I take pride in the fact that my party looks to the unborn and will protect that unborn when the mother becomes its deadly adversary.

Ms. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentlewoman from Michigan.

Ms. RIVERS. One of the issues that I see take place on a regular basis or strategy——

The CHAIRMAN. The time of the gentleman from Illinois [Mr. HYDE] has expired.

Mr. HYDE. The gentlewoman from Michigan can get time, Mr. Chairman, and we can have our colloquy.

Mr. HOYER. Mr. Chairman, I yield 50 seconds to the gentlewoman from Michigan [Ms. RIVERS].

Ms. RIVERS. Mr. Chairman, the strategy that I see going on here is one that is used regularly, which is to argue this debate as if this decision will decide whether or not this choice will be available to American women. I say to the gentleman, ''You have lost that argument.''

Mr. HYDE. So. far.

Ms. RIVERS. The Constitution makes it very clear. This is about who will decide for 100 million women who work for the Federal Government whether it should be families involved making a decision within the law of the land or people here who want to operate in very paternalistic, intrusive, invasive ways in basic decisions. That is where we differ. That is what this issue is not, whether this should or should not happen. It is who should make the decision under the law, and I suggest, and the gentleman argues eloquently in every other area, that the Government is not the best entity to make these decisions.

Mr. HYDE. Mr. Chairman, will the gentlewoman let me say something? Will the gentlewoman yield?

Ms. RIVERS. I yield exactly the amount of time the gentleman yielded to me, which I think was about 8 seconds.

Mr. HYDE. Mr. Chairman, I think Roe versus Wade ranks right us there with Dred Scott as a terrible decision.

Ms. RIVERS. And the gentleman has the right to that opinion.

Mr. LIGHTFOOT. Mr. Chairman, I yield 30 seconds to the gentleman from Florida [Mr. STEARNS].

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I just want to ask or I want to respond to the gentlewoman from Michigan when she said it is the law of the land. I want to read to her what the Supreme Court of the United States has said, that Government can distinguish between abortion and, quote, other medical procedures. In upholding the Hyde amendment the Court said, quote, abortion is inherently different from other medical procedures because no other procedure involves the purposeful termination of a potential life.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. I see the distinguished gentleman from Illinois [Mr. HYDE] leaving the room, and I just want to say to the distinguished gentleman that I have great respect for the gentleman. We work together on many issues. In fact, on my committee I have been a strong advocate for the Adoption Opportunities Act, and I do think we have to encourage those who choose to have a child, and we want to help those mothers and those families protect that child and take care of that child, and that is why I am such a strong supporter and I have always advocated funding for that act. I just want to comment on a few things the gentleman said when we talked about the fact that we believe abortion is a good thing.

I am a mother of three beautiful grown children. I have been married for 34 years. I try to teach my children, and I hope some day I will have grandchildren, and, yes, I agree with the gentleman, to teach responsibility, to teach responsibility for one's own actions. I think we agree on that. But I do not think anybody in this room, or any woman I know who had to face that very difficult decision, would say that abortion is a good thing. When a woman has to make the very difficult decision with her religious counselor, her family, her doctor, or with whom she chooses to make that decision, it is very difficult.

My distinguished colleagues, are we going to say to people who are victims of rape, ''Victims of rape, you have to carry that rapist's child''? Are we going to say to victims of incest, to Federal employees who are victims of incest, ''You have to carry that person's child''? That seems to me to be uncommon indecency.

So I would like to say it is unfair for us to treat Federal employees with discrimination, and, in fact, why should we be taking women backward?

□ 1200

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

Mr. Chairman, obviously this is a difficult debate. The gentlewoman from New York [Mrs. LOWEY], who just spoke, made comments as far as what a woman faces, and I am sure those are difficult. But I stand here today as a product of an orphanage, and someone did not make the decision to have me terminated when I was a fetus, as the law describes it.

So I think there is a lot more to this than just what one individual thinks. In fact, personally, to my knowledge, there has only been one Immaculate Conception, and I think in this whole issue of unwanted pregnancies, we have too long overlooked the responsibility that the man has in the process as well. I think that is something that we should address. This is not the place to do it here today, but I believe it is part of the problem.

What we did with our subcommittee language was basically take the bill back to language that has existed for nearly 10 years, starting back in 1985. We are talking about an elective procedure, an abortion. It is as elective as getting a facelift, it as elective as getting a hair transplant.

We heard the gentleman from Texas [Mr. DOGGETT] refer to it a moment ago as a health care benefit. I have a little difficulty putting this kind of a procedure under a definition as a health care benefit. We look at a health care benefit as something to cure disease. It is a way to pay for cutting out a cancer. It is a way to repair someone that has been damaged in a car wreck or by abuse on our city streets, which brings me to an interesting point as it relates to abortion.

Under the law of the land, if a pregnant woman is en route to an abortionist to have an abortion and is involved in a car accident and the child she is carrying is killed as a result of that accident, the individual responsible for driving the other car is charged with murder. However, had she been allowed to continue that trip to the abortionist, it would have been considered a health care procedure.

Now, there is something very wrong with that picture. That is why I have stayed out of what is a very emotional debate, because it is difficult not to get emotional when you get into this. But I think because it is such a controversial issue, that the majority of the taxpayers, including those who believe that having an abortion is the right way to go, believe we just should not be using any Federal money to promote, to pay for the process.

I know there are a lot of emotional debates that can be made on either side of the argument. But, again, I would just ask my colleagues to look at this from the perspective as it is in our bill, as purely a funding issue we are talking about, and not the merits of it, and would again urge a no vote on the amendment of the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FARR].

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

Mr. Chairman, I rise on this issue as a father, and I want to point out that there has been a lot of emotional debate here. Let us stick to the facts. The facts are stated on page 63 of the bill, line 22. They say, no funds appropriated by this act shall be available to pay with any health care plan, any health care plan.

Now, in the Federal Government we go to the private sector and we ask the private sector to offer health care plans to our employees. Mr. Chairman, in the State of California that you and I represent, companies like Aetna, Cigna, Foundation Health Care, HealthNet, Blue Cross and Blue Shield, Met Life, Kaiser, and Maxicare, on and on, all offer health care plans not only to Federal employees, but to the 6,000 governments that exist in California, all those local governments, school governments, fire departments, water districts, all of those people that have public employees who are also paid by the taxes that pay the Federal Government.

So this issue before us is not the emotional one that you have been hearing debated. It is a contract issue, and it is a discriminatory issue. It essentially says, and this gets back to my point as a father, I buy a plan for my family. My daughter, 16, 17 years old, just became 17 years old, if she visits me here in Washington, gets raped in Washington, what this plan says is the health care plan I buy cannot cover the medical emergency procedures she would need to terminate a pregnancy caused by rape.

That is absurd. That is discriminatory. It does not just discriminate against women, it discriminates against fathers. It discriminates against people who give their life to come work for the Federal Government. And if this were really what you wanted to do, then you would prohibit States, you would prohibit local governments, you would prohibit everybody in the public sector from having such plans. Mr. Chairman, I urge the support of the Hoyer amendment and reject the bill.

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have had a debate, and we have talked about an emotional, wrenching issue. Previously, the gentlewoman from Michigan [Ms. RIVERS] said we have a legal medical procedure. You can refer to it however you want. It depends upon your perspective. This is not a taxpayer's issue. CBO says we will pay the same thing for insurance policies with or without this coverage. Our contribution will be the same. The taxpayer will not be asked to pay one additional nickel.

Yes, the taxpayer pays for the Federal health benefit, but the taxpayer also pays for the salary. Who rises here to say that a Federal employee may not spend their salary money as they see fit on legal objectives in this country? Who here rises to say that?

Apparently, Mr. Chairman, nobody rises to say that.

The fact of the matter is, employees, as I said at the beginning of this debate, have a compensation package. It is composed of three parts: Salary, health benefits, and retirement. Who rises here to say that the retirement of a Federal employee, because it comes, obviously, from taxpayers and the Federal Treasury, cannot be spent except in the way that we tell them to do on legal objectives?

That is what this issue is about, the denigration of Federal employees as employees and as citizens of this country. That is what this debate is all about, Mr. Chairman.

The issue of abortion would be raised if we precluded that from being purchased by anybody, Federal employees or others. But that is not what this issue says. It says if a Federal employee is raped or becomes pregnant as a result of incest, that their health care policy cannot cover that. Who here rises to say that that is a policy that we ought to pursue?

Mr. Chairman, I would hope that we could step back from the passion of this issue, of the strongly held convictions and what I believe to be absolutely justifiable perspectives that Members on both sides of this issue have. It is a difficult issue for Government to deal with.

But I think it is not a difficult issue to say that Federal employees will be in the same position as every other American when they purchase a health care policy. Their employer will pay a portion of the premium, they will pay a portion of the premium, and they will select a policy of their choice.

I would hope that we would expunge this language from the bill.

Mr. LIGHTFOOT. Mr. Chairman, to close debate, I yield the balance of my time to the gentleman from New Jersey [Mr. SMITH].

The CHAIRMAN. The gentleman from New Jersey is recognized for 3 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, why all these abortion votes and debates on appropriations bills? It is precisely because unless we affirmatively and explicitly prohibit funding for abortion in a myriad of Federal programs, like the Federal Employees Health Benefits Program, abortion will be paid for with tax funds. The simple fact of the matter is that the abortion industry is like a lamprey, a leech, draining taxpayer funds from the Federal Treasury unless specific language precludes its use.

The underlying bill language offered by the gentleman from Iowa, Chairman LIGHTFOOT, halts the flow of taxpayer funds for this program, and I congratulate him for his courage and very sensitivity to women and children in doing this.

Two earlier speakers suggested that this debate is not about abortion, but surely it is. However, that line of argument has been used in the past when the Hyde amendment was up, it was about economic equity for poor women vis-a-vis rich women. When the D.C. bill came up, it was the home rule question. When the DOD bill comes up, it is military health care.

Mr. Chairman, this amendment is about abortion. Prior to its inclusion back in the early 1980's, the Federal Employees Health Benefits Program paid for 17,000 abortions. That is a lot of children who have died.

Mr. Chairman, children are not property. Children are not objects. I applaud the feminists when they say women should not be treated as objects. But where is the consistency when the pro-abortion feminists turn around and say unborn children can be reduced to per sona non grata, to someone who can be killed, boys and girls, at will?

The Hoyer amendment would fund the deed of abortion, and that is why I think it is so crucial to realize that we are part of that. We are actually paying for the deed if Members were to support the Hoyer amendment. And the abortion methods are gruesome, literal dismemberment of an unborn child, chemical poisoning of children, injections of poisons. Not injections of medicines that are designed to safeguard, help, and nurture the child, but poisons that have only one intent—destroy the baby, bring on labor, and produce that child.

Some years ago I met a young lady, my wife and I, by the name of Nancy Jo Mann, that is her real name, from Iowa. She had a perfectly legal abortion at 5½ months. She talked about it at great length before a House committee. She said, ''Once they put the saline in, there is no way to reverse it. For the next hour and a half, I felt my daughter thrash around violently while she was being choked, poisoned, burned, and suffocated to death. I did not know any of this was going to happen. I remember telling my baby, I didn't want to do this. I wished that she could live, and yet she was dying. And I remember her very last kick on her left side. She had no strength left. I tried to imagine us dying that kind of death, a pillow put over us, suffocating. In 4 minutes we would pass out. We would have the fight of passing out. It took her an hour and a half to die.''

The Hoyer amendment, make no mistake about it, will fund chemical poisonings like the one that killed Nancy Jo Mann's baby. That is what this is all about, funding the deed. I urge rejection.

Ms. FURSE. Mr. Chairman, we had a bill on this House floor just a month ago that discriminated against women who are serving in our military by denying them the full range of medical services at military hospitals overseas. Now we have another bill before us that discriminates against our women Federal employees.

Women serving the Federal Government deserve the same civil rights as the vast majority of American women whose private insurance plans cover the full range of reproductive health services.

This Treasury/Postal Service appropriations bill contains a discriminatory policy that represents another step in the anti-choice campaign to take away health insurance coverage for abortion for all women. With this bill, anti-choice Members of Congress are attempting to deny comprehensive insurance coverage to more than 1 million women who work for the Federal Government.

Men who work for the Federal Government are able to get the medical services they need. Unfortunately, this bill treats women like second-class citizens.

Singling out abortion for exclusion from health care plans that cover other reproductive health care is harmful to women's health and discriminates against women in public service.

I urge the House to reverse this unfair and unwise decision and move women forward, not down the road to the back alleys.

Mr. TORKILDSEN. Mr. Chairman, I support the Hoyer amendment.

While I oppose Federal funding of abortion, I strongly take issue with the argument that this bill, in fact includes Federal funding. The benefits package offered to Federal employees is the compensation that they received for public service. If we follow the same logic used by those opposed to this amendment, this Congress will soon be dictating how Federal employees spend their paychecks, because their paychecks are—of course—Federal funding. Voting against this amendment will set a dangerous precedent of congressional encroachment into the personal lives of this Nation's employees. Next, we will be mandating that Federal employees buy only domestic consumer goods, or deny them the option of sending their children to private or parochial schools. These edicts are as ridiculous as the one embodied in this bill.

Frankly, I am shocked that the bill's language does not even include a caveat for victims of rape and incest. Where is the language embodied in the current Hyde amendment? It is absolutely unconscionable that this bill does not provide coverage for those who were forced against their will to engage in sexual intercourse. I thank Chairman LIGHTFOOT for expressing the same concern, but I don't feel this House should just leave this issue up to the Conference Committee. Victims of rape and incest deserve the same coverage that beneficiaries of Federal entitlement programs. It is a fundamental matter of fairness.

Ms. NORTON. Mr. Chairman, I rise in strong opposition to the Packard/Dornan amendment to HR 2020, the Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 1996, and in strong support of the Lightfoot substitute amendment. The Packard/Dornan amendment, in seeking to redress a few well-publicized abuses in a few isolated Federal employee training programs, employs a shotgun approach that would preclude Federal employees from receiving potentially lifesaving information regarding the transmission of HIV/AIDS.

HIV/AIDS is the leading killer of Americans age 25–44. Under the Federal Work Place HIV/AIDS Education Initiative, Federal employees are provided with accurate and comprehensive information on how HIV/AIDS is, and equally important in the work place, is not transmitted. This vitally important initiative is protected under the Lightfoot substitute amendment; it is eviscerated under the Packard/Dornan amendment.

Supporters of the Packard/Dornan amendment would lead people to believe that the Federal Government, in offering such HIV/AIDS training, is acting in an extreme or unusual manner. This is not the case. HIV/AIDS prevention and education training is supported by the Centers for Disease Control and Prevention and the American Red Cross. Likewise, a sizable number of Fortune 500 companies such as AETNA Life Insurance Company, RJR Nabisco, Eastman Kodak, IBM and employ HIV/AIDS training in their work places.

I urge my colleagues' strong opposition to the Packard/Dornan amendment and ardent support for the Lightfoot substitute.

The CHAIRMAN. Under the unanimous consent agreement, all time has expired.

The question is on the amendment offered by the gentleman from Maryland [Mr. HOYER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 235, not voting 11, as follows:

[Roll No. 526]

AYES—188

Abercrombie	Filner	Longley
Ackerman	Flake	Lowey
Baesler	Foglietta	Luther
Baldacci	Foley	Maloney
Barrett (WI)	Frank (MA)	Markey
Bass	Franks (CT)	Martinez
Becerra	Franks (NJ)	Martini
Beilenson	Frelinghuysen	Matsui
Bentsen	Frost	McCarthy
Berman	Furse	McDermott
Bishop	Ganske	McHugh
Boehlert	Gejdenson	McInnis
Bonilla	Gephardt	McKinney
Boucher	Gibbons	Meehan
Brown (CA)	Gilchrest	Meek
Brown (FL)	Gilman	Menendez
Brown (OH)	Gonzalez	Meyers
Cardin	Gordon	Mfume
Castle	Green	Miller (CA)
Chapman	Greenwood	Miller (FL)
Clay	Gunderson	Mineta
Clayton	Gutierrez	Minge
Clyburn	Harman	Mink
Coleman	Hastings (FL)	Molinari
Collins (IL)	Hefner	Moran
Condit	Hilliard	Morella
Conyers	Hinchey	Nadler
Coyne	Horn	Neal
Cramer	Houghton	Obey
Davis	Hoyer	Olver
DeFazio	Jackson-Lee	Owens
DeLauro	Jacobs	Pallone
Dellums	Jefferson	Pastor
Deutsch	Johnson (CT)	Payne (NJ)
Dicks	Johnson (SD)	Payne (VA)
Dingell	Johnson, E. B.	Pelosi
Dixon	Johnston	Peterson (FL)
Doggett	Kelly	Pickett
Dooley	Kennedy (MA)	Pomeroy
Durbin	Kennedy (RI)	Porter
Ehrlich	Kennelly	Pryce
Engel	Klug	Ramstad
Eshoo	Kolbe	Rangel
Evans	Lantos	Reed
Farr	Lazio	Richardson
Fattah	Levin	Rivers
Fawell	Lewis (GA)	Rose
Fazio	Lincoln	Roukema
Fields (LA)	Lofgren	Roybal-Allard

Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Slaughter
Spratt
Stokes
Studds
Tanner
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
White
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOES—235

Allard
Archer
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonior
Bono
Borski
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Cox
Crapo
Cremeans
Cubin
Cunningham
Danner
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Forbes
Fowler
Fox
Frisa
Funderburk
Gallegly
Gekas
Geren
Gillmor
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kildee
Kim
King
Kingston
Kleczka
Klink
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McHale
McIntosh
McKeon
McNulty
Metcalf
Mica
Mollohan
Montgomery
Moorhead
Murtha
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Tiahrt
Traficant
Tucker
Upton
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Andrews
Armey
Bryant (TX)
Collins (MI)
Crane
Ford
Hastert
Moakley
Myers
Reynolds
Stark

□ 1236

The Clerk announced the following pair:

On this vote:

Mr. Andrews for, with Mr. Armey against.

Mr. MARKEY changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HASTERT. Mr. Chairman, on rollcall vote No. 526, I was unavoidably detained. Had I been present, I would have voted ''no.''

Mr. HOKE. Mr. Chairman, I move to strike the last word to engage the chairman of the committee in a colloquy.

Mr. Chairman, as we know, the Congress has doubled the IRS' budget over the past 10 years, and the agency has actually increased its employment by 20 percent. Yet there are grave concerns that it remains inefficient, mistake-ridden, and is not up to present commercial practices that are being used in private commercial industry today. Few Americans can really say they are impressed by the IRS and that they believe that the agency deserves the raises it has received in recent years.

In fact, on February 16, 1995, the GAO testified before the gentleman's Committee on Appropriations during a hearing on the IRS' tax system modernization program. The GAO outlined many fundamental problems that would prevent the IRS from implementing that TSM, the tax system modernization system.

Among the glaring problems that were found out are a lack of sufficient technical and management expertise and skills to implement it, an inability to take into account changes during the development of TSM, and a lack of development priorities, performance measures, or technical guidelines.

My understanding is that our budget does in fact cut certain aspects of the IRS' budget for the next year, including some of the more invidious, invasive, and frankly, very difficult regulatory processes that they use to torment Americans. Yet, we are increasing the tax processing area of the budget.

What I would like to know, Mr. Chairman, from the chairman, is what exactly is he doing to make sure that the IRS is not going to abuse the trust that we are putting in them with respect to improving their tax processing methods?

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

Mr. HOKE. I yield to the gentleman from Iowa.

Mr. LIGHTFOOT. Mr. Chairman, I thank the gentleman for yielding.

In fact, Mr. Chairman, one of the provisions that the gentleman will find within the bill relates to tax system modernization. I would even suggest that the gentleman from Maryland [Mr. HOYER] has been interested in this issue as well. What we are basically doing, we are fencing off any money to be used for TSM until the IRS implements a specific plan that follows the recommendations of the General Accounting Office, which has been very critical of the past actions of IRS, and until such time as that plan is submitted with GAO approval, that money is fenced off. They will not get it this year, so it is off limits until they comply.

I also, when we meet with our Senate counterparts, will carry the gentleman's concerns as well as a lot of the other's with us to that particular meeting, and hopefully keep their feet to the fire until we get the bang for the buck, so to speak.

Mr. HOKE. If I can continue with one other line of thinking, Mr. Chairman, and I thank the gentleman for his input on that, another area that is of a great deal of concern to Members and particularly to me has to do with collections, and what we are doing in that area. We have, I believe, a great deal to learn from what other local and State municipalities have done in this area around the country. The fact is that we have, as I understand it, over $100 billion in uncollected funds. It seems to me that the IRS has exemplified a kind of a top-down buldgeon approach to its collection efforts, as opposed to the sorts of efforts that have been very effective in the private sector.

What are we doing here in the Congress to deal with that problem, and are we doing anything that is going to get into privatizing the collection process so that we are not using this kind of overwrought and heavy-handed Federal and law enforcement type of approach?

Mr. LIGHTFOOT. If the gentleman will continue to yield, in the area of tax collections the figure is closer to $400 billion, rather than $100 billion, which could make a huge hole in the deficit, if we could collect that fund. Quite frankly, the tax systems modernization problem feeds into the problem of not collecting the taxes, because the IRS is working with 1950's and 1960's technology out of cardboard boxes, so it all works together.

Mr. HOKE. People who when handling the House Finance Office were also advising the IRS, would the gentleman say?

Mr. LIGHTFOOT. I am not sure of that connection, but what we are providing in the bill is a pilot project wherein we will allow private collectors to go after some of these legitimately owed taxes, but with all the protections that are necessary to protect the taxpayers and the taxpayers' bill of rights, so there is plenty of protection there.

Mr. HOKE. I am glad to hear that, and I thank the gentleman for the colloquy.

Mrs. MORELLA. Mr. Chairman, I move to strike the last word to enter into colloquy with the chairman of the committee.

Mr. Chairman, would section 528 of the bill, I would ask the chairman, alter the current definition of training in chapter 41 of title V in the United States Code? I ask, because this definition places emphasis on training which will improve individual and organizational performance and assist in achieving the agency's mission and performance goals.

Mr. LIGHTFOOT. Mr. Chairman, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from Iowa.

Mr. LIGHTFOOT. I would like to inform the gentlewoman that it would not, Mr. Chairman. I share her concerns. I think it is important that agencies continue to use their strategic plans and missions as a framework for conducting their training.

Mrs. MORELLA. I am pleased to hear that, and I thank the gentleman.

Ms. NORTON. Mr. Chairman, I move to strike the last word to engage in a colloquy with the gentleman from Iowa.

Mr. Chairman, I rise to express my concern that the Committee on Appropriations has failed to fund the IRS compliance initiative. The House bill calls for a $139 million cut. According to the IRS, this would result in a loss of 8,000 to 10,000 FTE's.

□ 1245

Last year Congress approved a 5-year initiative at a cost of $405 million annually to hire 5,000 compliance personnel at IRS. The IRS predicted that this initiative would bring in $9.2 billion in revenue that would otherwise go uncollected. The IRS has hired or in many cases reassigned the personnel, and CBO and GAO have indicated that the revenue projection targets are on track.

If this compliance initiative is not fully funded this year, IRS employees may have to be RIF'd and revenue owed the U.S. Government will go uncollected. Such shortsightedness would not be tolerated in the private sector, and should be rejected by us as well.

Mr. HOYER. If the gentlewoman will yield, I want to tell the gentlewoman from the District of Columbia that I share her concerns.

Ms. NORTON. I understand that when the bill goes to conference, the gentleman from Maryland [Mr. HOYER] hopes to provide some additional funding for this program.

Mr. HOYER. If the gentlewoman will yield further, very definitely I will seek additional funding for this program. I plan to work with the administration officials, with the gentleman from Iowa [Mr. LIGHTFOOT], the chairman, and the House and Senate conferees in increasing the funding for this initiative.

As the gentlewoman has observed, by cutting the funding for this initiative and stretching it out, we will collect less funds. The reason last year we put this off-budget was because CBO and, in a bipartisan fashion, the Committee on the Budget agreed that this was a moneymaker, not a moneyloser, so that if we do not invest these funds, we will lose in terms of collections.

I share the gentlewoman's view and I will be pursuing that objective in conference.

The CHAIRMAN. Are there any further amendments to title V?

If not, the Clerk will designate title VI.

The text of title VI is as follows:

TITLE VI—GOVERNMENTWIDE GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SECTION 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1996 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Notwithstanding 31 U.S.C. 1345, any agency, department or instrumentality of the United States which provides or proposes to provide child care services for Federal employees may reimburse any Federal employee or any person employed to provide such services for travel, transportation, and subsistence expenses incurred for training classes, conferences or other meetings in connection with the provision of such services: *Provided,* That any per diem allowance made pursuant to this section shall not exceed the rate specified in regulations prescribed pursuant to section 5707 of title 5, United States Code.

SEC. 604. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided,* That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further,* That the limits set forth in this section may not be exceeded by more than five percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further,* That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 605. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–24.

SEC. 606. Unless otherwise specified during the current fiscal year no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States, (3) is a person who owes allegiance to the United States, (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence, or (5) South Vietnamese, Cambodian, and Laotian refugees paroled in the United States after January 1, 1975, or (6) nationals of the People's Republic of China that qualify for adjustment of status pursuant to the Chinese Student Protection Act of 1992: *Provided,* That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further,* That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than one year, or both: *Provided further,* That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further,* That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies.

SEC. 607. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 608. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention and recycling programs as described in Executive Order 12873 (October 20, 1993), including any such programs adopted prior to the effective date of the Executive Order.

(2) Other Federal agency environmental management programs, including but not

limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 609. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided,* That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 610. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 611. Any department or agency to which the Administrator of General Services has delegated the authority to operate, maintain or repair any building or facility pursuant to section 205(d) of the Federal Property and Administrative Services Act of 1949, as amended, shall retain that portion of the GSA rental payment available for operation, maintenance or repair of the building or facility, as determined by the Administrator, and expend such funds directly for the operation, maintenance or repair of the building or facility. Any funds retained under this section shall remain available until expended for such purposes.

SEC. 612. Pursuant to section 1415 of the Act of July 15, 1952 (66 Stat. 662), foreign credits (including currencies) owed to or owned by the United States may be used by Federal agencies for any purpose for which appropriations are made for the current fiscal year (including the carrying out of Acts requiring or authorizing the use of such credits), only when reimbursement therefor is made to the Treasury from applicable appropriations of the agency concerned: *Provided,* That such credits received as exchanged allowances or proceeds of sales of personal property may be used in whole or part payment for acquisition of similar items, to the extent and in the manner authorized by law, without reimbursement to the Treasury.

SEC. 613. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards, commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 614. Funds made available by this or any other Act to the ''Postal Service Fund'' (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 615. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 616. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for the fiscal year ending on September 30, 1996, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 617 of the Treasury, Postal Service and General Government Appropriations Act, 1995, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 1996, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 617; and

(2) during the period consisting of the remainder of fiscal year 1996, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 1996 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 1996 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 1995 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 1995, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1995, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 1995.

(f) For the purpose of administering any provision of law (including section 8431 of title 5, United States Code, and any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 617. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations of the House and Senate. For the purposes of this section, the word ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 618. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the House and Senate Committees on Appropriations.

SEC. 619. (a) No amount of any grant made by a Federal agency shall be used to finance the acquisition of goods or services (including construction services) unless the recipient of the grant agrees, as a condition for the receipt of such grant, to—

(1) specify in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) the amount of Federal funds that will be used to finance the acquisition; and

(2) express the amount announced pursuant to paragraph (1) as a percentage of the total costs of the planned acquisition.

(b) The requirements of subsection (a) shall not apply to a procurement for goods or services (including construction services) that has an aggregate value of less than $500,000.

SEC. 620. Notwithstanding section 1346 of title 31, United States Code, funds made available for fiscal year 1996 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order Numbered 12472 (April 3, 1984).

SEC. 621. Notwithstanding any provisions of this or any other Act, during the fiscal year ending September 30, 1996, and hereafter, any department, division, bureau, or office may use funds appropriated by this or any other Act to install telephone lines, and necessary equipment, and to pay monthly charges, in any private residence or private apartment of an employee who has been authorized to work at home in accordance with guidelines issued by the Office of Personnel Management: *Provided,* That the head of the department, division, bureau, or office certifies that adequate safeguards against private misuse exist, and that the service is necessary for direct support of the agency's mission.

SEC. 622. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a

position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 623. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1996 shall obligate or expend any such funds, unless such department, agency or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 624. No part of any appropriation contained in this Act may be used to pay for the expenses of travel of employees, including employees of the Executive Office of the President, not directly responsible for the discharge of official governmental tasks and duties: *Provided,* That this restriction shall not apply to the family of the President, Members of Congress or their spouses, Heads of State of a foreign country or their designee(s), persons providing assistance to the President for official purposes, or other individuals so designated by the President.

SEC. 625. Notwithstanding any provision of law, the President, or his designee, must certify to Congress, annually, that no person or persons with direct or indirect responsibility for administering the Executive Office of the President's Drug-Free Workplace Plan are themselves subject to a program of individual random drug testing.

SEC. 626. (a) Beginning in fiscal year 1996 and thereafter, for each Federal agency, except the Department of Defense (which has separate authority), an amount equal to 50 percent of—

(1) the amount of each utility rebate received by the agency for energy efficiency and water conservation measures, which the agency has implemented; and

(2) the amount of the agency's share of the measured energy savings resulting from energy-savings performance contracts

may be retained and credited to accounts that fund energy and water conservation activities at the agency's facilities, and shall remain available until expended for additional specific energy efficiency or water conservation projects or activities, including improvements and retrofits, facility surveys, additional or improved utility metering, and employee training and awareness programs, as authorized by section 152(f) of the Energy Policy Act (Public Law 102–486).

(b) The remaining 50 percent of each rebate, and the remaining 50 percent of the amount of the agency's share of savings from energy-savings performance contracts, shall be transferred to the General Fund of the Treasury at the end of the fiscal year in which received.

SEC. 627. Notwithstanding any other provision of law, there is hereby established a Commission which shall be known as the ''Commission on Federal Mandates'' (hereafter referred to as the ''Commission''): *Provided,* That the Commission shall be composed of nine Members appointed from individuals who possess extensive leadership experience in and knowledge of State, local, and tribal governments and intergovernmental relations, including State and local elected officials, as follows: (1) three Members appointed by the Speaker of the House of Representatives, in consultation with the minority leader of the House of Representatives; (2) three Members appointed by the majority leader of the Senate, in consultation with the minority leader of the Senate: and (3) three Members appointed by the President: *Provided further,* That appointments may be made under this section without regard to section 5311(b) of title 5, United States Code: *Provided further,* That in general, each member of the Commission shall be appointed for the life of the Commission and a vacancy in the Commission shall be filled in the manner in which the original appointment was made: *Provided further,* That (1) Members of the Commission shall serve without pay; (2) Members of the Commission who are full-time officers or employees of the United States may not receive additional pay, allowances or benefits by reason of their service on the Commission; and (3) Each Member of the Commission may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code: *Provided further,* That the Commission shall convene its first meeting by not later than 15 days after the date of the completion of appointment of the Members of the Commission: *Provided further,* That the Commission shall report on Federal mandates as specified in sections 302 (a), (c), (d), (e), and (f) of Public Law 104–4: *Provided further,* That the Commission shall have all authorities specified under section 303 of Public Law 104–4: *Provided further,* That the term ''Federal mandate'' shall have the same meaning as specified in section 305 of Public Law 104–4, notwithstanding sections 3 and 4 of that law: *Provided further,* That the Commission shall terminate 90 days after making the final report identified above.

AMENDMENT OFFERED BY MR. DUNCAN

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

The Clerk read as follows:

Amendment offered by Mr. DUNCAN: Page 84, after line 17, insert the following new section:

SEC. 628. The amounts otherwise provided in this Act under the heading ''General Services Administration—Federal Buildings Fund—Limitations on Availability of Revenue'' for the following purposes are each reduced by $65,764,000:

(1) Aggregate amount available from the Fund.

(2) Total amount available from the Fund for construction of additional projects.

(3) Amount available for new construction, Maryland, Montgomery and Prince George's Counties, Food and Drug Administration, Phase II.

(4) Amount in excess of which revenues and collections accruing to the Fund shall remain in the Fund.

Mr. DUNCAN (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 Tennessee?

There was no objection.

Mr. LIGHTFOOT. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 30 minutes, with the time being equally divided between the gentleman from Tennessee [Mr. DUNCAN] and the gentleman from Maryland [Mr. HOYER].

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

There was no objection.

The CHAIRMAN. The gentleman from Tennessee [Mr. DUNCAN] will be recognized for 15 minutes, and the gentleman from Maryland [Mr. HOYER] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Tennessee [Mr. DUNCAN].

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

Mr. Chairman, I rise today to offer an amendment that will strike $65 million from the General Services Administration for the purchase of 100 acres of land and for the design and new construction, or at least the beginning thereof, of yet another building for the Food and Drug Administration.

The Citizens for a Sound Economy have strongly endorsed this amendment in a letter that I sent to all of my colleagues yesterday. This amendment is also endorsed by the National Taxpayers Union. The Citizens Against Government Waste so strongly opposes this project that they have announced that they will score this amendment as a key vote for their 1995 congressional ratings.

I serve, Mr. Chairman, on the Subcommittee on Public Buildings and Economic Development, and we did not authorize this building. It has never been in front of our subcommittee.

The main point I want to emphasize is, this could turn out to be a very, very expensive project. Not only will this amendment save $65 million now, but it will also help stop what potentially could involve over $1 billion for a project in Maryland which has been referred to as a Taj Mahal complex.

In 1990, the FDA requested appropriations for a new complex of buildings. The original cost estimates from the GSA and the FDA for these buildings was $1.3 billion. In response to great concern over lavish and excessive Federal construction, the GSA reduced this estimate to somewhere between $810 and $890 million.

I believe, Mr. Chairman, that we are starting down a very slippery slope here. In a few years we could well be reading articles about the billion dollar FDA boondoggle, and Members would wonder how in the world we ever got into such a thing. Well, this is the start.

If we really want to save money, we need to put a stop to this project right now. The FDA already has 2.1 million total square feet of office space. The original plans for the new FDA complex of buildings called for 3.4 million square feet in size, a 1.3 million square footage increase, a 60-percent increase at a time when the entire Federal Government is supposed to be downsizing.

Recognizing that so much change is going to take place at the FDA in the near future, and because this body viewed the original proposed FDA complex as excessive and wasteful, Congress wisely rescinded over $220 million from their plan to build this complex in the rescissions bill. Now we come to the floor today to debate $65 million for a new building toward a defunded complex that is wasteful and fiscally irresponsible at a time when Congress is trying to downsize the Federal Government.

This is $65 million, Mr. Chairman, on top of the $64 million that was left in the rescissions bill to complete the construction of facilities for a brand new FDA Center for Veterinary Medicine, also in Prince Georges County. We have already left in one $64 million, and now here we are with another $65 million.

There have never been hearings held on this building in the Committee on Transportation and Infrastructure. A prospectus has never been submitted to tell us how big the building will be, how much it will cost or even the exact location. This project can turn out to be a very, very expensive item. I strongly believe that any new construction should be gone over with a fine-toothed comb before it is approved, but it has not been done in this case.

A series of hearings has been held in the Committee on Commerce addressing some of these very serious problems. Later this summer, the Committee on Commerce is planning to debate an FDA reform bill that should fundamentally reform the way this agency operates. I understand that our colleagues in the Senate are working on a legislative package to reform the agency, as well.

The FDA's workload and mission could change substantially if FDA reform is enacted as expected. The taxpayer, though, could be stuck with some new and expensive buildings in Maryland, without an agency to fill them, if the agency is downsized and reformed and its mission is changed.

At a time when the Federal Government is downsizing, you would think that all agencies would be decreasing their requests. This request should outrage every taxpayer in America.

The FDA should be greatly reformed. It should be greatly downsized. It should stay where it is, certainly until a thorough review of the agency can be done. With the national debt approaching $5 trillion, Mr. Chairman, we should not be spending exorbitant amounts of money like this to build plush headquarters for FDA bureaucrats.

I know, Mr. Chairman, that our gigantic unelected Federal bureaucracy is by far the most powerful branch of our Federal Government. They get most of what they want. In the end they will probably get all of these new buildings. But this is one time we should stand up for the taxpayers, Mr. Chairman, and we should stand up to the bureaucrats and we should say ''no'' for this proposed new construction. I urge passage of my amendment.

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

AMENDMENT OFFERED BY MR. GILCHREST TO THE AMENDMENT OFFERED BY MR. DUNCAN

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

The Clerk read as follows:

Amendment offered by Mr. GILCHREST to the amendment offered by Mr. DUNCAN: In the matter proposed to be inserted by the amendment, add at the end the following:

The preceding provisions shall not apply if a prospectus has been approved pursuant to the Public Buildings Act of 1959 for the project described in clause (3).

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

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

There was no objection.

The CHAIRMAN. The gentleman from Maryland [Mr. GILCHREST] will have to get time from the gentleman from Maryland [Mr. HOYER] or the gentleman from Tennessee [Mr. DUNCAN] under the unanimous-consent agreement.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. GILCHREST].

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

Mr. Chairman, I understand what the gentleman from Tennessee is trying to do and I understand why he is trying to do it. I believe that my amendment will serve the gentleman's goals, but I do not believe that we should kill the FDA consolidation program at this point because that in the long run will cost much more money.

My amendment will prohibit any outlays from the Public Buildings Fund until such time as a prospectus for the FDA project is passed. I am aware that the Committee on Commerce intends to exercise its oversight functions over the FDA, and that the committee may decide to change FDA in such a manner that the campus consolidation will no longer be necessary.

As the chairman of the Subcommittee on Public Buildings and Economic Development, I would have no intention of scheduling a markup on such a prospectus until the Committee on Commerce has had time to review the FDA consolidation. The gentleman from Tennessee, who is a member of the subcommittee, will have ample opportunity to make himself heard on this subject and on the effect of the prospectus.

As the gentleman knows, our subcommittee and the full committee have decided to get tough on public buildings. We have already established a moratorium on courthouse construction and we will be looking at the cost of construction on other projects.

If the prospectus for the FDA project in Maryland indicates that we are building a Taj Mahal, then I will work with the gentleman to modify the prospectus or to outright kill the project. But if we want FDA to function more efficiently, and I think we all want that to happen, then it makes sense to consolidate its functions.

We have all heard complaints about how long it takes for the FDA to process an application. Is it any surprise that an agency which is scattered over 22 separate locations is inefficient? If we do not consolidate the FDA, then we will continue to waste money on aging and inadequate leased space. Here is something else: The Federal Government will save money if we own the land and own the building instead of continuing to lease inefficient buildings and costly space.

The other thing is, there is a strong possibility that we will save, if we continue to move forward, large sums of money with the base closing of White Oak, a naval facility in Maryland. The FDA consolidation can move most if not all of these new buildings to the White Oak area, which is what the FDA is looking for, 150 acres.

White Oak will save us millions of dollars, and we will own the land if we move forward now.

I agree with the gentleman, while the FDA consolidation is technically authorized, it is wrong that our subcommittee has never been given the opportunity to exercise its oversight of public buildings and grounds on this project.

If the Duncan amendment goes through, if it is successful, the Committee on Transportation and Infrastructure will never be able to rule on a prospectus for the FDA.

I promise the gentleman from Tennessee that our subcommittee will exercise rigorous oversight of the project and that the Committee on Commerce will have a chance to exercise their oversight as well.

I encourage people to vote for the amendment to the amendment.

Mr. DUNCAN. Mr. Chairman, I understand that we are supposed to debate both my amendment and the Gilchrest amendment at the same time.

Mr. Chairman, I yield 4 minutes to the gentleman from Kentucky [Mr. BUNNING].

(Mr. BUNNING of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. BUNNING of Kentucky. Mr. Chairman, I rise today in support of the Duncan amendment to eliminate

the funding for Kessler's Clarksburg castle. The FDA lacks many things but it does not lack office space.

Testimony before the Treasury/Postal Subcommittee clearly indicated that the FDA does not need a new campus to carry out its mission.

Accordingly to the testimony, the FDA has added 23 new buildings to its inventory since 1987. But the FDA argues that it needs more new facilities to further inter-center communication.

Give me a break. Maybe David Kessler hasn't heard of the Internet but Congress has already provided the FDA with state-of-the-art computers that allow its scientists to talk with each other on the net.

The fact of the matter is that Dr. Kessler is the stereotypical out-of control Washington bureaucrat who is certain that he knows better how to spend the taxpayers' money than they do. After all, he has been dubbed ''The National Nanny''.

The FDA even used the stereotypical studies to decide that they absolutely had to have this campus.

FDA turned down a 400-acre site near Rockville which already has a Metro station and it rejected a similar-size site near the FDA headquarters in Germantown.

Their studies showed that the cost would be between $300 million and $500 million of the taxpayers' dollars and now the cost has grown to $810 million.

To paraphrase Lady Margaret Thatcher: David Kessler has the bureaucrat's disease; he has run out of other people's money to spend.

Well, Mr. Chairman, this is real money that Dr. Kessler wants. And, it comes out of the pockets of the hard-working American taxpayer.

Fortunately, the Appropriations Committee did not fully fund the cost of this project; it provided only the seed money.

But, to the extent that it is funded at all, the more likely it is that we will ultimately end up paying the full inflated cost for this boondoggle.

We all know the routine. Make the initial investment and then it becomes impossible to stop the project even if it isn't justified.

Once we start, we have to keep spending under the guise of protecting our investment.

In Washington logic, even if we don't need Kessler's castle, it would be a waste of money to stop the project after we have purchased land, drawn up plans and maybe even broken ground.

Outside of Washington they think differently. They call this type of foolishness by its real name: waste, throwing good money after bad.

I for one don't buy the Washington logic. We need to practice a little common sense around here.

Unfortunately, the Kessler-led FDA has not been accused of committing common sense on this project.

Any funding of Kessler's castle just does not make sense.

As Dr. Edward Hudgins, the director of regulatory studies at the Cato institute, said in his testimony before the Appropriations Committee:

> The further the plans proceed for this new FDA facility, the tighter fiscal waste and bad policies will be locked into place, even if cuts and reforms are called for.

Let's do the smart thing. Vote to eliminate funding for Kessler's castle. Support the Duncan amendment.

□ 1300

Mr. HOYER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in support of the Gilchrest amendment to the Duncan amendment. Mr. GILCHREST is the chair of the subcommittee that has jurisdiction over this project. The gentleman said that it was technically authorized. I do not know what ''technically'' is, but it is authorized, but it has not had a prospectus. I support the gentleman's amendment.

Let me say something about the Taxpayers Union, let me say something about waste to the gentleman from Kentucky [Mr. BUNNING], my friend. The fact of the matter is that this consolidation was approved by the Bush administration, proposed by an appointee of President Bush's administration, not by Democrats.

Mr. Chairman, I support their proposal and I would ask the gentleman from Tennessee [Mr. DUNCAN] to listen to this, because I believe the gentleman from Tennessee must know that this proposal, long-term, saves the taxpayers at least a billion dollars.

The fact of the matter is that this consolidation is bringing together two components. This money deals with the component I suggest to my friends from Tennessee and Kentucky, that is not controversial. The testimony that the gentleman referred to before our committee by C. Boyden Gray, the former counsel to the previous Republican administration, said that this matter was not controversial. The Cato Institute also said that. Why? Because it is the drug component with which this money really does not deal that is the controversy.

The food component was determined to be in Prince George's County because of its proximity to the Beltsville Agricultural Research Center, the premier agricultural research center in the world. And it made sense to put in proximity the food research scientists and the food safety scientists and so that is what they proposed.

What the Gilchrest amendment says is, Mr. DUNCAN's point was made, our committee ought to look at this. I agree with Mr. GILCHREST. That is correct.

But let there be no mistake, the Taxpayers Union may score this and they will be wrong. They will be wrong because to consolidate FDA saves at least, over the next 30 years, at least $1 billion. This is a savings. I urge my colleagues to vote for the Gilchrest amendment and against the Duncan amendment.

Mr. DUNCAN. Mr. Chairman, I yield 2 minutes to my good friend, the gentleman from North Carolina [Mr. BURR].

(Mr. BURR asked and was given permission to revise and extend his remarks.)

Mr. BURR. Mr. Chairman, like the gentleman from Maryland [Mr. HOYER], I would like to consolidate FDA, but I would like to do it in a different way; through reducing the number of employees in an agency that is a misguided agency. It has grown well beyond its established limits under the Federal Food, Drug and Cosmetic Act. It is unconscionable that we would consider funding $64 million toward a new building to encourage continued growth of an agency that brags about the fact that it is ''getting new regulations out faster than ever before.''

Under Commissioner Kessler, the FDA has all but abandoned its core mission, the timely approval of drugs and medical devices. Earlier this year they admitted to a congressional subcommittee that they are still sitting on food additive petitions filed as early as March of 1971, for reasons nobody knows. The law requires that these petitions must be reviewed in 180 days or less.

The FDA is requesting additional user fees and funding dollars. At the same time, their average drug approval time is an outrageous 14.8 years. Many medical devices take more than twice as long to approve in the United States then in the United Kingdom—hardly a country known for unsafe product approvals.

The FDA's funding has increased by 237 percent since 1970. Their employment levels have increased by 106 percent. Meanwhile, in the past 5 years the review of 510(k) device applications takes 156 percent longer yet the number of applications they have received has only increased by 12 percent.

So how is Dr. Kessler spending the taxpayer's money? He is seizing orange juice clearly labeled as made from concentrate, just because its brand name included the word ''fresh.'' He has also sent his inspectors to lead police on a raid against sellers of vitamins and health food supplements. He has conducted a campaign against letting doctors and researchers know how drugs might be used for treatments not specifically mentioned on the label.

At a time when we are addressing the need for comprehensive reform and overhaul of the FDA, it seems inconsistent and irresponsible to even consider appropriating funds for a new FDA building. This is an agency that needs to be reigned in—not build up. Let's wait to see what the new and improved FDA looks like after we pass comprehensive reform legislation before we spend $64 million on a new FDA building.

I urge strong support of the Duncan amendment, Mr. Chairman, don't encourage the FDA to live any larger.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I rise to concur with and support the Gilchrest amendment to Duncan. I think it makes good sense.

Here is what we know. No. 1, leasing space is expensive. This proposal by the gentleman from Tennessee [Mr. DUNCAN] could cost us almost $2 billion more than the proposal that we have before us. By obtaining space, we actually save money.

Second, FDA does a lot of important functions. Now, I have heard the term ''bureaucrat'' thrown around with derision. I take exception to that, because these are scientists that perform vital functions. And while apparently some of my colleagues have a real problem with Dr. Kessler, I would submit that the consumers are very interested in maintaining a high quality FDA.

This consolidation makes sense. There have been revisions to reduce the cost. There is now a new option in Montgomery County to consider the White Oak facility previously owned by the Navy. That would further reduce costs. We have reduced the acreage in this proposal. We have reduced the square footage in this proposal. We have reduced the total dollar cost. We can do this efficiently and save the taxpayers money.

Mr. DUNCAN. Mr. Chairman, I yield 30 seconds to the gentleman from Ohio [Mr. BOEHNER], the distinguished chairman of our conference.

Mr. BOEHNER. Mr. Chairman, let me say that on November 8, the American people said pretty clearly that they want this new Congress to reduce the size, scope, and cost of Government here in Washington, DC.

At a time when we are going to do that, we have been doing it all year and we are going to keep doing it, why do we want to invest more money in building facilities that are, frankly, never going to be used?

We are not going to need some of these buildings here in town. As we go through this downsizing over the next couple of years, we will have ample room for the FDA, what is left of it, to be consolidated in some other empty buildings. We should not be investing money in buildings we are never going to use.

Mr. DUNCAN. Mr. Chairman, I yield 30 seconds to the gentleman from Oklahoma [Mr. COBURN], a medical doctor.

(Mr. COBURN asked and was given permission to revise and extend his remarks.)

Mr. COBURN. Mr. Chairman, I rise to support this amendment. I think the FDA is an example of a Government agency totally out of control, with lack of responsiveness to the oversight functions of Congress. We do not get appropriate answers. We do not get answers to the questions we ask when we inquire of them, and I am part of a faction, a group of new freshmen who plan to see a completely different FDA in the next 2 or 3 years.

It is ridiculous to spend money on a building that we are never going to allow the FDA to occupy, and I stand to oppose this. I think it is important that we look at what the FDA is going to look like after this time.

Mr. HOYER. Mr. Chairman, I yield myself 30 seconds.

The building that the doctor refers to, with all due respect to the doctor, there is not a ''the building.'' There is, I think, a real controversy, and the gentlewoman from Maryland will perhaps discuss this, about a building that was proposed in Montgomery County. Most of this money does not go there. Most of this money goes to a building for the food component of FDA.

I would hope that my colleagues would get their facts straight before opposing the gentleman's amendment.

Mr. DUNCAN. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. HAYWORTH].

(Mr. HAYWORTH asked and was given permission to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman from Tennessee for this time to speak on behalf of his amendment and say with all due respect to my friend from Maryland [Mr. HOYER] that, no, now is not the time for a prospectus.

You see, Mr. Chairman, there has been a long period of time where prudent study could have been done of this building. And just to amplify what my friend from Tennessee said, the prospectus was never done during the course of this time to answer the most basic questions: How big this building was going to be; how much it would cost or even the exact location. Today we are hearing some information on this, and then we heard all about consolidation.

My other friend from Maryland talked about the fact that it might save a billion dollars over the next 30 years. Mr. Chairman, we have had funding estimates on this consolidation. They have ranged from $500 million to $1.3 billion. The cost is now estimated at $810 million. Mr. Chairman, let me emphasize the word ''estimated.'' We do not know. The cost will probably go higher.

Mr. Chairman, it is time for the FDA to perform its core mission. It does not need any further facilities. Yes to Duncan, no to Gilchrest.

Mr. HOYER. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I would say to my friend from Arizona, that may sound good, but it is not accurate, and I would be glad to discuss it with the gentleman. The fact of the matter is this is a Bush administration-Reagan administration initiative. So we understand one another, this is a previous Republican administration initiative. The fact of the matter is, this figure has gone up and down under both administrations.

Mr. DUNCAN. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Chairman, I rise in support of the Duncan amendment.

Mr. Chairman, the FDA is having a terrible time just taking care of its business. Drugs and lifesaving devices take longer to be approved than they did 30 years ago. I think it is time to support taxpayers for a change. You know, people have died because they could not outwait the FDA.

Now we have before us a $65 million appropriation for a new FDA campus. Even more frightening, the latest estimate for the consolidation of this fine agency has risen from $388 million to more than $800 million.

The FDA has already added two dozen new buildings since 1987. Its budget has risen about $600 million to nearly $800 million.

My colleagues have supplied plenty of other details about this agency run amok. There are plenty of them.

Mr. Chairman, the size, cost, and intrusiveness of big government is finally beginning to shrink. People will soon be able to keep more of their own money. Now is not the time to reward an incompetent, arrogant, agency with a brandnew 500-acre campus.

□ 1315

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me this time.

You know, I care about the taxpayers and, frankly, if you care about the taxpayers, you are going to vote for the Gilchrest amendment, simple as that.

Food and Drug Administration has a unique and a vital mission. The FDA regulates products which impact virtually every aspect of our lives from cosmetics to canned vegetables to lifesaving drugs. It oversees the Nation's blood supply, monitors over-the-counter painkillers, tests products from pocket-sized pacemakers to $2 million imaging scanners.

Currently, my friends, FDA is scattered over 37 buildings in 13 separate locations in Montgomery and Prince Georges Counties and in Washington. It leads to great inefficiencies.

Also, many of the lab facilities are unsafe and antiquated. As a matter of fact, there have been a series of stories years ago on this which indicated some very dilapidated labs, even rat-infested, that would not pass OSHA reform measures. This is where these tests are taking place.

I want you to know this consolidation is a long time in coming, much longer than many of the Members who are in this House of Representatives, because, frankly, it started in 1989, when there was a consolidation feasibility study which indicated the need for consolidation, and then it went on. The Revitalization Act did an authorization, and in 1991 the decision was

made to do it on two campuses, Prince Georges County and Montgomery County.

What it indicated is the site in Prince Georges County would be the center for veterinary medicine, research facilities that already began construction, and it would be the center for food safety and applied nutrition. In Montgomery County would be the center for drug evaluation and research, devices and radiological health, the center for biologics evaluation and research, and the office of the Commissioner, very modest.

I want you to know, my friends, that actually the plan of FDA and GSA would actually save taxpayers in excess of $3 billion to $4 billion over a 30-year period, making the investment in new facilities a very sound economic choice. It will provide the appropriate laboratory space, modestly presented for these efficiencies to take place.

The management of the agency staff and programs will be less complicated. Resources will be easier to manage. Centralization functions, such as warehousing, libraries, EDP equipment, animal care, et cetera, will save money, greatly improve efficiency.

Ground has already been broken for Prince Georges County. The Montgomery County plan is intact. It will save money. It is going to help with what is most needed, and that is the Food and Drug Administration able to make these decisions.

One final point is: I do understand there is concern of those who called for FDA reform saying there is a belief the agency should be less burdensome, et cetera. These need to be addressed, but not here. We are talking about consolidation of the equipment.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Chairman, does the gentleman from Tennessee have the right to close on his amendment?

The CHAIRMAN. No; the gentleman from Maryland has the right to close because he is representing the committee's position.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to my friend, the gentleman from Maryland [Mr. GILCHREST], chairman of the authorizing committee.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding me this time.

I would like to give an analogy here as to what we are doing and people saying we are saving money or we are not saving money. Try to imagine that you have a 1965 Chevrolet pickup, eight cylinders, that you are renting, you are leasing. You do not own it. It is 1995, and you are having all kinds of problems. You are running on seven cylinders instead of eight cylinders, you have bald tires, you have a leaky engine with oil, and you name it, and you are going to keep it and you think you are going to save money with fuel and repairs. It does not work that way.

The FDA is operating out of buildings that were old chicken houses. They are operating in 22 different facilities that are breaking down.

If we want to save money, if we want to do something about the scatter of buildings, then it is time that we consolidate it in a state-of-the-art facility rather than use the 22 old buildings.

I would encourage people to understand that if we continue the way we are going now, we are throwing good money after bad. We are wasting taxpayers' dollars.

If we want to save tax dollars, then we ought to let the authorizing committee decide whether or not FDA's program is good, not run this thing through the appropriations. Let us do it in the authorizing committee.

If we want a food advocate petition to go through faster, we need the consolidation. If we want medical applications processed faster, we want a new consolidation. If we want to own the property that costs less rather than continue to lease property which costs more, we need to consolidate. Think about the 1965 Chevrolet pickup and a new one.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. LIGHTFOOT], the chairman of the subcommittee.

Mr. LIGHTFOOT. Mr. Chairman, I thank the gentleman for yielding.

You hate to get into the middle of one of these where you are in it between two friends who have very legitimate disagreement over something. I share many of the concerns expressed by my colleagues over FDA. I think FDA has overreached and has done a lot of things it should not do. It has become an extreme burden, especially to small businesses in labeling. We can go on and on. That is an issue, that is a policy issue.

There is a difference here. This is the Appropriations Committee. We deal with dollars, and it ought to be settled, I think, in the authorizing committee.

The language offered by the gentleman from Maryland [Mr. GILCHREST], quite frankly, goes along with the policy that we have adopted in this committee. Nothing is in the bill that is not authorized or subject to authorization. If it never gets authorized, it does not happen, which I think puts a little bit of honesty back into the system.

I support my friend, the gentleman from Tennessee [Mr. DUNCAN] and his proposal in principle and what he is trying to do, and will certainly work with him in any way possible to downsize, scale back, diminish FDA, but at this juncture I rise in support of the amendment offered by the gentleman from Maryland [Mr. GILCHREST].

Mr. DUNCAN. Mr. Chairman, I yield myself 1 minute, the remainder of my time.

Mr. Chairman, I am pleased that we have had groups from all over this Nation, such as the National Taxpayers Union, the Citizens Against Government Waste, Citizens for a Sound Economy, all come out strongly in favor of my amendment. I am pleased we have had speakers from all over this Nation speak in favor of my amendment.

I have noticed that the only real speakers in favor of the project have been from Maryland, because I believe this is purely pork for Maryland.

People would be shocked, Mr. Chairman, if they knew we were approving buildings that we do not have prospectuses for, we have not held hearings on, we do not know the total square footage, we do not know the exact cost, we do not even know the exact location.

The amendment offered by the gentleman from Maryland [Mr. GILCHREST], and I have great respect for my friend, the gentleman from Maryland [Mr. GILCHREST], but this amendment is a strategy, a device, a subterfuge designed to ensure this building is built.

My amendment would save $65 million. It would stop this project in its tracks. It would do something for a change for the taxpayers.

The gentleman from Maryland [Mr. GILCHREST] said it would mean the building could never be built. That is not true. The building could be built when we can afford it. With a $5 trillion national debt, we cannot afford this building.

I urge a ''no'' vote on the Gilchrest amendment and a ''yes'' vote on my amendment.

The CHAIRMAN. The gentleman from Maryland is recognized to close debate.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Chairman, we have limitation on debate. I have 2½ minutes left. Is that correct?

The CHAIRMAN. The gentleman has 2½ minutes remaining.

Mr. HOYER. We have a limitation. If a subsequent amendment were to be offered after the determination of the amendment offered by the gentleman from Maryland [Mr. GILCHREST] would there be debate time?

The CHAIRMAN. Under the unanimous-consent agreement there would be no time remaining for debate.

Mr. HOYER. Mr. Chairman, I yield myself 1½ minutes.

I am not going to comment on the courthouse in Tennessee that was in this bill under my chairmanship. I know the gentleman from Tennessee would not want to talk about that pork.

This was a Reagan-Bush initiative. It was an initiative to save money, to consolidate, to cut lease costs, as the gentleman says, to buy a new car that is not costing you a lot of money, that you own, not lease.

The Gilchrest amendment speaks to the substance of making sure the authorizing committee controlled by the majority party, the Republicans, makes a determination that this building is a correct initiative, and what the Gilchrest amendment says is that no money is going to be spent unless a prospectus is approved.

Ladies and gentlemen of this House, you ought not strike this money, because if you do, the Taxpayers Union, the Citizens Against Waste, and all of those groups are going to end up seeing that this is going to cost the taxpayers they allegedly are trying to protect more money out of their pockets.

The reason the Reagan and Bush Administrations, under whom the FDA, by the way, did all of these awful things, suggested this was to save money, make it more efficient. If you eliminate it, fine, we do not build the building, because the committee will not approve the prospectus.

Vote for the Gilchrest amendment. It makes sense for the taxpayer, and it makes sense for good government and the safety of the American public.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Maryland [Mr. HOYER] has 1 minute remaining.

Mr. HOYER. Mr. Chairman, I reserve that time. I have no further debate on the Gilchrest amendment.

The CHAIRMAN. The gentleman yields back the balance of his time?

Mr. HOYER. No. We have an amendment pending to the Duncan amendment. We have time limitation. I have a minute left to go.

The CHAIRMAN. The gentleman reserves the balance of his time.

Mr. HOYER. I would move the previous question.

The CHAIRMAN. It is not in order in the Committee of the Whole to move the previous question.

The Chair will put the question on the Gilchrest amendment.

The question is on the amendment offered by the gentleman from Maryland [Mr. GILCHREST] to the amendment offered by the gentleman from Tennessee [Mr. DUNCAN].

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2, rule XXIII, the Chair will reduce to 5 minutes the time for a recorded vote, if ordered, on the Duncan amendment without intervening debate or business.

The vote was taken by electronic device, and there were—ayes 185, noes 240, not voting 9, as follows:

[Roll No. 527]

AYES—185

Abercrombie
Ackerman
Archer
Baldacci
Barcia
Bartlett
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bishop
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Castle
Clay
Clayton
Clinger
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
Cramer
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Dooley
Durbin
Ehlers
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gonzalez
Gordon
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Horn
Hoyer
Jefferson
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Knollenberg
LaFalce
Lantos
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lightfoot
Lincoln
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDade
McDermott
McHale
McKinney
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Quinn
Rahall
Rangel
Reed
Richardson
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schroeder
Schumer
Scott
Serrano
Skaggs
Skeen
Slaughter
Smith (NJ)
Spratt
Stark
Stokes
Studds
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates

NOES—240

Allard
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Crapo
Cremeans
Cubin
Cunningham
Danner
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doggett
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King
Kingston
Klug
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (KY)
Linder
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Young (AK)
Young (F L)
Zeliff
Zimmer

NOT VOTING—9

Andrews
Armey
Bryant (TX)
Collins (MI)
Crane
Ford
Moakley
Reynolds
Volkmer

□ 1349

Messrs. TANNER, PACKARD, FAWELL, MINGE, MCINNIS, BONO, CONDIT, and ALLARD, Mrs. ROUKEMA, and Ms. DANNER changed their vote from ''aye'' to ''no.''

Mr. SKEEN and Mr. LEWIS of California changed their vote from ''no'' to ''aye.''

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The gentleman from Maryland [Mr. HOYER] has 1 minute of time remaining for debate on the Duncan amendment.

Mr. HOYER. Mr. Chairman, I yield myself 1 minute.

The Chairman, I appreciate that the chairman of the Committee on Appropriations and the chairman of the subcommittee voted for the Gilchrest amendment. That, I think, made sense, and made this appropriation subject to a prospectus. But it is clear that the level of hostility directed at the Food and Drug Administration is very high. There is a high level of hostility, suspicion and lack of trust in the FDA.

But, Mr. Chairman, this amendment will not save money. If you at some point in time strike all the FDA, then obviously we will not proceed on this. But the fact of the matter is, this is a savings amendment. This money is in here for the food component essentially, not the drug component, which is the most controversial, but this is for the food component of FDA. Located in proximity to the BARC, the

Beltsville Agricultural Research Center; the synergy of those scientists has been put together. It makes sense. But I understand we are not talking about that. The gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Iowa [Mr. LIGHTFOOT] were voting for that, but it is clear we are not doing that. I would urge the rejection of the Duncan amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. DUNCAN].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 278, noes 146, not voting 10, as follows:

[Roll No. 528]

AYES—278

Allard
Andrews
Archer
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
de la Garza
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dingell
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King
Kingston
Kleczka
Klug
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (KY)
Lincoln
Linder
Lipinski
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Sensenbrenner
Shadegg
Shays
Shuster
Sisisky
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—146

Abercrombie
Ackerman
Baldacci
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Cardin
Clay
Clayton
Clinger
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
Davis
DeLauro
Dellums
Deutsch
Dicks
Dixon
Durbin
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gonzalez
Gutierrez
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klink
Knollenberg
LaFalce
Lantos
Lazio
Levin
Lewis (CA)
Lewis (GA)
Lightfoot
Livingston
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
McKinney
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Moran
Morella
Murtha
Nadler
Oberstar
Obey
Olver
Owens
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Rahall
Rangel
Reed
Richardson
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Scott
Serrano
Shaw
Skaggs
Skeen
Slaughter
Spratt
Stark
Stokes
Studds
Thompson
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates

NOT VOTING—10

Armey
Bryant (TX)
Collins (MI)
Cox
Crane
Ford
Moakley
Reynolds
Seastrand
Volkmer

□ 1411

The Clerk announced the following pair:

On this vote:

Mr. Armey for, with Mr. Moakley against.

Mrs. JOHNSON of Connecticut changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to title VI?

If not, the Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Treasury, Postal Service, and General Government Appropriations Act, 1996''.

AMENDMENT OFFERED BY MR. PACKARD

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

The Clerk read as follows:

Amendment offered by Mr. PACKARD:

Page 84, after line 17, insert the following new section:

SEC. 628. None of the funds made available in this Act may be obligated or expended for any employee training when it is made known to the Federal official having authority to obligate or expend such funds that such employee training—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988;

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or

(6) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

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

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

There was no objection.

Mr. LIGHTFOOT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and any amendments thereto close in 40 minutes, the time to be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. PACKARD] will be recognized for 20 minutes, and the gentleman from Ohio [Mr. HOBSON] will be recognized for 20 minutes.

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

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

Mr. Chairman, this is an extremely important amendment.

My amendment prohibits funding for all nontechnical Federal employee training.

Under the pretense of promoting diversity and AIDS awareness, the administration has been sponsoring mandatory training sessions that go far beyond employees' professional responsibilities. These sessions promote a

very controversial cultural agenda in a manner that many people consider offensive.

It is highly inappropriate for the Federal Government to use taxpayers' money to subject Federal employees to attacks on religious teachings and other forms of social engineering.

The Clinton administration forces Federal workers to submit to some of the most offensive training I have ever seen. This administration-mandated instruction includes such things as cult indoctrination into ''new age'' religious beliefs and how-to sessions on condom use and sex techniques.

I first became aware of this kind of training 2 months ago during Transportation Subcommittee hearings into FAA training. Frankly, their testimony was among the most disturbing I have ever heard in all my years in Congress. Employee after employee recounted horrifying incident after incident.

Let me give you a sense of what I heard. One FAA employee explained how he was forced to walk through a gauntlet of his female coworkers. Trainers compelled the females to grope their male coworker's private parts. Horrified, the FAA employees asked their trainers why they had to endure such a humiliating experience. The instructors told the male FAA employee, ''Now you know what it is like to be sexually harassed.''

If that does not shock you, listen to this story. One FAA employee testified how she was forced to strip to her underwear and tie herself to a male colleague—also clad only in his underwear. They remained this way for at least 24 hours. They had to shower together, sleep together, and use toilet facilities together—all this while tied together, undressed.

□ 1415

I looked into the matter and found a variety of appalling training regimens Federal employees must endure. For instance, the Clinton administration mandates AIDS and HIV training, which includes topics ranging from anal sex for birth control methods, how-to lessons on things like condoms, sex techniques, and even the proper way to clean needles in order to shoot up intravenous drugs. Why the Government is involved in teaching people how to use illicit drugs and how to be involved in aberrant sex techniques is beyond me.

What is worse, if an employee refuses to take the training, or complains about certain techniques and aspects of the training, it jeopardizes their jobs or their job promotion. It reflects negatively on their job evaluation files.

My amendment puts an end to all this lunacy. I urge my colleagues to support my efforts to protect Federal workers and ensure that taxpayer dollars fund only those things vital to the functionings of Government and to the workplace. I think most hard-working American taxpayers would agree that training Federal employees to use illegal drugs or to use condoms properly or to have sex techniques taught to them in forced and required training mechanisms is absolutely wrong. If President Clinton is going to require all Federal employees to take training, it had better be job related and noncontroversial.

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

AMENDMENT OFFERED BY MR. HOBSON AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. PACKARD

Mr. HOBSON. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBSON as a substitute to the amendment offered by Mr. PACKARD: Page 84, after line 17, insert the following new section:

SEC. 628. None of the funds made available in this Act may be obligated or expended for any employee training when it is made known to the Federal official having authority to obligate or expend such funds that such employee training—

(1) does not upgrade employee productivity and effectiveness;

(2) does not meet identified needs for knowledge, skills, and abilities bearing upon the performance of official duties;

(3) is inappropriate to the workplace;

(4) is designed to change participants' personal values or lifestyle outside the workplace;

(5) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations; or

(6) does not provide an acceptable alternative for those employees articulating a religious or moral objection to participating in an HIV/AIDS training program.

Mr. HOBSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment offered as a substitute for 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.

The CHAIRMAN. The gentleman from Ohio [Mr. HOBSON] is recognized for 20 minutes.

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

Mr. Chairman, my substitute amendment would require that any Federal training be, first, related to employee productivity and effectiveness; second, be appropriate for the workplace; third, provide advanced notification of the content and methods to be used in the training; and fourth, grant employees an opt-out if they raise religious or moral reasons for the training. The Packard-Dornan amendment reacts to methods and abuses in training programs that I agree with, but I think it goes too far.

It is so restrictive that it results in incomplete information being presented Federal employees that they need. One person could kill an entire program. Let me be clear that my substitute addresses these legitimate concerns about abuse in training programs and prevents them in the future. However, instead of prohibiting certain types of information, my substitute allows it, provided that it meets certain strict qualifications. First, it must be workplace specific, and second it must improve the effectiveness of the Federal employees, two requirements which should be the centerpiece of any Federal training programs.

In the Ohio Senate I sponsored a bill that established a lot of health care protocols for treating persons who were affected with the AIDS virus. A big part of that piece of legislation was education. I believe education is very necessary in the prevention of the transmission of certain diseases. From this experience, though, I also learned and understand the intense emotion that surrounds this issue, but this is a health issue that we need to discuss and not hide from.

Just because there has been abuse in training programs, we should not use that as leverage to penalize people by not allowing appropriate education. We should not use that as leverage to withhold training, and we should not use that as leverage to prevent health care education.

I think the pendulum is swinging too far, certainly. Training abuses were part of a pendulum that swung too far in the wrong direction. I think the Packard-Dornan amendment swung too far in the other direction. I think my substitute stakes out a responsive middle ground tradition. Let us not narrow training programs so far that important information is prohibited, but let us narrow them, one, so they are workplace specific and, two, improve the effectiveness of Federal employees.

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

Mr. PACKARD. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, my amendment permits training to prevent the transmission of AIDS and HIV virus. It does virtually all the things that the substitute wants to do, except that my amendment prevents the very sensitive and very, very objectionable, to many people, parts of the training that gets into the details of sex education and condom education and a variety of other issues that I think should have no place as required government-mandated training.

The substitute allows people to opt-out if they have objections to the training, but that is not adequate. My amendment prevents the objectionable part of the training, whereas the substitute literally perpetuates the objectionable training. There has been very similar language in the existing law as what is in the substitute as it relates to AIDS and HIV.

Mr. HOBSON. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. VISCLOSKY], a member of the subcommittee.

Mr. VISCLOSKY. Mr. Chairman, I rise in strong support of the Hobson substitute and in opposition to the Packard amendment. HIV–AIDS is now

the leading killer of Americans ages 23 to 44, who are the core of our work force. Employees' fears about contracting HIV and working with HIV-positive employees undermine productivity in the workplace. That is why companies like RJR Nabisco and IBM provide AIDS education for their employees. However, the Packard amendment would essentially shut down AIDS education in the Federal Government. Under the Packard amendment, a single employee who found AIDS education to be offensive could shut down the program for all employees.

I do not think any employee should have to sit through training they find offensive. That is why I support the Hobson substitute, which allows employees with a moral or religious objection to any training to receive an alternative which is acceptable to them.

The Packard amendment limits HIV-AIDS training to the medical implications of HIV-AIDS and the workplace rights of HIV-positive employees. That means that educators cannot provide medically accurate, appropriate information about how HIV is and is not transmitted.

Under the Packard amendment, all educators could do is to tell people the medical implications of HIV, how sick they will be if they catch the disease, and tell them not to discriminate against people with HIV. The effect of the amendment is to create more fear and discrimination and not less. If an employee asks ''Can I get AIDS from a telephone? Can I get AIDS from a hug? If my co-worker is bleeding to death, how can I help without getting sick?'' the Packard amendment would prohibit AIDS educators from answering these specific questions.

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

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

Mr. PACKARD. Mr. Chairman, I would say to the gentleman, that is really not true. My amendment does not prohibit instructions on how to avoid the transmission and the acquiring of AIDS or HIV. It allows all of that kind of training, but it does not permit the very sensitive part of training, such as how to put on a condom.

Mr. VISCLOSKY. My understanding is if an employee objects based on the curricula that is involved and the trainer that is involved, he essentially shuts down that process.

Mr. PACKARD. Only for that one employee. The training still goes on, but that employee can walk out. History has shown that would be a black mark on that employee's record.

Mr. VISCLOSKY. Reclaiming my time, Mr. Chairman, talking about sexually transmitted diseases is never easy or comfortable, but this is a sexually transmitted disease. We cannot provide accurate information about this epidemic and how it is spread if we leave that information out. Properly trained experts can present that information.

Mr. PACKARD. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Texas [Mr. DELAY], our majority whip.

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

Mr. Chairman, I rise in very strong support of the Packard amendment, and in very strong opposition to the amendment of my good friend, the gentleman from Ohio. I am going to try to explain why. I understand the intent of the gentleman from Ohio, but I think what he is doing is keeping the status quo, because as I read his amendment, nothing really changes in what we are trying to get at.

The Packard amendment would prohibit taxpayer dollars from being spent on shocking and offensive so-called non-technical employee training programs. I am appalled, not only at what we are forcing Federal employees to engage in, but that these outrageous activities are being funded by the hard-earned tax dollars of our constituents.

As the gentleman from California [Mr. PACKARD] has explained, this issue arose during hearings of the Subcommittee on Transportation of the Committee on Appropriations, of which I am a member. FAA employees testified about how they were forced to walk through large groups of female coworkers who were instructed to grope and fondle the participants. The unbelievable justification for these activities by the FAA was that this was a method to show men how it felt to be sexually harassed.

Another FAA employee testified about how, during a training session, she and her colleagues were forced to strip to their underwear and tie themselves to a coworker of the opposite sex for periods exceeding 24 hours. They were forced to eat, sleep, bathe, and use toilet facilities while tied together.

Mr. Chairman, I cannot believe there are any Members of this body that could support these kinds of activities, much less go home and tell their constituents that they voted to spend their money for this damaging and ill-conceived program. This amendment, the Packard amendment, will also address the so-called AIDS-HIV awareness training that the Clinton administration mandates on all Federal employees, where they are forced to endure how-to sessions regarding condoms, sexual techniques, and devices.

Let me just read what the administration's rules are for AIDS instruction, and what they tell their trainers. They tell their trainers to avoid certain terms, such as—outrageous things, terms such as ''husband and wife''; avoid such terms as ''homosexual men,'' ''promiscuous,'' ''sexual preference,'' and ''addict.'' The trainers are to deflect homophobic comments during a training session, saying, ''there is some division of opinion on that point.''

Trainers are to watch out for troublemakers among the pupils. A Federal worker who takes an intransigent point of view, in their words, on condom distribution in schools, or needle distribution, is pegged as a partisan. A heckler is someone who expresses disbelief, disgust, or scoffs at content and process. I am quoting from the manual.

Mr. Chairman, what does this have to do with Federal workers doing their job? One Federal worker recently recounted how she was offended when an instructor of one of these training sessions began talking about her grandmother's likely sex practices. This is going on in our Federal Government right now. A Defense Department employee who walked out of a session said:

> I do not believe I should sit next to a female and be told how to do intercourse. I do not want to be in mixed company and talk about a lifestyle I'm not involved in, that I do not approve of. I do not care to be instructed by Big Brother in things that I avoid.

If we do not defeat the Hobson amendment, we will never get the opportunity to vote for the Packard amendment. With all due respect to my friend, the gentleman from Ohio, his amendment does not change the status quo in any significant way. We need to stop these kinds of politically correct nonsense. We need to vote against the Hobson amendment and for the Packard amendment.

Mr. HOBSON. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. PELOSI], a member of the committee.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding time to me. I particularly want to thank him for his leadership in bringing this very intelligent approach and solution to the problem to the floor.

I certainly identify with the concerns that the gentleman from California [Mr. PACKARD] has expressed. We all do. It sounds ridiculous. It is hard to imagine how the Bush administration could have mandated those activities in the FAA that were referenced in Mr. PACKARD's remarks. I say that because some of the examples that he used have nothing to do, absolutely nothing to do with the AIDS education program. That is, indeed, part of the Clinton administration initiative on prevention in order to make people more aware of how AIDS is transmitted, and to end discrimination in the workplace to people affected by HIV–AIDS.

□ 1430

The Hobson amendment, which was originally authored by the gentleman from Iowa [Mr. LIGHTFOOT] but is being carried today by the gentleman from Ohio [Mr. HOBSON], differs from the Packard language in a very substantial way. It is a substitute on how AIDS education is addressed.

The Packard amendment would not allow information that is appropriate to be presented on how HIV is transmitted and how it is not transmitted.

It is really a gag rule. In fact, in answer to one question that we had about what would be the answer to an employee who wanted more information about how AIDS is transmitted, the answer is, ''We are going to give him or her an 800 number to call.''

Under the Hobson substitute, all employees must be notified of the content and methods to be used in any training, including AIDS training. If the individual employee articulates a moral or religious objection, then the agency is required to offer an alternative to the training program which is acceptable to the employee.

The Hobson approach is far more reasonable than a total ban on HIV information. It addresses the problem without ending a program which has contributed to the prevention of AIDS.

Mr. Chairman, our colleagues, the gentleman from Texas [Mr. DELAY] in particular, have addressed our taxpayers' money being spent. The best taxpayers' dollars that can be spent should be spent on AIDS prevention.

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS].

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I rise in opposition to the Hobson amendment. I have great respect for the gentleman from Ohio and his skills as a legislator, but let me point out to my colleagues, first of all that we need to understand a little background on this amendment.

The gentleman from California [Mr. PACKARD] sits on the Subcommittee on Transportation where there were hearings on this matter. Mr. PACKARD did not come to his understanding by accident or because of some political pressure or some special interest groups came up to the gentleman from California [Mr. PACKARD]. His legislation came about because he had a strong emotional feeling, a mental feeling, about this after listening to the hearings in the Subcommittee on Transportation.

This identical language that he has offered has already passed the Subcommittee on Transportation. He thought the Subcommittee on Transportation would be voted on first. But, no, we have got Treasury and Postal first so now we are talking about it and it is being amended by Mr. HOBSON.

How long has the Hobson amendment been in the offing and studied? The gentlewoman from California [Ms. PELOSI] says it started with the gentleman from Iowa [Mr. LIGHTFOOT]. The gentleman from Iowa [Mr. LIGHTFOOT] did not want to do it. Then we had the gentleman from Maryland [Mr. HOYER]. He did not want to do it. Then we had the gentleman from Ohio [Mr. HOBSON]. He wanted to do it.

The thought that went into their amendment does not compare with the amount of thought that has gone into the amendment of the gentleman from California [Mr. PACKARD]. Others have talked about it in certain ways, but the bottom line is there has been an abuse by the FAA in instructing people on new age and human potential philosophy which has disturbed all of us.

If we go about amending the Packard amendment with the Hobson, we are going to change it—Mr. Packard's amendment—whole intent. I urge my colleagues to think about the history of this amendment, that basically it is the same amendment that came forward in the Transportation Subcommittee and was agreed on completely. It is in the transportation bill now. But now we have a last-minute effort by the gentleman from Ohio [Mr. HOBSON] to amend it. He is amending it in a way that is not appropriate or in a suitable way that reflect what were the results from the hearings.

I urge defeat of the Hobson amendment.

Mr. HOBSON. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I rise in support of the Hobson amendment to H.R. 2020 and to commend the gentleman from Ohio for his efforts to reform and maintain AIDS education programs in the Federal workplace. Similar educational programs have effectively educated Federal employees on the prevention of HIV transmission and the accommodation of people with AIDS in the workplace. It is important to note that similar programs have been successfully utilized by major corporations in the private sector such as. IBM, RJR Nabisco, and Eastman Kodak.

I understand that this type of education may cause some Government employees to confront issues that may make them uncomfortable. However, I believe that the Hobson amendment provides safeguards which will allow Government employers to disseminate information required to manage the situation where a fellow employee is struck with this tragic disease, while providing safeguards requiring that the educational program directly relate to job performance and productivity. In addition, this amendment addresses the religious and moral concerns of individual employees who raise objection to this type of training by requiring the Government employer to provide an alternative program which is acceptable to that individual employee. Accordingly, Mr. Chairman, I urge my colleagues to support the Hobson amendment.

Mr. PACKARD. Mr. Chairman, I yield 3 minutes to my colleague, the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, the amendment of my good friend, the gentleman from Ohio [Mr. HOBSON], is nice, it is very nice, but it does not get the job done.

It is designed, and you can tell by the groups supporting it—he may not be aware of this—it is designed to have gigantic loopholes in it that you can drive a Mack truck through.

Everybody on this side and a handful on my side are saying this is the Packard-Dornan amendment that Hobson is supposed to wipe out. No, it is not. Mine was tougher than the amendment of the gentleman from California [Mr. PACKARD] by three words, ''in the workplace.''

There should only be taxpayer dollars spent, and that is all the people watching this Chamber, Mr. Chairman, about a million and a quarter, and a full gallery watching what is going to happen to their tax dollars.

Teaching people about colored condoms and sex toys and filthy talk out there in every single Federal position across this country, about stuff that does not happen in the workplace? I did not know people had sex in the workplace. They are not supposed to. They are not supposed to. And we are not supposed to be spending taxpayers' dollars lecturing people about what they do in their private time.

It is supposed to be about sensitivity to people who are HIV positive, that you are not going to get it at the water cooler, by a handshake, by a hug. You treat them with respect and decency. There but for the grace of God goes someone I love or maybe even precious to me.

I am not against this training, but we should not be teaching bisexuality is normal to every other lifestyle, and here is how you switch-hit and go AC/DC. You do not do that stuff on taxpayer money in the workplace.

If Packard had been perfected the way I testified by rules, but forgot to have it pre-published the day before, it would have said no taxpayer money to teach anybody off the job, eating up thousands of man-hours paid for by the taxpayer—excuse me, person-hours—and teaching them about things that have nothing to do with safety or sensitivity in the workplace.

I hope in conference we will add, and the gentleman from California [Mr. PACKARD] agrees, the words ''in the workplace.'' Dornan was the right way to go. Packard is 99 percent there. We should get in the words ''in the workplace.''

Hobson is well-meaning, nice, but has gigantic loopholes. That is why you are going to see people who support homosexuality—and pardon me for smiling, bisexuality, what is that? Nobody even knows what bisexuality is. It used to be called lust and not caring who you are with if the lights are out.

No, we are way off base wasting taxpayers' dollars on this issue. I do not mind teaching some sensitivity about scary plagues sweeping across, not the land, but pandemic, raging out of control worldwide. I say defeat Hobson, support Packard, and perfect it with 3 words: ''In the workplace.''

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

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Chairman, I rise in support of the substitute amendment offered by the gentleman from Ohio [Mr. HOBSON] and in strong opposition to the Packard amendment.

The Hobson amendment is a clear and practical approach to the HIV/AIDS prevention training and other government-wide training initiatives. It would allow for the delivery of highly effective training which benefits the organization and its workers while not compromising the beliefs and values of employees.

In that, it contrasts the amendment of the gentleman from California [Mr. PACKARD], which would limit access to HIV/AIDS awareness training, even to those employees who wish to attend the training. The Packard amendment would render the AIDS training initiative useless, would put an entire work force and their children at risk. My understanding is that the Packard amendment would prevent discussions of how HIV/AIDS is transmitted.

I ask, if you attended an HIV/AIDS awareness training course, and you left not knowing how HIV/AIDS is transmitted and whether you were at risk, what would you think of the training? You would think it was ineffective and irresponsible, and you would be right, particularly in light of the fact that so many young Americans are dying in the prime of their lives.

I could give statistics that AIDS is the principal cause of death for Americans between 25 and 44 years of age, and approximately 50 percent of permanent full-time civil servants are in this age group. The workplace where most adults, including young adults, spend time every day is a logical point of access for prevention education to a significant proportion of the Federal work force.

The Hobson amendment would protect the principles of HIV/AIDS education and personnel management outlined by President Reagan. President Reagan understood that you cannot separate AIDS issues from organizational performance and bottom-line results. President Reagan encouraged American businesses to examine and consider adopting education and personnel management policies addressing AIDS.

Business leaders have embraced that recommendation, not just because it was the right thing to do but because it also made business sense.

We had a hearing in my Subcommittee on Civil Service where we had representatives from the business community who commented on how effective good HIV/AIDS training is for morale, for productivity, for the well-being of Americans.

I ask for support of the Hobson amendment.

Mr. HOBSON. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. I thank the gentleman from Ohio for yielding me the time.

Mr. Chairman, I rise in support of the Hobson substitute and in opposition to the amendment offered by the gentleman from California [Mr. PACKARD] and supported by the gentleman from California [Mr. DORNAN].

The Packard-Dornan amendment tells Federal employees that there is a killer out there but that the Federal Government is not going to let them learn how to stop it. Right now, with AIDS being in the crisis it is, if you want to talk about prevention of AIDS, you have to talk about condoms, and you should give employees the right to learn about condoms if they wish to.

The Hobson amendment allows any employee to opt out of training and also requires advance notice of what is going to be mentioned in that training program, so those members or those employees who have an objection on moral or religions grounds can opt out of any training program under the Hobson amendment.

It has been proven that HIV/AIDS prevention programs save lives and that the American people overwhelmingly support these programs. A recent poll showed that 72 percent of Republican voters would support maintaining or even increasing funding for AIDS prevention and education.

These programs are so widely supported because nearly every American family can somehow relate to the tragedy of losing a friend, a loved one or a child. AIDS kills without regard to gender, age, race, or life-style. Beyond the enormous human tragedy involved, AIDS education is also cost-effective and practical. Would we rather spend a small amount of money now on prevention programs or much more later on costly medical bills?

Vote ''no'' on the Packard-Dornan amendment and vote ''yes'' on the Hobson substitute.

Mr. HOBSON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would like to point out that there is a lot of misapprehension and misunderstanding about what this amendment does.

First, I would point out to some of the speakers after they have spoken that we do have the ''inappropriate in the workplace'' language.

If Members will read the Packard amendment, I believe the Packard amendment leaves out the ability to discuss how the AIDS virus is transmitted, and I think this is a very important discussion that should go on.

□ 1445

I agree with the fact that under the Bush administration, and under this administration, there appear to have been inappropriate training sessions. These should not have been approved and should not have gone on and I do not disagree with that at all.

But I think we should not get away from the appropriate way to take care of that. I think we should allow these people to have these and to stay in them if they want to stay in them.

I think, on the other hand, if they do not want to go, then they do not have to go. And if they do not want to go, they should not be able to kill the program for everybody else that wants to go.

Mr. PACKARD. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia [Mr. WOLF], chairman of the Committee on Transportation of Infrastructure, the committee that heard the first experiences on this issue.

Mr. HOBSON. Mr. Chairman, I yield 15 seconds to the gentleman from Virginia [Mr. WOLF].

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Chairman, I rise in opposition to the Hobson amendment. It is vague. It cannot be implemented, and the Hobson amendment puts great pressure on the Federal employee, and as a former Federal employee, we ought not put this pressure on them.

Let me tell my colleagues, put this back where it was. We had hearings. There was New Age training going on in the Department of Interior. Let me tell my colleagues what the hearings said.

One person came before us, we had Federal employees, they said, ''I thought the topics unusual and the confrontations between students and the trainers somewhat unsettling, particularly in the use of abusive language and obscenities directed toward the students.'' He, the instructor, mentioned that 66 percent of psychotherapy patients are Catholics or Jews; that religion was fear-inducing and repressive. He characterized religion as more farfetched than the Flat Earth Society.

He discussed the arrogance of Christianity. He said that evil exists only as a function of the mind. Another one talked about post-traumatic stress that she went through. It has ruined their life and they have had to leave because of this training.

An air traffic controller, a person said he was forced to walk through a gauntlet of females, not unlike the Navy's Tailhook scandal, where he was groped and partially undressed by a group of females. He described how this affected his life. Listen to this. This is what the man said that Federal training did to him.

He said, ''During the next few weeks, I would wake up in the middle of the night to find my wife sobbing. She became depressed and bitter. She would tell me she knew that I had done nothing wrong, but it was obvious that she didn't look at me in the same way. Our marriage had started to suffer as a result. She began to see a psychiatrist,'' his wife. And then, ''Things are still no better. We both feel that our marriage still suffers as a result of the FAA training.''

The stories went on. And what the Packard language does, it says that

this will not go on anymore. And, second, in the area of AIDS let me make it clear, the Packard language would permit the understanding of AIDS.

I think there ought to be that type of language. I think there ought to be training. I think there ought to be education. We should explain to somebody that if somebody has AIDS, that is okay. We can sit next to them. We can talk to them. We can touch them. We can be friends. This is not the way that it has been explained that I heard.

The hearings that we held, and if you watched them on Nightline, and if you read the IG reports, it pitted person against person. It devalued a man and woman's religion. No Federal funding, no Federal funding, no taxpayer dollar ought to be why we destroy a man and a wife and their religion whereby people have to go and get psychiatric care. Read the IG report.

Mr. Chairman, I strongly oppose the Hobson amendment. I know the gentleman from Ohio is a good Member. If he could have sat through these hearings, and heard how this has destroyed people's lives, and it happened under the Bush administration too, as well as sometimes under the Clinton administration. I strongly support the gentleman and I salute the gentleman for offering the amendment.

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

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

Mr. COLEMAN. Mr. Chairman, during the Reagan and Bush administration is when, of course, this occurred. I just wanted to make clear that nobody on the committee, and you did hold extensive hearings in the Committee on Transportation and Infrastructure of what happened at FAA during that era, nobody on the committee, Republican or Democrat, countenanced that kind of training.

But I think it is very clear, if the gentleman would permit me a moment to just say we think, on our side of the aisle and I hope on yours, that education about HIV is extremely important. A lot of us understand that AIDS happens to be the leading killer now of all Americans between the ages of 25 and 44. Every 17 minutes an American dies of AIDS.

Mr. WOLF. Mr. Chairman, reclaiming my time, we could still have the training that the gentleman from Texas said, and I think it is appropriate that we have it, under the Packard amendment. I hope the Packard amendment will stay in, otherwise we will just destroy these Federal employees and it is inappropriate that we do it.

Mr. HOBSON. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. DINGELL].

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Chairman, the Hobson amendment is a very sensible amendment. I want to commend him, and I also want to commend my good friend from California [Mr. PACKARD]. The gentleman is a fine man and a fine Member, but his amendment is a bad one.

Mr. Chairman, I want to make it clear that this is not a new issue. The question of handling of awareness meetings and courses of that sort did not begin with President Clinton. As a matter of fact, it took place first under Mr. Bush in 1990.

That program was clearly and patently offensive. It also was granted on some rather sweetheart terms. It was terminated by this administration, and the individual at NTSB who started it went on a sabbatical. It would have been more appropriate that he had left the Federal service in its entirety, but that was not the case. In any event, the practices about which I complained when I was Chairman of the oversight subcommittee were brought to a halt, and they are no longer practiced.

The big differences between the amendment offered by the gentleman from Ohio and the gentleman from California are, and there is only one, and that is whether you can explain to Federal employees in an intelligently run and responsible program what are the causes of HIV. Under the amendment offered by my good friend from California, you cannot do that.

Now, if you will look at what goes on in Europe and in other countries around the world, they have recognized that dealing with HIV is something that can be dealt with only by education. And you have to talk about some nasty things to explain to people how they expose themselves to an absolutely incurable and hopelessly fatal disease.

Mr. Chairman, I would urge my colleagues to recognize that the amendment offered by my friend from California is offered about 4 years late.

PREFERENTIAL MOTION OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DINGELL moves that the Committee rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Michigan [Mr. DINGELL] is recognized for 5 minutes in support of his motion.

Mr. DINGELL. Mr. Chairman, it is time that we recognize that this country should join the rest of the world in an intelligent effort to alert our people to not only the peril of AIDS, which is the largest killer now of young Americans up to the age of 45, but is also a hopeless, fatal, and incurable disease.

I would urge my colleagues to recognize that there is no vaccine. All the billions that we have spent on it will do nothing. The only defense at this moment which this country possesses against that is education.

Education is not pretty, because you have to talk about some pretty ugly, nasty things. But they are things which have to be discussed if we are going to prevent and to reduce the threat of AIDS to Americans of all races, of all creeds, of all colors, and of all ages, because, remember, it is incurable, it is fatal, and people are going to die of it and the number of people who are going to be exposed is going to continue to grow.

Now, if that does not concern you, then contemplate, if you please, the situation which is going to exist under the current state of affairs with regard to the incredible economic costs that it is going to impose upon this country, upon industry, upon the health care system, and upon everything else that we depend upon for the economic well-being of this country.

I would point out to you that it can break Medicare and Medicaid. It can break Blue Cross and Blue Shield. It can break the private health insurance plans, and it can break the employer-operated plans.

Mr. Chairman, this amendment would preclude the Federal Government from participating in that by banning the instruction in what might cause AIDS.

Now, to come back to the whole question that is before us, the only basic difference between the two amendments, the amendment offered by my dear friend from California and the amendment offered by my dear friend from Ohio, is the AIDS instruction and prevention of AIDS cannot be conducted under the amendment offered by the gentleman from California [Mr. PACKARD] but can be offered under the amendment which is offered by the gentleman from Ohio [Mr. HOBSON].

That is strong enough argument alone for defeating the amendment that is offered by my dear friend from California. But I would have the committee know something else, and that is the question here is not has Clinton gone wild and begun to have some kind of wild employee awareness programs and programs of that sort taught and enforced against an unruly band of Federal employees.

That was done under the Bush administration. It is not done under this administration. It was terminated in this administration in 1993. It was one of the first acts that was done by President Clinton in response to complaints that were raised by the Subcommittee on Oversight and Investigations and the Committee on Commerce.

I like my good friend from California. He is one of the best Members we have around here and I respect him more than I can tell, but the fact of the matter is his amendment is a bad one and it ought not to be adopted.

The amendment offered by the gentleman from Ohio is one which accomplishes all of the purposes. If there are abuses here, and I discern none and I have watched them very closely since President Clinton terminated the Bush program, if there are abuses or if they are likely to recur, they can be dealt with under the amendment that is offered by the gentleman from Ohio.

Given that, Mr. Chairman, I would urge my colleagues to recognize if abuses are in existence, they ought to be dealt with, and they can be dealt with, even though they do not exist at that time, under the amendment offered by the gentleman from Ohio.

But the gentleman from California, perhaps through some drafting misfortune, has given an amendment that says that your cannot conduct any instructional program which will warn or which will reach about the perils and how to avoid them of AIDS and all of the evils that are associated with that.

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

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

Mr. WAXMAN. Mr. Chairman, I think the gentleman from Michigan [Mr. DINGELL] has set out the case extremely well. In all the hearings we have had over the years about the AIDS epidemic, we have come to one clear conclusion. We ought to be honest with the American people, give out the facts that are scientifically based and let people know the information.

Now, if someone as an employee is squeamish, as I understand the substitute amendment by the gentleman from Ohio, they need not be participating in these instructions. They ought to make the decision. Government should not be squeamish in giving honest facts to the people.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to vacate my preferential motion.

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

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. PACKARD. Mr. Chairman, do I get 5 minutes on his motion?

The CHAIRMAN. If the gentleman objects, he is entitled to 5 minutes in opposition to the motion.

Mr. PACKARD. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The gentleman from California [Mr. PACKARD] is recognized for 5 minutes.

Mr. PACKARD. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the chair of the full Committee on Appropriations.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, I have heard the arguments on the other side in favor of the amendment by the gentleman from Ohio.

I would just like to say that I think that the argument is far more eloquent and emotional than it is factual. But I have looked at both amendments, and I ascertain that the amendment by the gentleman from California permits AIDS training, AIDS awareness sessions, but seeks strictly to prohibit Federal funds going for training that involves these gauntlets that have been performed by some Federal agencies and departments in the last several months, in which Federal employees are called to sessions whether they wish to go or not, instructed and embarrassed and perhaps even touched and fondled for causes that not only do not concern them, but in some instances violate their religious principles, violate their moral beliefs, and are contrary to their fundamental outlook on life.

□ 1500

Now, it strikes me as absolute common sense to adopt the gentleman from California's amendment and to reject any modification, any watering down of that amendment, which, in fact, is what the amendment, the well-intentioned amendment offered by the gentleman from Ohio, in my estimation, seeks to accomplish.

I might also say that there have been statements on the floor that this is an attempt to be honest with the American people. Look, folks whether you like it or not, the whole subject of AIDS escapes honesty with the American people. I am not seeking to get into an area from which I cannot extract myself, but the fact is AIDS is a communicable disease. Yet it is not treated like any other communicable disease in modern times. It is capable of being passed from one human being to another, and we do not attempt to deal with it as we do other diseases. That has to be faced up to, if you are going to be totally honest with the American people; you have to understand how AIDS is transmitted through blood or otherwise.

I think the entire medical community has to reexamine how we deal with AIDS. I do not have the magic bullet. I do not have a way to resolve the question. I certainly do not have a cure for AIDS. I wish I did. I wish that this Nation did. But this Congress is appropriating massive amounts of money for the purposes of seeking, of finding that cure, to eliminate the suffering and the pain and the anguish and the death that results as this disease gets passed from one AIDS patient to another.

Now, that being said, we have to also understand that hysteria and emotionalism simply is not the answer to this problem.

Let us deal with it forthrightly and not force our Federal employees to do things they should not be doing.

Mr. PACKARD. Mr. Chairman, I yield the balance of my time to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman from California for yielding me the time.

I rise in opposition to the amendment offered by our friend, the gentleman from Ohio, for a number of reasons.

But, No. 1, Mr. Chairman, here we go again, taking a question of grave medical concern and turning it into a question of political concern. Is AIDS a terrible disease? Yes. Should people have education on the disease? Yes.

But what is reasonable and what is rational and what is appropriate, that is the question we confront today. Why not quite simply, Mr. Chairman, have pamphlets, pamphlets for Federal employees that they may read at their desks in their work stations with numbers to call if they have more questions? Is that not a reasonable and rational way to deal with the problem, or does it presume that Federal employees are illiterate and somehow that is inappropriate? No, it is commonsensical. That is what we have to do here to, yes, get out the information, disseminate that information, but not transform a dread disease into a vehicle for training in the workplace that is altogether inappropriate.

Much has been said about the mandate of November 8. Some have called it a revolution. I never tire of saying, ''Call it a revolution if you will, but understand this, it is a revolution built on what is reasonable and what is rational.''

The amendment by my good friend, the gentleman from Ohio, is the wrong approach.

''No'' on Hobson, ''yes'' on Packard, common sense and proper education is the proper role in the Federal workplace to deal with this dread disease.

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

The CHAIRMAN. The question is on the motion offered by the gentleman from Michigan [Mr. DINGELL] unless the gentleman from Michigan [Mr. DINGELL] chooses to withdraw his motion.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to withdraw the motion.

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

Mr. HOYER. Mr. Chairman, reserving the right to object, the gentleman has made some good points under his motion, and I ask the gentleman, in the——

Mr. PACKARD. Regular order, Mr. Chairman.

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

Mr. HOYER. I believe the gentleman from California spoke under his reservation, and if that is what we continue to do——

The CHAIRMAN. No, the gentleman is mistaken. The gentleman from California had 5 minutes to speak in opposition to the motion.

Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOBSON. Mr. Chairman, I yield 2½ minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I rise in favor of the Hobson amendment and in opposition to the Packard amendment.

First of all, let me speak to the Packard amendment. But, ladies and

gentlemen, I want to speak to all of these made-known amendments. What the Packard amendment says is that none of the funds made available in this act may be obligated or expended for any employee training when it is made known to the Federal official having authority to obligate or expend such funds that such employee training, et cetera, et cetera, made known by whom? Somebody on the street who calls up the official and says, ''Hey, this training is inappropriate?''

Under the ruling of the parliamentarian, ladies and gentlemen of the House, you ought to understand this, you cannot offer such amendment if it requires the Federal official to take any affirmative action. You cannot impose additional duties, which means that the Federal official has no ability to even decide whether this is some crazy person making it known to them.

The fact of the matter is this is a wrong process. This procedure makes no sense, and we ought to stop it.

Now, this is consistent with previous parliamentary rulings. But I would suggest to my friends on the majority side we ought to stop this by rule, because it makes no sense. What if an amendment passed saying, as to the Secretary of Defense, none of the funds appropriated in this bill can be expended if it is made known to the Secretary of Defense that the funds are being inappropriately used against the citizens of ''X'' country? What does ''inappropriately'' mean and ''made known''? By whom?

The gentleman from California [Mr. PACKARD], I defy you or anybody else to tell me: ''Made known'' by whom? Anybody with any responsibility? Anybody with any brains? Anybody with any knowledge? It does not say. We do not care, apparently. Just ''made known,'' by anybody who may pick up the phone and call and say, ''Hey, this is a problem,'' or some employee disgruntled with the Secretary or the official who wants to disrupt the process, fax them, send them a note, whatever? This is irrational.

That does not mean that the House will not do it. I understand that. But it is irrational.

The Hobson amendment tries to come to grips with a very serious problem in a serious way. That is why I rise to support the Hobson amendment, because what we have, as the gentleman from Michigan indicated, is a very serious problem, and we ought to solve it in a serious way.

Mr. HOBSON. Mr. Chairman, I yield myself 1½ minutes, the balance of my time.

First of all, under my amendment, the course must be workplace-specific, it must improve the effectiveness of the Federal employees. I do not want to lose sight of that. That is, I think, a common ground that needs to be addressed here.

What I think is also important is that in the opt-out provision, each individual that wants to can opt out without killing the program for the rest of the people who may wish to get the training.

I think the Packard amendment is deficient in the fact that it does not allow the training or the understanding of how this disease is transmitted. I think that is a very important message that needs to be sent across this country to save people's lives.

This is a design to treat all people the same, and it is designed to try to save lives. It is trying to get to the people that need the appropriate training.

I do not believe that the Packard amendment, however well meaning it is, does that. I think I agree with those who say that there have been wrong programs in this and wrong things have been done, and I applaud the gentleman from California [Mr. PACKARD] for trying to get at that, and I voted for his original amendment.

But after looking at it, I thought it was deficient and this was a better way to go about it, and that is why I put up this amendment with this type of language in it so that we can save people's lives and see that they get the appropriate training.

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

Mr. PACKARD. Mr. Chairman, I yield myself the balance of my time, which I believe is 1½ minutes.

Let me just very succinctly now say what is in my amendment and what I think is deficient in the Hobson substitute.

The technical and health risks can still be included in the training in my amendment. Transmission and the spread of AIDS will remain in the training program. My amendment does not preclude that. The workplace risks and rights can still be included in the training.

What we do not think is appropriate AIDS training is how to use drug needles so that we can use illicit drugs more easily, how to put condoms on, how to have sex and the techniques of sex, and so forth. I do not believe that that is necessary for adult workers, Federal workers. These are not the role of the Federal Government.

A vote for the Hobson amendment will prevent a vote to stop bizarre training. There will not be a vote on the Packard amendment if the Hobson amendment passes.

We think the Members of Congress should have a vote on the Packard amendment, and we urge a strong ''no'' vote on the Hobson amendment and a ''yes'' vote on the Packard language.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. HOBSON] as a substitute for the amendment offered by the gentleman from California [Mr. PACKARD].

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2, rule XXIII, the Chair will reduce to 5 minutes the time for a recorded vote, if ordered, on the Packard amendment, without intervening debate or business.

The vote was taken by electronic device, and there were—ayes 201, noes 223, not voting 10, as follows:

[Roll No. 529]

AYES—201

Abercrombie	Gillmor	Murtha
Ackerman	Gilman	Nadler
Andrews	Gonzalez	Neal
Baldacci	Gordon	Oberstar
Barrett (WI)	Goss	Obey
Bass	Green	Olver
Becerra	Greenwood	Ortiz
Beilenson	Gunderson	Owens
Bentsen	Gutierrez	Pallone
Bereuter	Harman	Pastor
Berman	Hastings (FL)	Payne (NJ)
Bilbray	Hefner	Payne (VA)
Bishop	Hilliard	Pelosi
Blute	Hinchey	Peterson (FL)
Boehlert	Hobson	Peterson (MN)
Bonior	Horn	Pomeroy
Borski	Houghton	Porter
Boucher	Hoyer	Pryce
Brown (CA)	Jackson-Lee	Quinn
Brown (FL)	Jacobs	Ramstad
Brown (OH)	Jefferson	Rangel
Cardin	Johnson (CT)	Reed
Castle	Johnson (SD)	Richardson
Chapman	Johnson, E. B.	Rivers
Clay	Johnston	Roemer
Clayton	Kanjorski	Rose
Clement	Kaptur	Roybal-Allard
Clyburn	Kelly	Sabo
Coleman	Kennedy (MA)	Sanders
Collins (IL)	Kennedy (RI)	Sawyer
Condit	Kennelly	Schiff
Conyers	Kildee	Schroeder
Coyne	Kleczka	Schumer
de la Garza	Klink	Scott
DeFazio	Klug	Serrano
DeLauro	Kolbe	Shays
Dellums	LaFalce	Skaggs
Deutsch	Lantos	Slaughter
Dicks	LaTourette	Smith (MI)
Dingell	Leach	Spratt
Dixon	Levin	Stark
Doggett	Lewis (GA)	Stokes
Dooley	Lofgren	Studds
Durbin	Lowey	Stupak
Edwards	Luther	Tejeda
Ehlers	Maloney	Thomas
Engel	Manton	Thompson
Ensign	Markey	Thornton
Eshoo	Martinez	Thurman
Evans	McCarthy	Torkildsen
Farr	McCrery	Torres
Fattah	McDermott	Torricelli
Fawell	McHale	Towns
Fields (LA)	McKinney	Tucker
Filner	Meehan	Upton
Flake	Meek	Velazquez
Flanagan	Menendez	Vento
Foglietta	Mfume	Visclosky
Forbes	Miller (CA)	Ward
Frank (MA)	Miller (FL)	Waters
Franks (NJ)	Mineta	Watt (NC)
Frelinghuysen	Minge	Waxman
Frost	Mink	Williams
Furse	Molinari	Wise
Gejdenson	Mollohan	Woolsey
Gephardt	Moran	Wyden
Gibbons	Morella	Yates

NOES—223

Allard	Bartlett	Brownback
Archer	Barton	Bryant (TN)
Armey	Bateman	Bunn
Bachus	Bevill	Bunning
Baesler	Bilirakis	Burr
Baker (CA)	Bliley	Burton
Baker (LA)	Boehner	Buyer
Ballenger	Bonilla	Callahan
Barcia	Bono	Calvert
Barr	Brewster	Camp
Barrett (NE)	Browder	Canady

Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Cox
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Everett
Ewing
Fields (TX)
Foley
Fowler
Fox
Franks (CT)
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Goodlatte
Goodling
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Knollenberg
LaHood
Largent
Latham
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Petri
Pickett
Pombo
Portman
Poshard
Quillen
Radanovich
Rahall
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Tiahrt
Traficant
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—10

Bryant (TX)
Collins (MI)
Crane
Fazio
Ford
Matsui
Moakley
Reynolds
Rush
Wynn

☐ 1533

Messrs. STUMP, HOLDEN, FOLEY, HALL of Ohio, and DAVIS, and Mrs. LINCOLN changed their vote from ''aye'' to ''no.''

Messrs. HINCHEY, HORN, and SMITH of Michigan changed their vote from ''no'' to ''aye.''

So the amendment offered as a substitute for the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. PACKARD].

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 283, noes 138, not voting 13, as follows:

[Roll No. 530]

AYES—283

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
King
Kingston
Klink
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Tiahrt
Traficant
Upton
Vento
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—138

Abercrombie
Ackerman
Baldacci
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bilbray
Bishop
Boehlert
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Foglietta
Forbes
Frank (MA)
Franks (NJ)
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Green
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Houghton
Hoyer
Jackson-Lee
Jefferson
Johnson, E.B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Kolbe
LaFalce
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Maloney
Manton
Markey
McCarthy
McDermott
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Reed
Richardson
Rivers
Roybal-Allard
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Thompson
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Velazquez
Visclosky
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Yates

NOT VOTING—13

Bryant (TX)
Collins (MI)
Crane
Fazio
Flake
Ford
Martinez
Matsui
Moakley
Oxley
Reynolds
Rush
Wynn

☐ 1542

Mr. KLINK and Mrs. KELLY changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. RUSH. Mr. Chairman, because of my attendance at an engagement off the Hill today I was unavailable to cast my vote for rollcall Nos. 529 and 530.

Had I been present I would have voted ''aye'' on the Hobson substitute amendment, rollcall No. 529, and I would have voted ''nay'' on the Packard amendment, rollcall No. 530, to H.R. 2020, Treasury-Postal Service-General Government appropriations for fiscal year 1996.

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

Mr. Chairman, we had a needless blowup here Thursday night for a variety of reasons, which I am not going to go into. I would very much like to see that not happen again. But if we are going to have outrageous pieces of garbage like this peddled by individual Members of this House at the door

which smear the reputation of individual Members, then I think we ought to have a rule that requires every Member who circulates something like this to have their name on the sheet.

We just had an amendment offered by a Republican, the gentleman from Ohio [Mr. HOBSON], a distinguished and honorable Member of this House, and yet the scandal sheet that was distributed at the door reads, ''Defeat the Hoyer substitute; Hoyer equals illegal drug use; Hoyer equals sex training; Hoyer equals new age cult training; Hoyer equals condom training; Hoyer equals religious indoctrination.''

□ 1545

These are five dirty lies. I want to know which Member of the House takes responsibility for bringing this garbage to the House floor. We have to treat each other with respect. It would be kind of nice if at least you had the right name on the sheet. I would also suggest that there is not a single Member of this House who would want to see the things happen that this sheet allegedly describes.

Whoever did this ought to be ashamed of themselves.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS:

Amendment No. 12. Page 84, after line 17, insert the following new section:

SEC. 628. None of the funds appropriated by this Act may be used for salaries or expenses of any employee, including any employee of the Executive Office of the President, in connection with the obligation or expenditure of funds in the exchange stabilization fund.

Mr. LIGHTFOOT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 60 minutes and that the time be equally divided between the gentleman from Vermont [Mr. SANDERS] and a Member in opposition.

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

Mr. SANDERS. Mr. Chairman, I object. There are a lot of Members who have waited about 7 months to discuss this issue and have never had that opportunity. I do not want to deny any Member the opportunity to speak on it.

The CHAIRMAN. Objection is heard.

Mr. LIGHTFOOT. Mr. Chairman, would the gentleman compromise on an hour and 15 minutes?

Mr. SANDERS. Mr. Chairman, an hour and 20 minutes.

Mr. LIGHTFOOT. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 1 hour and 20 minutes, the time to be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] will be recognized for 40 minutes, and the gentleman from Iowa [Mr. LIGHTFOOT] will be recognized for 40 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

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

Mr. Chairman, this is a simple and straightforward amendment which should be supported by progressives, by conservatives, by moderates and everybody else.

It should, in fact, be supported by every Member of Congress who is concerned about the proper separation of powers as defined by our Constitution and who cares about fiscal responsibility.

This amendment prevents the President of the United States, Bill Clinton, or any future President, from appropriating money from the Exchange Stabilization Fund to bail out Mexico or any other country without the approval of Congress.

In January of this year, the President announced that he felt it necessary to bail out the Mexican economy as a result of the devaluation of the peso. He initially indicated that he wanted congressional approval for his bailout and, in fact, won early support from congressional leaders of both parties. However, it soon became clear to the administration that they did not have the support for this bailout from a majority of the Members of Congress or from the American people. Poll after poll showed overwhelming opposition to the bailout, and more and more Members of Congress, Republicans, Democrats and the Independent, voiced disapproval of the bailout.

Mr. Chairman, understanding that he did not have the votes in Congress to go forward with this proposal, President Clinton acted unilaterally and provided Mexico with a minimum of $20 billion in loans and loan guarantees, $20 billion.

Mr. Chairman, this amendment is not about the wisdom or the folly of President Clinton's action in January or how successful or unsuccessful it might have been. That is an important discussion but not the main focus of my amendment.

This amendment deals with one fundamental issue, one fundamental issue, and that is whether the Congress of the United States accepts its responsibility under the Constitution to appropriate funds or whether it will continue to abdicate that responsibility to the executive branch. That is the issue under discussion.

If Members of this body support the $20 billion loan and loan guarantee program developed by the President for Mexico, they have every right to get on this floor to fight for that funding and to win a majority of the Members. Maybe they can and maybe they cannot. I do not know. But I do know that it is cowardly, irresponsible and probably unconstitutional for the Congress to abdicate its responsibility on this issue and not vote on the matter.

Mr. Chairman, during the last several weeks, we have been having heated debates on the floor of the House about whether to appropriate $2 million for this program or $20 million for that project. Debates have gone on hour after hour, and some of them have been extremely heated. In every case, the final decision was made by a vote in this body in which every Member participated, and that is the way it is supposed to be.

Mr. Chairman, how can we spend hour after hour debating a $5 million appropriation but not have any debate, not have any votes when we are talking about putting at risk $20 billion of taxpayer money as was the case with the bailout for Mexico? How can we ask our constituents back home to put up all of this money when we have not cast a vote on it?

It seems to me to be absurd that we have dozens and dozens of votes for small appropriations but no vote for a $20 billion appropriation which puts at risk so much of our taxpayers money.

I might add for the Members that if they think this issue is past history, they are wrong. The Treasury Department has already indicated, in a public hearing, that there is a possibility that they may be back for more money for the Mexican bailout in fiscal year 1996. Will the Congress cop again? Or will we have the guts to accept our responsibility?

Mr. Chairman, this legislation should be supported in a bipartisan fashion, and I am delighted that we will have Members from both parties speaking in support of this amendment. This amendment should also not be considered as an attack on President Clinton, because it will apply to all presidents from here on in.

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

Mr. LIGHTFOOT. Mr. Chairman, I ask unanimous consent to yield myself half of my time, 20 minutes, to the gentleman from Maryland [Mr. HOYER], and I ask that he may control that 20 minutes.

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

There was no objection.

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

On behalf of our side, I would like to offer an apology to the gentleman from Maryland [Mr. HOYER] over the incident that the gentleman from Wisconsin [Mr. OBEY] brought to the floor. I totally agree with Mr. OBEY. It was totally uncalled for, and that sort of thing should not happen in this House.

I do not know who did it, but I would offer my apologies to Mr. HOYER in lieu of anyone else.

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

Mr. LIGHTFOOT. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I want to thank the gentleman.

My colleagues, the issues with which we deal are emotional. There are a lot of strong feelings on both sides of the issues. We are different parties and sometimes antagonistic to one another's interests, and we are protagonists in debate. But the distribution of materials which are false, which are misleading and, in this case, totally inaccurate in undermining of the comity that we ought to have in this body.

I try to treat every person in this body with respect. In return, I expect to be treated with respect. I do not think I need to say more, but to want to say that the gentleman from Iowa [Mr. LIGHTFOOT] is one of those Members who I most respect and for whom I have a great deal of affection. I very much appreciate his comments.

Mr. LIGHTFOOT. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Chairman, I would begin by saying I have the deepest respect for my distinguished friend from Vermont. This is a very profound issue. There will be bipartisan support. There is also going to be bipartisan opposition.

Here let me express some of my concerns about the amendment of the gentleman. In the abstract, all of us are concerned about one or another Federal program or agency. For some it might be national security. For others agriculture, health care or the arts. That does not mean it is appropriate for Congress to single out parts of agencies in this kind of hamstringing way. The precedent that is established in this kind of approach is very troubling for this body to manage.

But in the specific, and much more importantly, the gentleman from Vermont and others in both parties evidenced such powerful opposition to the Mexican initiative that was considered in February and January and March that it became a factor in this House refusing to deal with the issue. And so this House looks at this issue from the perspective of refusing to deal rather than having taken an active position of either consent or opposition.

I may have differed with the gentleman then and now. But, with the understanding that bad news could always break out at any time, it is clear that to date the Mexican initiative appears to be working. The Chairman of the Federal Reserve Board, for instance, testified this morning before the committee that both the gentleman from Vermont and I sit on, that it is working maximally. This Member believes it has probably moved from a 60- to 70-percent likelihood of success to an 80- to 90-percent likelihood of success.

□ 1600

Indeed, from an American perspective, the embarrassment could be that we will be making a great deal of money on the loans and loan commitments we have made, with our lending charges being almost twice the cost of borrowing from the Federal Treasury. Here, let me stress, not only, if the program works, will we be making money, but we will be avoiding socially diversive consequences in the country of Mexico, which could have precipitated massive flows of illegal immigrants which would have been costly to the United States taxpayer and to our own system of governance.

The irony is that this amendment, as it is brought before this body, disallows the United States of America from using the Exchange Stabilization Fund to defend the dollar. The irony also is that we might be precluded from actually receiving a profit on the risk we have taken with the Mexican initiative. Both of these are counterproductive circumstances.

Those are not the only ironies that are troubling, Mr. Chairman. For a Congress that favors, presumably, stability in the world, we by this approach would be introducing a new, massive element of instability in exchange rates. For a Congress that wants to be cohesive, we make it very difficult to be credible if we attempt to seek punitive actions against those responsible for policy the leadership of this Congress signed off on. By the leadership, I mean the leadership of both parties.

Mr. Chairman, I recognize we have an honest difference of opinion on the Mexican policy, but this approach has the effect of standing as much as a vote of no confidence against the Speaker and the majority leader and minority leader as it does the President of the United States.

Mr. Chairman, let me also stress that if we look at the Mexican issue, it strikes me this administration gets pretty good marks for how it handled the crisis once it developed. The marks, if one is taking a historical perspective, if one is bent on criticizing the administration, that are less than good relate to the reasons that the crisis was precipitated in the first place. On those grounds, the administration, particularly in 1994, could come under a reasonable criticism. However, for what has been done in 1995, in my judgment, there is an excellent chance this will be considered one of the great successes, not failures, of this administration.

Let me also say that I think it is important to look to the future. As we look to the future, it is self-apparent that the international community did not have at its disposal the right kinds of equipment and capacities to deal with a crisis of this nature. We marshalled, maximally, a $50 billion worldwide system of support, 40 percent of which came from the United States.

It is clear that this war for economic stability in Mexico stretched the resources of the international community. We do not have the capacity to fight in tandem two stabilization wars, or three or four of similar magnitude. The challenge for this body is, instead of sniping at a past decision—which in my belief represented an act of extraordinary courage from a President reeling with weakness, from this Congress which was new, and from a presidency in Mexico which was also new and that responded collectively with surprising wisdom; the challenge for this body is to develop ways for the international community to share in the kinds of obligations that come into place when this kind of crisis emerges in the future.

Instead of sniping, what we ought to be looking at are constructive efforts to improve both international law and international institutions to take the burden off the publics of individual countries. While the risk in the Mexican initiative was put disproportionately on the United States public, it looks, at this point, as if it was well merited and as if it is going to produce a profit.

Mr. Chairman, I would only say to my distinguished colleague from Iowa, this amendment should, respectfully, be defeated.

Mr. SANDERS. Mr. Chairman, I yield 6 minutes to the gentlewoman from Ohio, Ms. MARCY KAPTUR.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding time to me. I want to rise in very strong support of the Sanders amendment.

To my good friend, the gentleman from Iowa [Mr. LEACH], I would say what is going on has nothing to do with sniping, it has nothing to do with a new President, nothing to do with a new leadership in the Congress. It has everything to do with the establishment of precedent in a republic that is over 200 years old.

I want to commend the gentleman from Vermont [Mr. SANDERS] for forcing us to meet our constitutional responsibilities. If any Member believes it is wrong that the Government of the United States, by the agreement of perhaps six men, decided to send billions of dollars to Mexico to bail out their investments, without a vote of Congress, without a vote of Congress, if members believe that was wrong, as I do, they will support the Sanders amendment.

The backdoor use of an obscure fund in the Treasury called the Economic Stabilization Fund, a fund that the Clinton administration essentially raided, with the collusion of about four leaders in this House and a few over in the Senate, is unprecedented in both magnitude of the dollars involved, the purposes for which the fund was originally established several decades ago, and also the duration and risk attached to what has been done.

Mr. Chairman, I really respect my colleague, the gentleman from Iowa, as a staunch defender of our Constitution. Thus, it surprises me a bit to hear him

argue in the way he has argued this afternoon. Our country has never extended loans to a foreign country on a medium- or long-term basis from this fund, never $20 billion and more of commitment. This particular commitment was 20 times as large as any prior use of this fund. Never has it been the will of this Congress to provide the executive branch with unlimited authority of this sort.

Mr. LEACH. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Iowa.

Mr. LEACH. Mr. Chairman, I would only make one modest point. I think several of the points of the gentlewoman are correct. On the point of precedent, though, I would say that the fund was set up for this purpose. It has been used for this purpose in the past, but never at this magnitude. The magnitude is unprecedented. That is the unprecedented point. However, the legal authority is there. We have carefully reviewed that legal authority, so as a constitutional issue, I would beg to differ with the gentlelady.

Ms. KAPTUR. If I might reclaim my time from the gentleman, Mr. Chairman, this is where the nub of the argument really lies, in terms of the Constitution. When this fund was established, the purpose was to prop up the dollar, not the peso, but the purpose of the fund was for short-term currency exchanges, not medium-term loans, not long-term loans, for another government, for another government to refinance its investors, those people that had speculated in that market.

I think that the gentleman, being a party to the agreement, obviously would want to defend it, but I think that when we have a backdoor form of foreign aid, this is not healthy. This is not healthy for our country, it is not healthy for the confidence of Members here, nor of the America people. We should have a debate.

Mr. Chairman, what is so troubling about this particular matter is we have never been allowed to have a full debate on the floor of this Congress. It has been bottled up by the committees of jurisdiction. Our efforts to get discharge petitions signed have been very interesting to watch, to move this bill to the floor in other forms, but I think the gentleman's point is incorrect. In fact, this fund was established to prop up the dollar, not any foreign currency.

Mr. LEACH. Mr. Chairman, if the gentlewoman will continue to yield, the gentlewoman is precisely correct on what the fund was set up to do under original law, but the law was changed in 1977 under the Gold Reserve Act. It was precisely changed to allow greater flexibility in usage of these funds, and they have been used for this purpose many times since 1977, with full concurrence of the Congress of the United States.

Ms. KAPTUR. Mr. Chairman, let me just say that historically the fund was never used either for this magnitude, this duration, or this purpose. What has happened during the 1980's, and this is why I call this a backdoor form of foreign aid, if this was necessary to prop up the political environment of this continent and of this hemisphere, then that is what the debate ought to be about, but the fact is we took over $20 billion of our taxpayers' money and put it at risk. It is still at risk.

The long-term debt of Mexico, and if we look at what is happening with the internal dynamics of that country, with its private banks, with the loans that are owned by the private sector, this is not over, as my good friend knows, probably as well as anyone in this institution. This is not the way to do it. This is not the way to do it. I think the gentleman is creating a real paradox inside for Members who may wish to have an open debate on the merits of how we relate to Mexico, but I think this completely erodes that confidence.

Mr. HOYER. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. BENTSEN].

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

Mr. Chairman, let me start out by saying that it would be nice if we could go back to a time where we could live within out borders, trade within our borders, our economy would remain within our borders, and we would not have to worry about what goes on in other countries. However, that time has long passed. The problem with this amendment is that it tries to take us back to where we cannot go. It guts our policy as a nation to intervene in the world currency markets, and in particular, to defend the dollar. That would be a big mistake. We must not tie the hands of any administration to protect the dollar.

In the last 18 months we have seen dramatic drops in the value of the dollar, and we have seen some efforts where the dollar has starteed to stabilize. To do this today would undermine those efforts. Then the result would be a continuing fall of the dollar, a rise in interest rates, a rise in mortgage rates, and that would be detrimental to our economy, which I think would be contrary to what the proponents are trying to accomplish.

Second of all, let us talk a little bit about Mexico. I do not disagree with the proponents wanting to come down and debate the issue of Mexico. I am more than willing to come down and debate it. However, let us talk about a couple of facts with regard to Mexico. No. 1, it is our third largest trading partner. Those facts will not change.

No. 2, we know that exports are down to Mexico, in part because of the economic situation that has gone on there. However, we have to remember that if we had not taken care of the situation, that exports would have been way down in Mexico, and we would have had an economic collapse on our hands. There are 80 million people who live there. They are not going anywhere. They are not going to move anywhere. They are going to be there along the border, a 2,000-mile border with the United States, so we have no choice but to face up to the situation and deal with it.

I would agree with the distinguished chairman of the Committee on Banking and Financial Services, that the policy does appear to be working. I would argue that the figures are not exactly correct, because it appears to this point that we have issued loan guarantees and Treasury swaps in the range of about $10.5 to $11 billion, not $20 billion. However, the policy does appear to be working. Mexico has been able to reenter the capital markets, it has been able to have more capital inflow into the country, and that will work to our benefit.

Let me address another issue that I think is a myth that has been out there. There are a lot who believe that our policy was geared primarily to the benefit of Wall Street investment bankers, but the fact of the matter is that over 50 percent of the bonds, the Mexican Treasury bonds which would have defaulted, were held by United States institutional investors. United States institutional investors are not one or two people who reside on Wall Street. They are pension funds, they are people like you and me, who invest in 401(k)'s and our savings and our retirement.

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

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

Mr. COX of California. Mr. Chairman, is the gentleman speaking of the tesebonos?

Mr. BENTSEN. Yes.

Mr. COX of California. The gentleman is aware that the tesebonos were payable in pesos rather than in dollars. Why does the gentleman believe they would have defaulted?

Mr. BENTSEN. Reclaiming my time, Mr. Chairman, I believe they would have defaulted if there was a collapse, if we had not stepped in, if we had allowed the Mexican economy to collapse. I think they would not have been able to make their payments.

Mr. COX of California. If the gentleman will continue to yield, does the Mexican Government not have the sovereign capacity to issue pesos to repay their sovereign debt?

Mr. BENTSEN. The Mexican Government does have the ability to do that.

Mr. Chairman, let me finish my statement quickly by saying this amendment is misguided. I understand the gentlewoman's concern on the policy, and I would be glad to debate that, but this is a straitjacket on our policy to intervene in the currency markets, which any nation, particularly this Nation, should have the ability to do. It is a mercantilist policy. It is misguided.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I will just say, that is exactly what we want. We want a debate on the merits of the policy and the precedent being established.

□ 1615

Mr. BENTSEN. Reclaiming my time, that is fine, but let us not tie the hands of any administration to intervene in the currency markets to defend the dollar.

Ms. KAPTUR. Let us do it under the law.

Mr. SANDERS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Missouri [Ms. DANNER].

Ms. DANNER. Mr. Chairman, I rise in support of the Sanders amendment to suspend funding for disbursing exchange stabilization funds to Mexico.

Because I know everyone here is aware of the origins of the $48 billion Mexican bailout package, I will not review it again. However, I want to be sure that we all remember that, despite the size of this bailout, Congress has never directly voted on whether or not to approve it.

Mr. Chairman, while this amendment will not immediately cut off funding, it will show that Congress is unwilling to relinquish our control over the Nation's spending.

Mr. Chairman, I think the House should also be aware that as the year has progressed, unappropriated money has continued to flow to Mexico. In fact, by late May, Mexico had already borrowed the maximum amount the Treasury Department allowed to be dispersed before July 1. On June 29, Mexico announced they will draw down an additional $5.5 billion of the $10 billion which became available July 1. In addition, the United States backed IMF has loaned the Mexican Government $8 billion.

Where has the bailout money gone? Well, of the $17 billion Mexico has borrowed through the bailout package, they have spent $6 billion to redeem dollar-denominated bonds, $3 billion to pay off other public debt, $4 billion to pay off dollar deposits withdrawn from Mexican banks and $2 billion to enable Mexican companies to redeem foreign debts.

This money did not go to the Mexican people, it went to foreign investors who made a bad investment decision, and are now being spared the consequences because the United States taxpayer is paying for their mistakes.

I know that this amendment will not bring back the money which has already gone to Mexico, and it will not immediately stop additional taxpayer dollars from flowing to Mexico. However, it will allow Congress to reclaim the constitutional role in controlling the spending of taxpayer's money for the next fiscal year, and that is certainly the least we can do.

I urge all Members to support the Sanders amendment.

Mr. LIGHTFOOT. Mr. Chairman, I yield 6 minutes to the gentleman from Texas [Mr. DE LA GARZA].

Mr. HOYER. Mr. Chairman, I yield 30 seconds to the gentleman from Texas [Mr. DE LA GARZA].

The CHAIRMAN pro tempore (Mr. WALKER). The gentleman from Texas is recognized for 6½ minutes.

Mr. DE LA GARZA. Mr. Speaker, listening to the distinguished chairman of the Committee on Banking and Financial Services, I was very happy that he mentioned the facts, and gave an accurate description of what this fund is all about.

What I am going to very respectfully and quite reluctantly have to explain is that this is no more, no less than Mexico bashing. We are still fighting NAFTA. We did not fight Canada. Oh, no. But are still arguing about Mexico.

Let me give some facts. Mexico is not going to be swallowed by the ocean. It is going to be there forever. The border is not going to change, they will be our neighbors always. What we do with Mexico to stabilize the peso is for my side of the river, for the American side of the river. When the peso is weak for whatever reason, it is McAllen and San Antonio and Dallas and Houston that suffer.

But what disturbs me the most is that in the debate on NAFTA, and I hate to go back to it, we got to a Mexico-bashing binge. I share blood with the Mexican people. And when you insult them, you insult me.

They discussed the environmental issues, that Mexico would not fulfill the obligations incurred by NAFTA. I am going to put in the RECORD later a story about how United States companies are complaining how harshly Mexico is treating them about cleaning up the environment.

United States companies are saying the Mexican Government has closed 28 factories in the State of Tamaulipas, they have sanctioned about 80, but here we are still saying, ''Oh, they're not cleaning up the environment.''

Mexicans have died for the United States of America. There is a Medal of Honor winner from Mexico. They are our brothers. They are our neighbors. They will not go away. They will not be swallowed by the ocean they will remain our southern border.

Yes, we should correct, but I doubt that there is any—I do not know what word to use—integrity in any argument about the fund, when we know what motivates the problem with the fund and how much money that would go to Mexico.

My side of the river is suffering. They are asking me, ''Can you get us SBA loans because we are losing all this business that is not coming from Mexico?''

Mexico has been our stern ally politically, socially, and economically. Let me tell you, the best interests of the United States of America and our very national security demands a stable Mexico, socially, economically, politically.

That is why we at times intervene in Mexican affairs, rightly or wrongly, to try and make them more equal to us. But the bottom line, my dear friends, is that we, the United States of America, took two-thirds of the territory of Mexico in a way that has yet to be explained: Texas, New Mexico, Arizona, California. But now we are on an alien-bashing binge, in California, in the Northeast, anything that does not look like us—blond, blue-eyed, tall.

Would you believe I have Irish blood? I have Italian blood. My children have, through my wife, German blood. My family came when it was Spain, they lived there when it was Mexico, they lived there when it was Texas, they lived there when we were Confederates, but we are citizens of the United States of America and proud of it. But anyone who for any other reason than fact demeans the Mexican people, I resent, because I share blood with them.

It is unfortunate that this issue has been brought up. I have no question about the seriousness of the gentleman who offered the amendment. But it is being used for all the other purposes.

We hear, ''we want the Vietnamese out of California, we want the Salvadorans out of California, we do not want the Mexicans anymore, we want no aliens. They are getting into our political grounds, they are getting our social services, they are coming to get aid'' and so forth.

Mr. Chairman, that should not be the issue. Every one that is here, with the exception of probably my dear good friend, the gentleman from Iowa [Mr. LIGHTFOOT], and Senator CAMPBELL, everyone that is here, came, or their ancestors came, as aliens. You demean your ancestry when you now say, ''Oh, the aliens are taking over our country.'' My friends that is what we are all about.

We should stick to the facts. But I cannot, because I see behind the eyes of the debate and the speaking of the debate. I see bashing Mexico. That is not correct. That is not proper. The best interests of the United States of America demand a stable Mexico. Anything that we do, the stabilizing of the Mexican peso was done for the States of Texas and Ohio and Indiana and all the people that sell in Mexico or sell to our Mexican friends who come to our country, specifically in the border States.

Mr. GONZALEZ. Mr. Chairman, if the gentleman will yield, I wanted to ask the gentleman to yield to identify with him. We are fellow Texans and we have a very similar, almost identical background. I identify with him.

Just to clarify the point that I have often and repeatedly said when I have been called an Hispanic, I say, ''No, I am not Hispanic, I am just a plain old Mexican.'' The fact that where we come from and what we identify with, and up in these sections of the country the history that is ignored, I thank the gentleman for recalling it.

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

Mr. Chairman, the speech from the gentleman from Texas was very moving and interesting but totally irrelevant to what we are talking about right now. I bitterly resent the gentleman's suggestion that anyone here is Mexico bashing.

The issue is whether the taxpayers of the United States were put at risk $20 billion without one word of discussion or one vote on the floor of the House. If the gentleman disagrees with me, then he should participate in that debate on the floor of the House. Maybe he will win. Maybe he will not. But that is the way democracy works and that is what the Constitution mandates.

Mr. Chairman, I yield 8½ minutes to the gentleman from California [Mr. COX].

Mr. COX of California. Mr. Chairman, I thank the gentleman for yielding me the time. I thank him for bringing this amendment to the floor. I am happy to rise in support of it.

I would like to go through a little bit of what we have heard on the floor thus far and respond to it.

First, my distinguished colleague from Iowa has said that Congress is to blame for refusing to deal with the issue of the Mexican bailout. I beg to differ. Along with my colleague, I worked on a task force appointed by the Speaker of the House.

Mr. LEACH. Mr. Chairman, will the gentleman yield on that point? The gentleman used my name.

Mr. COX of California. I yield to the gentleman from Iowa.

Mr. LEACH. Mr. Chairman, I said in the background of this debate was the failure of the Congress to act. I did not use the verb ''to blame.''

Mr. COX of California. I do not know that I heard the gentleman say anything different than that. What I said was that I heard the gentleman to say that Congress refused to deal with the issue. I beg to differ. I do not believe that Congress is at fault for refusing to deal with this issue.

As I was about to say, I served on a task force with the gentleman from Iowa and negotiated with the administration on their proposed legislation, on their proposed plan for what became the Mexican bailout. I worked with Larry Summers from the Department of the Treasury. We worked with representatives from the White House.

It became clear after the legislation took shape that there was not much support for it in the House of Representatives or in the Senate. The response of the administration was, therefore, to pull the bill. That is why Congress did not have an opportunity to vote on it before anything else could happen, even though Congress at the behest of the Speaker and the majority leader in the Senate, and in very bipartisan fashion, this task force had Democrat and Republicans on it, were working to put together a proposal that could come to the floor.

Before that could happen, the administration announced that they were going to seek to do this unilaterally without congressional authorization, that they were going to seek to commit $20 billion in U.S. resources unilaterally. That is what happened. It is not the case that Congress refused to deal with this issue. Rather, President Clinton pulled the bill because he did not have the votes. Those are the facts.

Second, we have heard several people talk about the policy, whether or not it is working, whether or not it is a success. I would say, if I had more time, that there is much economic data to suggest that the conditions that have been imposed along with the loan guarantees by international organizations have done as much if not more harm than good to Mexico.

□ 1630

But we ought not be debating the policy. We had a chance, as members of the task force, to do that. We would have had a chance to do so on the floor the House and on the floor of the Senate, if there had been a vote, but that never happened.

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

Mr. COX of California. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I am just puzzled by the gentleman's view of who controls the legislative schedule. If the Speaker of the House of Representatives wanted to present the bill, he could have presented it. Does the President have the right to pull any bill? Because if he does, if any time the President says, ''Pull the bill,'' the Speaker is going to comply, I will go get the list right now and we can be out of here for recess in about an hour.

Mr. COX of California. Mr. Chairman, reclaiming my time, the gentleman from Massachusetts [Mr. FRANK] headed up the Democratic task force that was drafting the legislation that would have come to the floor, if the President had not acted unilaterally.

Mr. FRANK of Massachusetts. Mr. Chairman, if the gentleman would continue to yield, if the Speaker had wanted it to come to the floor, it would have come to the floor. The gentleman should not make this a partisan issue, when it is not. There was a joint consultation. The suggestion that the President unilaterally can stop this House from acting on legislation that the Speaker wants to bring forward is nonsensical.

Mr. COX of California. Mr. Chairman, reclaiming my time and yielding no further, because I only have a finite amount, the rest of the story, which the gentleman from Massachusetts conveniently leaves out, is that we came back to the floor after the President unilaterally acted and deprived us of the opportunity to vote.

The gentlewoman from Ohio was especially active in the Banking Committee drafting a resolution that I would be surprised if the gentleman from Massachusetts did not vote for. We did schedule a vote, although the President presented us with a fait accompli.

We said, ''All right. At the very least provide us with documents. Show us what it is that you think justifies your acting unilaterally, because Congress does not intend simply to abandon its responsibility and give up the power of the purse.''

There was a deadline that the President did not observe. He did not provide the documents in response to the overwhelming vote of this House. Perhaps somebody can tell me precisely what the vote was, but it was more than 300 of us who voted, out of 435, to require that by a date certain in March the President send up those documents.

When the President did not do so, we acted again in Congress. We passed the Mexican Debt Disclosure Act. It was a statute signed into law by the President. He did not have any choice, even though he did not like it, because it was attached to the Defense supplemental appropriations bill. Under that statute he was required to turn over documents.

That statute required that the President turn over all of the requested documents and that the President certify that all of those documents had been provided. The President has yet to make that certification, long after the deadline in the statute. The President, according to the opinion of the general counsel of the House of Representatives, is now violating the law in that respect.

So, Mr. Chairman, do we have the right to come to the floor and say that even though some of us are strong supporters of Mexico. Some of us who live in California and share a border with Mexico believe that nothing is more important than our relationship with our closest neighbor in terms of our foreign trade, our international security and so on, that even though we support that relationship and believe very strongly in friendship with our Mexican neighbors, that we think before we give anyone $20 billion in U.S. resources, we ought to vote on it first in Congress.

Mr. Chairman, I am a strong supporter of Israel. We had a nationwide debate on whether to give $10 billion, half the amount, in loan guarantees to Israel. It was a tough vote. I voted in favor of it. Some Members voted against it, but that is the way these decisions should be made.

Never in American history has $20 billion been extended through the Exchange Stabilization Fund, or any other piggy bank of the President of the United States, to some foreign government without the assent of Congress.

What is our entire foreign aid budget this year? $11.5 billion. Roughly double that is the amount the President committed without checking with this Congress. The gentleman from Vermont would now have us vote on a very simple amendment and I would like to

refer to the text of that amendment, because it is different than described by some of the opponents.

What it says is that we cannot spend appropriated moneys under this act on the Exchange Stabilization Fund if the purpose is to bolster a foreign currency. We can continue to do it without checking with Congress at all if the purpose of it is to defend the dollar in international exchange markets.

So, yes, we could even use the Exchange Stabilization Fund to defend the foreign currency if the President would check with the Congress first. And for that reason, I urge all of my colleagues to vote for this amendment.

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

Mr. COX of California. I yield to the gentleman from Texas.

Mr. BENTSEN. Mr. Chairman, let me ask a question. Does the gentleman from California [Mr. COX] think that it is proper for the U.S. Government to join with other central banks to intervene in the foreign currency markets to affect the price of other currency which will, therefore, affect the price of the dollar?

Mr. COX of California. Mr. Chairman, of course I agree. And this amendment is not about our central bank, which is the Federal Reserve. Let me respond. I only have a moment left. We are not talking about our central bank here. We are talking about the Exchange Stabilization Fund, which is set up by statute for the purpose of defending the dollar. It is clarified in the amendment by the gentleman from Vermont [Mr. SANDERS] and I think it is a very sound amendment.

Mr. Chairman, I am one who believes in energy in the executive. Before I served in Congress, I worked in the White House counsel's office. When Bill Clinton is in that White House, I want Bill Clinton to be a strong, energetic executive, because that is what America needs.

I support executive powers. I support the line-item veto. I support repeal of the War Powers Resolution. I was down here a few days ago arguing in behalf of that. I support revising the 1974 Budget Act to put the President back in the process.

But that is not what this is about. This is about the power of the purse, which under any reading of the Constitution belongs here in Congress. We are here on this vote to reclaim it. Vote ''yes'' on the Sanders amendment.

Mr. HOYER. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, first, with regard to stabilizing the currency, the notion that you stabilize one currency without looking at others is a little bit odd. As a matter of fact, my recollection is that when the Mexican crisis was averted, we can debate for how long, that was good for the dollar. The dollar was threatened by this. So as a matter of fact this did have the effect, I recall, of bolstering the dollar in the short term.

I am opposed to the amendment. I think what the President did was reasonable. It has so far succeeded, compared to the alternative. People forget the eternal wisdom of one of the great commentators on the human condition, Henny Youngman: The important issue is always compared to what? Having not done this, and having had the collapse in Mexico that would have occurred, would have had very negative consequences.

But I also want to address the rather extraordinary history that we just heard from the gentleman from California [Mr. COX], a member of the Republican leadership.

We have been reading about the strong Speaker and the strong leadership. It now turns out that the Speaker of the House and the majority leader of the House and the Republican leadership will not bring a bill to the floor if the President does not want them to. No one knew that before.

The Speaker, as I recall, supported what the President did. Now, I just read in the paper yesterday that the Speaker made a statement about Taiwan. Henry Kissinger called him up and he changed his mind. Did the Speaker change his mind? The Speaker supported this action of the President. Did Henry Kissinger call him and make him change his mind again? Maybe we will have to read tomorrow's New York Times.

The notion that the President of the United States stopped this House from voting, when control of the legislative agenda is in the Republican hands, is nonsense. Did Senator DOLE refuse to bring it to a vote in the Senate because of consideration for the President?

Let us not debase this with that kind of partisanship. There was, in fact, joint consultation. It was one of the most bipartisan things that has been done all year. The chairman of the Committee on Banking and Financial Services was taking a very responsible decision. People might agree or disagree. He was trying to work it out. I disagreed with him on some specifics, but there was joint bipartisan leadership consultation to do this.

So the notion, particularly from a member of the Republican leadership, that this was a Democratic thing thwarted by the President is really not a useful way to debate this. It really does a disservice to the Speaker. Is the Speaker some helpless child? He is tied up somewhere and he could not bring this bill to the floor?

If the Speaker wanted the bill to be brought to the floor, he could have brought it to the floor. I think the Speaker would have said this was as important as rhinoceroses and tigers, and he got a vote on rhinoceroses and tigers and he probably could have sneaked this one in. So, let us not have that kind of unfair mischaracterization.

Now, as far as the legislation is concerned, it is relevant to the stabilization of our currency in the broadest sense. And I believe if my colleagues will go back and check, that the dollar, in fact, benefited from the announcement of this deal. And that, in fact, let me put it this way, if we learned tomorrow that this was falling apart and that Mexico was going to be in serious trouble, I do not think that would be good for the dollar. I think that, in fact, that would destabilize the dollar. So in the broader sense, this, I think was useful.

These are difficult questions. I am not happy with the internal situation in Mexico. I was not ready to vote for the legislation, because I wanted more conditions dealing with labor rights in Mexico. But it is because of the interconnection of our economy and theirs that I wanted those.

As, in fact, things deteriorate in other countries, that has a negative effect on us in two ways: A negative competitive effect, because an implosion standards there has a downward pull on standards here; and it means they do not buy as much.

Given the difficult situation with bipartisan consultation, the President did, I think, something that was courageous and has worked well. But to have a member of the Republican leadership make that kind of partisan attack, inaccurately suggesting that the President somehow kidnaped the Speaker, kidnaped the majority leader, hornswoggled the Senate, and kept this from being voted on is simply wrong.

Mr. LIGHTFOOT. Mr. Chairman, I yield 7 minutes to the other gentleman from Iowa [Mr. LEACH]. There are only two of us.

Mr. LEACH. Mr. Chairman, I thank my distinguished and good friend for yielding, and, as an aside, I want to thank him for his kind comments that related to the comments of the gentleman from Wisconsin [Mr. OBEY].

Let me make one minor correction to the statement, virtually all of which I agreed with, of the distinguished gentleman from Massachusetts [Mr. FRANK]. The real power in the House on that issue rested with the gentleman from Massachusetts, not the President. The reason the Speaker did not bring a bill up was that we could not get majority support in either party, as symbolized by some of the concerns of the gentleman from Massachusetts.

But I also think from a historical perspective, to be fair to the President, it is important to point out that a point was reached 4 months ago in which the leadership, which was working on the issue, came to the conclusion that majority support was unlikely to be achieved on a timely basis and this information was conveyed to the President with the recommendation, given the significant diceyness of the day, that he act utilizing executive authority at that time.

So the recommendation came on a timing basis from the Congress of the

United States, from the leadership of the Congress, recognizing that Members, like the gentleman from Vermont and the gentleman from California and the gentlewoman from Ohio did not support the legislation, and that Executive initiative that we believed, after careful legal review was legal and was constitutional, should be taken.

But I want to make the distinction between ESF and certain appropriated programs. The Exchange Stabilization Fund was established, I believe, in 1934. The original appropriation, and my understanding is the only appropriation, was about $200 million.

It now has resources of about $42 billion, which relate to earnings in the fund in interventions and defense of the dollar and other currencies. So we are talking about a fund that was built up 95-plus percent outside the appropriations process.

Mr. Chairman, I would also stress that the Exchange Stabilization Fund allows us the capacity to quickly intervene. If we unilaterally disarm our capacity to defend the U.S. dollar, overnight we will precipitate a weakening of the dollar. In macroeconomic terms, this will cause a rising of interest rates, which will be to the disadvantage of the United States of America.

I would also state that it will weaken the United States capacity to maintain a principal role as a major reserve currency. That role allows seniorage, which earns us a great deal of money every year and is also a stabilizing influence for American business. A gyrating dollar is not in the interest of the United States commerce.

I would also stress that in many regards the Mexican crisis represents the first issue of a new financial order. In that crisis, in a bipartisan way, the President of the United States worked with the new leadership of another party in the Congress, and came up with an ad hoc bipartisan approach which also provoked bipartisan criticism.

I would say to the gentlewoman from Ohio and the gentleman from Vermont that there are two parts of your argument I totally agree with. It would have been vastly preferable for Congress to have acted. It is also true that this is an unprecedented usage of these funds in terms of magnitude, although not in principle. Having said that, I personally believe the President of the United States is to be credited. The Speaker of the House is to be credited. The minority leader is to be credited with working to try to constructively come up with an arrangement which is legal—although with unprecedented aspects—and which fits the times.

Mr. Chairman, nothing could be more ironic, that after what appears at an early stage to be an extraordinarily successful program, we were to undercut that program and at the same time, in the same way, weaken the capacity of the United States to work in traditional ways with the Exchange Stabilization Fund to defend the dollar in the future.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. LEACH. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, the gentleman used the term ''arrangement'' to describe what has occurred in our country on this particular issue. He said the reason a bill could not be brought up on the floor here is perhaps there would not have been a majority of votes.

Would the gentleman agree this is not a parliamentary system, this is not a monarchy, this is a Democratic republic?

Each of us does have a right to express our views and in this instance, yes, an arrangement was made by a handful of individuals in this Government, and we have not met our constitutional responsibilities. Would the gentleman agree this is not a parliamentary system or a monarchy?

□ 1645

Mr. LEACH. Certainly this is a constitutional arrangement. This arrangement was constitutional, although it would have been preferable for this body to have acted on its own, but the legal authority was there for the President to act.

Mr. BENTSEN. Mr. Chairman, will the gentleman yield to me?

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

Mr. BENTSEN. The distinguished Chairman of the Committee on Banking and Financial Services, the way this amendment is written, do you believe it would prohibit the Treasury Secretary from being able to intervene to support the dollar by buying or selling foreign currencies, whether it is the deutsche mark or the yen?

Mr. LEACH. Without doubt, this is an amendment as written that has that effect, and it should be on those grounds alone, however one stands in the Mexican issue, defeated.

Mr. SANDERS. Mr. Chairman, I yield 4 minutes to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, perhaps a little review of the debate over the adoption of NAFTA would be in order at this point.

There were many of us who stood on the floor and bitterly opposed the adoption of NAFTA, and one of the many points we made was that it was clear in the oligarchy that runs Mexico that they had artificially overvalued the peso in order to make them look a more attractive trading partner with more buying power.

Now, we were wrong. We were wrong. I admit it. We said the peso was overvalued by 25 percent. The markets say the peso is at least overvalued by 40 percent, probably more, except the United States intervened in a bailout to save it.

Now the free market would have found a value for the peso. This is free trade. Why do we not let free markets work? I suspect it is because of a whole heck of a lot of large investors on Wall Street. The 50 percent that are institutional, are not institutional, whichever it is, had billions of dollars on the line. They had only been making 40 and 50 percent interest.

I can understand that the taxpayers should bail them out. These poor investors, 40, 50 percent interest. All my constituents are accustomed to getting that return in their savings account, and if their savings alone went down, they would expect to get bailed out if they had been getting 40 or 50 percent. Get all their capital back. Right? Right? No. Did not happen here. Should not happen there.

We do not know who was invested in Mexico because Mexico will not tell us, and the United States government will not tell us. We are bailing them out with $20 billion of our taxpayers' money, and we are not entitled to get a list of the recipients.

The New York Times had a really interesting graphic. They showed the flow of the money. The money went from the U.S. Treasury in Washington to the Federal depository institution in New York, and it went from there to the brokerage houses in New York, and it went from there offshore to the Bahamas into tax-free accounts.

Who owns those tax-free accounts? Average Mexicans? Average Americans? People with their pension funds? No. Special interests, big investors, big-time Wall Street folks, international investors, and others. This is who we are bailing out.

Nothing has changed. We had a Republican revolution. Nothing has changed. Nothing. Those same people are dictating the trade policy of this country, and when they could not jam a bill through the House of Representatives, even with the support of the Speaker of the House, they then pressured the administration and got them to cut a back room deal. And we still do not have the documents and the disclosure.

What else would we spend $20 billion on without a vote, without the documents, without the disclosure, without knowing who the beneficiaries are? I do not think there is anything else that could go through this House.

We spent hours debating the elevator operators' salary on this floor. $20 billion, colleagues. If you vote no on this amendment, there is one thing the people of your district will know. You have voted to endorse the back room deal, the bailout of Mexico.

A vote no on this amendment is a vote to send the dough to Mexico with no accountability on the part of this House or on the part of the administration and no accountability to the taxpayers. Just remember that.

If you vote yes, you are asking for accountability, and you are saying these sort of things should not happen without a vote of the elected representatives of the people.

We do not commit our taxpayers' funds to bail out big investors and foreign interests without the consent of the duly elected representatives of the United States, or we should not. Vote for this amendment. Vote no, and you are voting to endorse the bailout.

Mr. HOYER. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Michigan [Mr. LEVIN].

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Chairman, with some reluctance, out of respect for the author, I rise in opposition to the amendment.

I do not think, by the way, it is fair to say that he is bashing Mexico. I think that is, if I might say, very unfair. We ought to be able to talk on the floor of this House without saying that someone who disagrees with us is bashing this or that. I think reasonable people can differ.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

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

Mr. DE LA GARZA. Mr. Chairman, very respectfully, and I tried to be respectful, but it is always whenever anything related to Mexico is brought up, it is basically the same people. So what deduction can we get from that, regardless of the mainstream issue?

I thank the gentleman, appreciate his comments.

Mr. LEVIN. I just think we have to be careful about our deductions sometimes, and I am on the gentleman's side on this one, but I do not think the people who disagree with me are bashing Mexico. I was with them on NAFTA, and I was not bashing Mexico, and I would still vote against NAFTA if it came up today. I think the jury is out.

But, look, this amendment is not a wise amendment. First of all, it is much too broad. It would prohibit, in essence, any use of the fund to bolster any foreign currency.

Now, we have done that 90 times in the last decade, 90 times. Are we going to insist there be a congressional vote every time the fund is going to be used for stabilization? Now, this is 90 times to bolster a foreign currency. That is what I understand from Treasury.

Now, this is not wise. Sometimes bolstering a foreign currency is in the advantage of the United States of America. It better be, or else we should not be bolstering that foreign currency.

We should have bolstered the yen 15 years ago. We would have been much better off without a strong dollar.

So this amendment is much, much too broad, and I think sometimes these broad swings are going to be misunderstood, and in this case, I think it would be.

Let me also point out, this is not the use of $20 billion like foreign aid. This is a loan guarantee, in essence, and so no one should misunderstand that we appropriated $20 billion to go to Mexico. That is not what happened.

Now, third, let me say just a word about what has happened in terms of Mexico and U.S. economic relationships.

I am concerned about the trade imbalance that is growing, but if the Mexican economy had collapsed, if you want to put it this way, NAFTA might have turned out even worse. The trade imbalance could have become even more serious.

It was important for the United States that the peso collapse be addressed. That is why we did it. And it was not only for a few small big investors. There were pension funds that had large-scale investments in Mexico. Average Joe and Jane Public had their money at stake here.

So I say to the gentleman from Vermont [Mr. SANDERS], it is useful to discuss this rather unusual case of using the ESF on a long-term basis. That is somewhat unique in its history. But taking the ax to the ESF is not a wise approach. Let us raise this problem. Let us do it in an intelligent, in an intelligible way. Let us not cut off our nose to spite our face. I oppose this amendment.

Mr. SANDERS. Mr. Chairman, could I inquire as to how much time is remaining?

The CHAIRMAN pro tempore (Mr. WALKER). The gentleman from Vermont [Mr. SANDERS] has 11 minutes remaining, the gentleman from Iowa [Mr. LIGHTFOOT] has 2 minutes remaining, and the gentleman from Maryland [Mr. HOYER] has 7 minutes remaining.

Mr. SANDERS. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MILLER].

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman and Members of the House, I would hope that we would support the Sanders amendment because it does violate the relationship between this House and the people we represent and the President of the United States. When we make an expenditure of $20 billion, we ought to have the right to vote on it.

The notion that somehow this is the instrument, these are the tools of the new financial order, is to suggest that we are the lender of last resort and there will be no risk for hot money on Wall Street. We cannot hide this problem behind the pension funds that were there. Maybe they should not have been there.

The financial problems and the risk in the Mexican market were discussed in business journals across this country and across this world. If you read the Wall Street Journal, if you read Forbes, if you read Fortune, if you read Barrons, everybody was commenting on how fraudulent the system was in support of its peso many months before.

The night that Mr. Greenspan came up here and Mr. Rubin and others, they said that this was a surprising development, and then when they laid out what happened, they said it was perfectly predictable.

We ought to have some say in that. And the other part of this is, we ought to know who we are paying off.

Orange County is going through serious problems. They are going through what potentially could be a bankruptcy, if not a full-blown bankruptcy. The fact of the matter is, they are negotiating with their creditors. A lot of this money was simply hot money that was looking for returns far beyond what they could expect. They stood to lose 70, 80 percent of their investment had we not intervened.

Could we have delayed the payoffs? Could we ask for time? Could we ask for terms? Could we have negotiated with the Fidelity people who overextended their investors into this operation? Could they wait like school districts are waiting in Orange County? Could they wait like water districts, like cities and counties are having to wait for payments?

But we never got to a point of discussing that. We never had to make that because we do not know where the money went. That is the term. That is what you should be doing.

People ask you all the time, ''Why don't you run it like a business?'' Nobody would have done this. Nobody would have handed out $20 billion with no terms and no disclosure, and we should not have allowed it to happen in the names of our constituents.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Arizona [Mr. KOLBE].

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

Mr. Chairman, the problem with the Sanders amendment is that it really deals with the symptom. It is not a cure.

It is a little bit like going to your doctor and saying you have got a hangnail, a sore toe, and he says, we are going to take your leg off above the knee. That really is not the answer to the problem, and that is certainly what we are doing here. Trying to take away the Economic Stabilization Fund or the operation of the Economic Stabilization Fund is certainly not the answer.

I know it is argued that this is sending a message, we are trying to send a signal here, but this is not the right one. What I think this has demonstrated is that the institutions that we have are not working very well. The institutions that were developed at the time of Bretton Wood a generation and more ago are not working very well.

The Economic Stabilization Fund was used in this instance, basically, as it was intended to be used, in a much larger degree than I think anybody had ever anticipated that it would.

Should we in Congress have more control over that? Should we exercise more authority over that? That can reasonably be argued. But I think it cannot be argued, at least it has not in

any court been argued, that it was not within the law that Congress had passed. And I think what is abundantly clear is that the institutions we have today are not working in this age of electronic fund transfers where in a nanosecond money can be transferred around the world a dozen different times.

Now, we have heard here on the floor a lot about bailing out big Wall Street investors. That is not the case. What is different about this financial crisis in Mexico that has never been replicated, we have never seen before in the world, is this is the first mutual fund crisis that we have seen.

□ 1700

Literally tens of thousands, hundreds of thousands, even millions of investors are involved through mutual funds. It is not the case as it was in 1982 where one could go to the bank and say to the banks, ''You deal with this problem in Mexico.''

So finally, Mr. Chairman, the question is, Is this working? Well, the jury is out; that has been said already here. But what is the alternative? Clearly what we are seeing in Mexico with the Mexico peso crisis was greater instability in financial markets all over the world from places as remote as South Africa, Thailand, and of course in our own hemisphere, in Argentina. A very critical problem was developing in Argentina. We needed, the world needed, to act, and we did not act unilaterally in this regard because our allies were involved in this as well.

We acted, and we acted correctly. The solutions are not good, none of them were good at the time, but under the circumstances it is my view that it was the right choice. Now it is time for us, in a cool, detached way for the Banking Committee and the other relevant committees of this Congress, to take a look at what should be the long-term solution. But, Mr. Chairman, the Sanders amendment is not the answer, and I hope this body will vote ''no.''

Mr. SANDERS. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. STOCKMAN].

Mr. STOCKMAN. Mr. Chairman, I think what we have done here is we have abdicated, we have abdicated our responsibility to the Constitution, and we should be ashamed in this body. We sit here and duck our responsibility. That is what we did here. We were given the job of controlling the money. That is where this comes from, from this body. But when it came time for our job to be voted upon, we slipped out and slithered out and allowed the administration to do it for us. That is wrong.

Currently the banks in Mexico are under a great deal of financial strain, and they are predicting they may collapse, and the reason they are collapsing is because of the strings that were attached to this bailout.

Let me repeat that. The banks are on the verge of collapsing in Mexico. They are charging these little campesino bankers, these little campesino people, 90 percent interest. That is not compassion. I do not think that is compassion. I do not think anybody in this body would consider that compassion. They cannot make those interest-rate payments because we up in this country are telling them, dictating to them, what banking rates they should be charged. So they cannot fulfill their obligations.

Mr. Chairman, when they cannot fulfill their obligations, they cannot pay the banks, and when they cannot pay the banks, the banks do not collect the money, the banks will fall.

Mr. Chairman, there is no financial expert that says the Mexican banks are in better status today than they were before the bailout. Those are facts that cannot be denied. All we have done is made a situation which was OK worse.

We are fooling ourselves. We are just rolling this money over, and in a short time we will be at this same situation. Mark my words, we will be doing it again.

I am for loan guarantees. I would have voted for loan guarantees for Israel, but we never had an opportunity to vote on that, and I am glad that the gentleman from Vermont has stuck up for the American taxpayer and has stuck up for the campesino in Mexico, and to sit here and say it is a racist thing or anything else is an outright lie. If anything, it is more compassion and more feeling.

Mr. Chairman, those people have been under the boot of a very repressive government, and it is wrong for us to sit here in silence and duck our abilities. We were elected here to do something, and I think the gentleman from Vermont, I owe him a great deal. I say to the gentleman, ''You are wonderful, and I think that we need to support this amendment, and it is wrong for us to duck our responsibility, and thank you for bringing it to the floor so we can show exactly where we stand.''

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding this time to me, and let me sum up by saying nothing is more important in this debate than the integrity of our Constitution and meeting our constitutional responsibilities in this body. We have never had a chance to vote on the merits of this issue. The economic stabilization fund has never been used for this purpose.

I say to my colleagues, You can try to slide around it, but the point is $20 billion is at risk, and we have not been able to vote on it, 20 times more than that fund has ever been used for in the past only to defend the dollar, and now to prop up the currency of another government.

A few years ago in the Committee on International Relations, and I commend my colleagues to read it, there was a magnificent hearing in which the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON] talked about the dangers of this economic stabilization fund and the fact that we should not be permitting the kind of intended interventions that were being contemplated even back then but were not permitted in the case of Poland, and they said the money should be put on budget, we should not be doing back-door foreign aid through the economic stabilization fund. So Poland could not get help. It was discriminated against through that fund, but in this instance the policy was executed against the best wisdom of the highest ranking people at the U.S. Treasury Department. They advised against that years ago.

So let me say to the gentleman from Vermont, I commend you on your amendment. No Member of Congress can hide under a rock on this one.

Stand up for the Constitution. Stand up for our responsibilities. Support the Sanders amendment.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Chairman, does the gentleman from Iowa have the right to close?

The CHAIRMAN. The gentleman is correct.

Mr. HOYER. Do I have a right to be before him in the order? Is there a precedence of order in closing in light of the fact he and I agree? We are both representing the committee on obviously the majority and minority side.

The CHAIRMAN. There is no prescribed way of proceeding here. It is at the discretion of the Chair.

The Chair thinks, for the purpose of symmetry, that it would probably be better to allow the gentleman from Vermont [Mr. SANDERS] to precede the gentleman from Iowa [Mr. LIGHTFOOT], but there is no prescribed order.

Mr. HOYER. I do not know whether the chairman of the Committee on Banking and Financial Services desires any further time as we end this debate. If he does, I would be willing to yield him some time.

Mr. LEACH. Mr. Chairman, I appreciate the gentleman's offer, but I do not.

Mr. HOYER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, much has been said about the utilization of the economic stabilization fund recently by the President. It is clear that when we talk about constitutional responsibility, it does not mean that the Congress has to act in every instance. It is, I think, not accurate to say that, because the Congress has the ability or power to do something, that it must do something. In point of fact what we all know happened is a majority of the Congress decided that they would just as soon have

the President, in concert with the leadership of both parties in the House and the Senate, proceed to address this crisis.

Now we do that on many occasions. We do it in committee when we know there could be amendments offered, but we decide not to offer amendments, or we decide not to bring bills to the floor. I suggest to my colleagues that in a fact that is what has happened in this instance.

Now, as it relates to the amendment itself, I would reiterate that the amendment has the, I think, very sincere flaw, not because the gentleman wanted to have that flaw, but because from a parliamentary standpoint it was necessary for him to include the made-known language if his amendment was to be in order, but, my colleagues of the House, what does this mean that no funds can be spent for any employee, including any employee of the executive office, in connection with the obligation or expenditure of funds in the—stabilization fund when it is, quote, made known to the Federal official to whom such amounts are made available in this act that such obligations or expenditures is for the purpose of bolstering any, not Mexican, any, foreign currency?

What does that mean? Does it mean that one Member out of 435 from the Congress can call up the Secretary of Treasury and say this is being used for the purposes of bolstering a foreign currency? And then preclude that official from taking further action because nothing in here says that the public official must be convinced that that is the fact. Why? Because if that report was required, the amendment would be out of order. Nothing in this amendment requires that the informer who makes it known needs to be credible or that the informer who makes this known need have any information whatsoever on this issue.

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

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

Mr. COX of California. Mr. Chairman, I would observe only that under the status quo, speaking of legal technicalities, the President of the United States was able to commit $20 billion in taxpayer resources and claimed to be doing so within the language of the law because they stretched it so far. I would prefer if the law were changed.

Mr. HOYER. Reclaiming my time, the gentleman begs the question. The amendment, the substance of the amendment, and the gentleman is a law professor, a very erudite individual, Member of this House; the amendment is simply frankly, in my opinion, unenforceable, or in the alternative, if enforceable, almost impossible to have any rational application of, because there is no, no standard or criteria in here as to the Secretary or other official having it made known on what basis of credibility information or status.

So I would hope that this House in an amendment that could have very serious consequences, very serious consequences on which there has been no hearing, on which there has been this limited debate, would reject this amendment, not because my colleagues agree or disagree with what was done, not because my colleagues voted for or against NAFTA, not because my colleagues would vote for or against similar legislation in the future, and not because, as some would interpret, that they have a motivation to allow the President to do anything he wants, but on the sole criteria that this legislation is inappropriate on this bill and is a dangerous piece of legislation in this context.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. STEARNS].

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. I say to my colleagues, ''This is going to be the vote on whether your support the bailout of Mexico.'' Make no bones about it. If you're against the bailout of Mexico, you should vote to support Mr. SANDERS. You know time and time again we get on the House floor, and we say what is this amendment about. Let me just take a few moments to read the first two or three sentences of this amendment because too many people come on this floor and don't know that the amendment is about.

Well, this is it:

No amount made available in this Act may be used for the salaries or expenses of any employee, including any employee of the Executive Office of the President, in connection with the obligation or expenditure of funds in the exchange stabilization fund when it is made known to the Federal official to whom such amounts are made available in this Act that such obligations or expenditure is for the purpose of bolstering any foreign currency.

Now, my colleague from Maryland says where does he get the idea of Mexico. Read the bill. We did a $25 billion bailout of Mexico. So I am saying to the House, my colleague from Vermont is just trying in this small way to say, ''Let's have a vote on this floor on the bail out,'' Vote ''yes'' on the Sanders-Cox amendment.

□ 1715

Mr. SANDERS. Mr. Chairman, I am delighted to yield 1 minute to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the Sanders amendment. Congress, as has been said today over and over again, has never given the opportunity to vote on the Mexican bailout. Leaders in this House simply knew that a majority of Members of Congress were troubled about the bailout, had questions that people did not want to answer, and the administration and people supporting NAFTA or supporting the Mexican bailout in this institution did not want to answer those questions. Congress, as you recall, a year-and-a-half or so ago barely passed NAFTA. The public opposition to this bailout was even greater than the public concern and opposition to NAFTA. The questions about the bailout ranged all over the board about what kind of collateral there was going to be, what happens if there is default, how much money is committed, why are we doing this bailout, who benefits from the bailout, do the Mexican people benefit, do the American people benefit, do people in Wall Street benefit, where are the benefits of this bailout? None of those questions was answered in this institution, in this body, because we never had a vote. A ''no'' vote, Mr. Chairman, on this Sanders amendment, is a stamp of approval for the bailout.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. DEFAZIO].

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

Mr. Chairman, we have been told that this is a success that has bolstered the dollar. Actually, if you remember, the dollar reached record lows versus the German mark and the Japanese yen about a month and a half ago, and many of the pundits said that there were three reasons. First was NAFTA, second was our U.S. deficit, and third was our international deficit. But they emphasized NAFTA. They said, we have inextricably, through the bailout, linked the U.S. dollar to the peso, we have linked our currency to the currency controlled in secret by an oligarchy, one that has been known to profit and artificially benefit billionaires in its own country and oppress its own people. The standard of living of the people of Mexico has dropped 40 percent since December.

This is not a success. It is simple. If you are against the Mexican bailout, vote yes on Sanders. If you want to implicitly or explicitly take the only opportunity you will be offered this year to vote on this, if you want to endorse the bailout, vote no.

Mr. LIGHTFOOT. Mr. Chairman, before closing, I yield such time as he may consume to the gentleman from Iowa [Mr. LEACH], for a unanimous-consent request.

Mr. LEACH. Mr. Chairman, based on the fact that two Members, one from each side, have read an amendment that is not the amendment under consideration, I ask unanimous consent that the Clerk read the amendment that is under consideration before this body.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS.

Amendment No. 12: Page 84, after line 17, insert the following new section:

SEC. 628. None of the funds appropriated by this Act may be used for salaries or expenses of any employee, including any employee of the Executive Office of the President, in connection with the obligation or expenditure of funds in the exchange stabilization fund.

POINT OF ORDER

Mr. SANDERS. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SANDERS. Mr. Chairman, the amendment that was given to the Chair reads differently than what the Clerk has read.

The CHAIRMAN. The Chair wishes to inform the Committee that the amendment that was just reported by the Clerk is the only amendment that was provided to the desk.

Mr. SANDERS. That is not correct, sir.

The CHAIRMAN. The Clerk has reported the amendment that was provided to the desk.

Mr. SANDERS. Mr. Chairman, we have a problem. We absolutely gave the amendment that was here to the Clerk.

The CHAIRMAN. Does the gentleman ask unanimous consent to withdraw the amendment which was just reported by the Clerk and submit another amendment?

Mr. HOYER. Mr. Chairman, I ask unanimous consent that the gentleman from Vermont [Mr. SANDERS] be given the opportunity to withdraw the amendment that apparently is at the desk and substitute the amendment which reads after ''stabilization fund'', ''* * * when it is made known to the Federal official to whom such amounts are made available in this Act that such obligation or expenditure is for the purpose of bolstering any foreign currency.''

Mr. Chairman, this will provide a degree of comity. The gentleman from Vermont clearly thought that was the amendment, and, very frankly, what he thinks was the amendment is what I have in front of me.

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

Mr. LEACH. Mr. Chairman, reserving the right to object, I would only suggest that a moment be given to the gentleman from Vermont [Mr. SANDERS] to explain the meaning of his amendment. I have read both amendments. They have a similar objective and are dissimilarly flawed, but, nonetheless, flawed, but I think the gentleman ought to be given the right to explain the difference.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. SANDERS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. SANDERS

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

The Clerk read as follows:

Amendment offered by Mr. SANDERS: Page 84, after line 17, insert the following new section:

SEC. 628. No amount made available in this Act may be used for the salaries or expenses of any employee, including any employee of the Executive Office of the President, in connection with the obligation or expenditure of funds in the exchange stabilization fund when it is made known to the Federal official to whom such amounts are made available in this Act that such obligation or expenditure is for the purpose of bolstering any foreign currency.

The CHAIRMAN. The gentleman from Iowa [Mr. LIGHTFOOT] has 2½ minutes remaining and is entitled to close the debate, and the gentleman from Vermont [Mr. SANDERS] has 1½ minutes remaining.

Mr. SANDERS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I have great respect for my friend, the chairman of the Committee on Banking and Financial Services, the gentleman from Iowa [Mr. LEACH], and the other Members who have risen in opposition to this amendment. But in all due respect, what this amendment is about is one very, very simple fact. That is, whether the Members of the House of Representatives will exercise their constitutional responsibility and vote on issues of enormous consequence to the people of this country.

It makes no sense that we debate endlessly on $1 million appropriations, and then absolve ourselves of the responsibility of debating and voting on legislation and on an appropriation that could cost the taxpayers of this country $20 billion.

What this amendment is about is that when we go home, we will tell our constituents that we have the guts to deal with the tough issues; we will have the guts to say that if another bailout is requested, we vote it yes or we vote it no, but we did not duck the issue.

So for all of those people in the House who think that we have got to stand up and be counted, I urge a ''yes'' vote.

Mr. LIGHTFOOT. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Iowa is recognized for 2½ minutes.

Mr. LIGHTFOOT. Mr. Chairman, I rise in opposition to this amendment. Not because of the debate we have had here today; it has been an interesting debate. We have talked about a lot of different things. People are characterizing this as a vote on the Mexican bailout. It is anything but that.

The reason that we oppose the amendment is quite simple. We do not have jurisdiction over this particular agency in this committee. We have not held any hearings on the subject. The exchange stabilization fund does not have an appropriation. It was first funded, I believe, back in 1934, I wasn't alive then, and it has lived off its own assets and interest ever since. In effect, this amendment stops the exchange dead in its tracks, and, as a result, I think we create some very perilous waters for this committee and for the country.

The fact of the matter is, the law gives the Secretary of the Treasury the authority to operate the fund in any manner that he sees fit. Maybe that is too much authority. If it is, this is not the place to debate it.

This is the Appropriations Committee. I do not know how many times we are going to have to say it to get it through people's minds, there is a difference between policy and appropriation. We do not do policy here. Maybe we did abuse it in the Mexican case. But the way to change this is to change the law, not to put a rider on an appropriations bill, another gimmick, that says the Congress really did not mean anything with the law that it already passed.

Mr. Chairman, I would also like to point out that the purpose of this fund is to defend the value of the dollar in foreign exchange markets. If international investors hear that the United States cannot defend its own currency, there is a potential we could see the value of our own money fall. I do not believe we want that situation in place in our country today.

I very strongly urge a no vote on the Sanders amendment, again, for the simple reason, it does not belong in this bill. We have no jurisdiction over it. There is not an appropriation for it. If you want to debate this issue, it needs to be taken up in the correct policy committee.

The CHAIRMAN. All time has expired under the unanimous consent agreement.

The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 245, noes 183, not voting 6, as follows:

[Roll No. 531]

AYES—245

Abercrombie	Bilirakis	Callahan
Ackerman	Bliley	Calvert
Allard	Blute	Chabot
Andrews	Boehner	Chambliss
Armey	Bonior	Chapman
Bachus	Bono	Chenoweth
Baesler	Brewster	Christensen
Baker (CA)	Browder	Chrysler
Baker (LA)	Brown (OH)	Clement
Barcia	Brownback	Coble
Barr	Bryant (TN)	Coburn
Barrett (WI)	Bunn	Collins (GA)
Bartlett	Bunning	Combest
Bass	Burr	Condit
Bevill	Burton	Conyers
Bilbray	Buyer	Cooley

Costello
Cox
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
Deal
DeFazio
Dellums
Deutsch
Dickey
Doolittle
Dornan
Doyle
Duncan
Durbin
English
Ensign
Evans
Everett
Ewing
Fields (LA)
Fields (TX)
Filner
Flanagan
Foley
Forbes
Fowler
Fox
Frisa
Funderburk
Furse
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hinchey
Hoke
Holden
Horn
Hostettler
Hunter
Hutchinson
Inglis
Istook
Jacobs
Johnson (SD)
Jones
Kaptur
Kasich
Kennedy (RI)
Kildee
Kim
Kingston
Kleczka
Klink
Klug
LaHood
Lantos
Largent
LaTourette
Lewis (GA)
Lewis (KY)
Lincoln
Lipinski
Livingston
LoBiondo
Lucas
Luther
Manzullo
Martinez
Mascara
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKinney
McNulty
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moorhead
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Oberstar
Owens
Packard
Pallone
Paxon
Peterson (MN)
Petri
Pombo
Pomeroy
Poshard
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanders
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shuster
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stark
Stearns
Stockman
Stokes
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Thurman
Tiahrt
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Visclosky
Waldholtz
Wamp
Ward
Waters
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wise
Wolf
Wyden
Young (AK)
Young (FL)
Zimmer

NOES—183

Archer
Baldacci
Ballenger
Barrett (NE)
Barton
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bishop
Boehlert
Bonilla
Borski
Boucher
Brown (CA)
Brown (FL)
Camp
Canady
Cardin
Castle
Clay
Clayton
Clinger
Clyburn
Coleman
Collins (IL)
Coyne
Davis
de la Garza
DeLauro
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Farr
Fattah
Fawell
Fazio
Flake
Foglietta
Ford
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gonzalez
Goss
Green
Greenwood
Gunderson
Gutierrez
Hamilton
Hefner
Hilliard
Hobson
Hoekstra
Houghton
Hoyer
Hyde
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kelly
Kennedy (MA)
Kennelly
King
Knollenberg
Kolbe
LaFalce
Latham
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lightfoot
Linder
Lofgren
Longley
Lowey
Maloney
Manton
Markey
Martini
Matsui
McCarthy
McDade
McDermott
McKeon
Meehan
Meek
Menendez
Miller (FL)
Molinari
Moran
Morella
Murtha
Myers
Nadler
Nussle
Obey
Olver
Ortiz
Orton
Oxley
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Porter
Portman
Pryce
Quillen
Richardson
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Spratt
Stenholm
Studds
Tejeda
Thomas
Thompson
Thornton
Torkildsen
Torres
Vento
Volkmer
Vucanovich
Walker
Walsh
Watt (NC)
Waxman
White
Williams
Wilson
Woolsey
Wynn
Yates
Zeliff

NOT VOTING—6

Bryant (TX)
Collins (MI)
Crane
DeLay
Moakley
Reynolds

Mrs. COLLINS of Illinois and Messrs. NUSSLE, HILLIARD, and FRANKS of Connecticut changed their vote from ''aye'' to ''no.''

Messrs. MICA, PACKARD, TOWNS, and YOUNG of Alaska changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mrs. CHENOWETH. Mr. Chairman, I move to strike the last word, in order to engage in a colloquy with the gentleman from Iowa.

Mr. Chairman, the report on this bill, H.R. 2020, includes language that provides $7.5 million for antiterrorism activities for the Bureau of Alcohol, Tobacco and Firearms. I would ask the gentleman, does this include resources for activities to be authorized under the President's antiterrorism legislation that has not yet been brought to the House floor?

Mr. LIGHTFOOT. Mr. Chairman, will the gentlewoman yield?

Mrs. CHENOWETH. I yield to the gentleman from Iowa.

Mr. LIGHTFOOT. Mr. Chairman, the answer is absolutely not. The $7.5 million in the bill is for the chemists, the investigators who specialize in explosives investigations working on the Oklahoma City bombing. As the gentlewoman is aware, that bombing occurred after the President submitted his budget.

Mrs. CHENOWETH. Mr. Chairman, am I to understand that this colloquy will become part of the legislative history of this bill and clarifies the language of the report?

Mr. LIGHTFOOT. Absolutely, yes.

Mrs. CHENOWETH. Mr. Chairman, am I correct that any changes to ATF's authorities are not within the jurisdiction of this Committee, and there are no such changes in this bill?

Mr. LIGHTFOOT. Again, the gentlewoman is absolutely correct.

AMENDMENT OFFERED BY MRS. CHENOWETH

Mrs. CHENOWETH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. CHENOWETH: Page 84, after line 17, insert the following new section:

SEC. 628. None of the funds made available by this Act may be used to provide bonuses or any other merit-based salary increase for any employee of the Bureau of Alcohol, Tobacco and Firearms.

Mr. LIGHTFOOT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, and the time be equally divided.

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

Mr. HOYER. Reserving the right to object, Mr. Chairman, I do not think this is a particularly complicated amendment. I would suggest that we reduce the time to 10 minutes.

Mrs. CHENOWETH. Mr. Chairman, I object.

The CHAIRMAN. Pending is the unanimous-consent request of the gentleman from Iowa [Mr. LIGHTFOOT] that 20 minutes of time be allotted for the Chenoweth amendment and all amendments thereto.

Mr. HOYER. Mr. Chairman, I withdraw my reservation of objection.

Mr. DURBIN. Mr. Chairman, reserving the right to object, I would just like to ask the gentleman from Iowa to clarify whether the 20-minute limitation, 10 minutes to a side, also applies to any amendments to this amendment.

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

Mr. DURBIN. I yield to the gentleman from Iowa.

Mr. LIGHTFOOT. Mr. Chairman, I would tell the gentleman from Illinois that that is correct. That is why we wanted the 20 minutes.

Mr. DURBIN. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

The gentlewoman from Idaho [Mrs. CHENOWETH] is recognized for 5 minutes on her amendment.

Mrs. CHENOWETH. Mr. Chairman, this amendment provides a strong statement about an agency that is now under investigation and going through hearings in the House because of the events at Waco and at Ruby Ridge in Idaho. It prevents any member of ATF from receiving any bonuses or salary rewards this year until the Waco and the Ruby Ridge and other investigations have been concluded.

Mr. LIGHTFOOT. Mr. Chairman, will the gentlewoman yield?

Mrs. CHENOWETH. I yield to the gentleman from Iowa.

Mr. LIGHTFOOT. Mr. Chairman, I have looked at the gentlewoman's amendment and reviewed it, and have no objection to it. I am ready to accept the amendment.

Mrs. CHENOWETH. I appreciate that, Mr. Chairman. Mr. Chairman, the BATF has been involved in some activities, some very serious activities

that are of great concern to the American people. Among those is tolerating and promoting racism in their good old boys parties. They have bungled the Waco, TX, raid and the entrapment of Randy Weaver. They are accused of abusing the rights of ordinary Americans, and its own employees.

Mr. Chairman, we need to take a hard look at this agency whose roots began in only 1791, but the purpose of this was simply to collect Federal taxes on distilled spirits. However, on July 1, 1972, the agency, formerly located within the IRS, became a separate bureau within the USDT. Although Ronald Reagan wanted to abolish the agency in the early 1980's, BATF not only survived, but received new legal responsibilities in the latter part of this decade, to the point that they had become one of the largest and one of the most invasive agencies in this Nation.

I think we were all shocked to read in the Washington Times that the ATF got 22 planes to aid in surveillance. I may ask, when was the ATF authorized to do this activity? Mr. Chairman, these planes would have been equipped, and they also were modified to carry one sidewinder missile under each wing, a snake-eyed bomb, firebombs, and cluster bombs. Mr. Chairman, I ask, when did this agency receive this kind of authorization?

I want to make it clear, and I agree with the chairman, the gentleman from Louisiana [Mr. LIVINGSTON], that there are very good cops in the BATF, but as Time magazine has pointed out in their cover page story, there is something deeply wrong in this agency, and I think the Congress needs to assure the American people that we are prepared to take decisive action.

Mr. BARTLETT of Maryland. Mr. Chairman, I move to strike the last word.

Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, I had two fundamental problems with the report language in this bill.

□ 1800

The first of those problems was I believe taken care of by the colloquy which made it very clear that to continue anti-terrorism activities that were initiated after the Oklahoma City bombing was meant to refer only to the involvement of ATF in the use of their experts in explosives in the continuing investigation of the Oklahoma City incident. This was not meant to authorize any other activity on the part of ATF.

My second problem is addressed by this amendment. This amendment if one looks at it sends a relatively mild message that the Congress is less than enthusiastically happy with ATF leadership and Bureau performance. The death of over 20 innocent children at Waco and the recent Good Ol' Boy Roundup are just two reasons we need to send this message. Support the Chenoweth-Bartlett amendment. Send the message.

Mr. LIGHTFOOT. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 20 minutes with the time to be equally divided.

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

There was no objection.

The CHAIRMAN. Under the unanimous-consent agreement, the gentlewoman from Idaho [Mrs. CHENOWETH] will control 10 minutes of the time, and a Member in opposition to the amendment will control 10 minutes of the time.

Mr. HOYER. Mr. Chairman, I rise in opposition and claim the time.

The CHAIRMAN. The gentleman from Maryland [Mr. HOYER] will be recognized for 10 minutes.

The Chair recognizes the gentlewoman from Idaho [Mrs. CHENOWETH].

Mrs. CHENOWETH. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Chairman, I rise in strong support of the Chenoweth-Bartlett amendment to cut this BATF funding. The fact is that the BATF is a law enforcement department within the Federal structure that has not had enough oversight over the term of its existence. We have the same problem with the BATF today that we had with the FBI in the 1960s.

It can be seen in a spectrum of outcomes that have been very obvious on the front pages of the paper as well as outcomes that have not been so obvious. I want to talk about two of them.

One is this probe of the conduct of agents that has been publicized in the Washington Post as well as in the Washington Times, in the New York Times, and every newspaper in the country.

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

Mr. HOKE. I will not yield. I have a very short time. The gentleman has his own time. I will yield on the gentleman's time if he wants.

Mr. HOYER. The gentleman has more time on his side than we have.

Mr. HOKE. I will not yield. I have 2 minutes.

Mr. Chairman, this is an article that describes a Good Ol' Boys Roundup in rural Tennessee, that officials acknowledge that this was something that was done for members of the BATF.

The fact is there is not enough oversight, there is not enough accountability. It is a bureau that needs to be reined in, it needs to be given a strong signal. That is exactly what this amendment does.

Particularly I want to illustrate one other thing that happened in my district, in Parma, OH, not 3 weeks ago, where BATF surrounded a single house all night long, it cut off the electricity to all the surounding homes in that neighborhood, and finally because it had an insufficient search warrant, it completely abandoned what it was doing.

It is a bungling agency that needs to be reined in.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. ENGEL. Mr. Chairman, I understand that there are 10 minutes allocated to each side. Does the 10 minutes on the side in favor of the amendment include the 6 minutes that they had previous to the allotment of the 10 minutes each?

The CHAIRMAN. The Chair wishes to inform the gentleman that there was no unanimous-consent agreement during the first 6 minutes of debate. The unanimous-consent agreement was struck after consultation between the two sides.

Mr. ENGEL. It hardly seems fair that one side should get 16 minutes and the other side 10 minutes.

The CHAIRMAN. The unanimous-consent agreement was 10 minutes per side as they proceeded.

Mr. ENGEL. Mr. Chairman, would it be in order to ask unanimous consent to modify the agreement so that each side could have the same amount of time?

The CHAIRMAN. By unanimous consent, a modification to the agreement can take place.

Mr. BURTON of Indiana. Mr. Chairman, I do not think anybody on our side would object.

The CHAIRMAN. Has the gentleman completed his parliamentary inquiry?

Mr. ENGEL. Yes.

Mr. Chairman, I ask unanimous consent that each side would have the 16 minutes; that the side in opposition would also have the additional 6 minutes.

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

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, I would just like to make this comment. I believe that this side would not object to each side having an extra 5 or 10 minutes should they want to do that. But to use time that has already expired I think would be something that is not fair. I would not object and I do not think anybody on our side would object if they wanted an extra 5 minutes on each side. But to include time that has already been consumed I do not think would be acceptable.

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

Mr. BURTON of Indiana. Further reserving the right to object, I yield to the gentleman from Iowa.

Mr. LIGHTFOOT. Mr. Chairman, we originally had asked for an agreement on 20 minutes. There was objection to that. As the Chair knows, we went ahead with the Chenoweth amendment

under the 5-minute rule. I believe the Chair said 6 minutes was consumed in that process while the objection was overcome on the other side.

Mr. Chairman, how many minutes do we have left on both sides combined?

The CHAIRMAN. The gentlewoman from Idaho [Mrs. CHENOWETH] has 8 minutes remaining and the gentleman from Maryland [Mr. HOYER] has 10 minutes remaining. The gentleman from Maryland [Mr. HOYER] has the right to close as he represents the committee position.

Mr. LIGHTFOOT. Mr. Chairman, if we could get a unanimous-consent agreement to give the gentleman from Maryland [Mr. HOYER] an additional 5 minutes, would that work to keep everybody happy? Then it is equal on both sides. We have already had 6 on our side. I am trying to get it equal on both sides. I am not playing the role of one side or the other. I want it equal.

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

Mr. HOYER. Mr. Chairman, reserving the right to object, if the gentleman would make it 3 additional minutes that we would have. You had 6 additional minutes. If we just have 3 additional minutes.

Mr. LIGHTFOOT. I am sorry. Three minutes would make it correct.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa that the gentleman from Maryland [Mr. HOYER] have 3 additional minutes?

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, if you make it equal on both sides, I will not object. But if you are going to do that, I will object.

The CHAIRMAN. Objection is heard.

The gentleman from Maryland [Mr. HOYER] is recognized for 10 minutes.

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

Mr. Chairman, I have not come to the well before. I have spoken from there. I want to impress upon the Members, I think this is a very important and perfidious amendment.

The House better come to its senses, those of us who are new and those of us who have been here. Ladies and gentleman of the House, this is serious business we are about. The American public sent us to do serious things. The American public expected of us responsibility. The American public expected us to think about what we are doing.

It is quite obvious that we, yes, have a new group elected that wants to have a revolution and does not like certain agencies in the Government of the United States. I understand that. That is a fair thing to come to Washington with, and it is fair to act to do away with those agencies. But let me tell you what is not fair: to come and attack those people who have been working on behalf of the policies this Congress adopted.

The gentleman from Ohio [Mr. HOKE] spoke earlier and made a totally inaccurate representation. He flashes around a paper. He would not yield to me. Yes, 6 to 12 AFT individuals. And he said it was for ATF. In fact the majority of people there were local law enforcement people from the South.

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

Mr. HOYER. No, I will not yield.

Mr. HOKE. If you are going to attack me, you are not going to yield?

Mr. HOYER. I did not attack you. I said you were wrong. There is a difference.

Mr. HOKE. Will you yield?

Mr. HOYER. No, I will not yield.

Mr. HOKE. You will not yield even though you used my name?

Mr. ENGEL. Mr. Chairman, regular order.

The CHAIRMAN. The gentleman from Maryland controls the time.

Mr. HOYER. The fact is, if he will read the newspaper that he waved around, it said approximately 6 to 12 ATF folks, some Secret Service, some Customs, some DEA, and mostly local law enforcement officials from throughout the region.

The fact of the matter is that I think some people did something wrong. They should not have done it. There are over 1,000 employees who will be affected by this amendment. In this amendment, we say none of the employees of ATF, none of the money may be used to provide bonuses or any other merit-based salary increase for any employee of the Bureau of Alcohol, Tobacco and Firearms.

Is there one person on this floor who can honestly say that one or two or three of the folks who work at BATF are not employees who are deserving of merit increases, of bonuses, of recognition for heroic action, just because there are some who do not act in the manner that we would want, or because the agency for which they work has a mission with which some of us or maybe many of us do not agree?

Ladies and gentlemen of this House, this is an ax where a scalpel may be needed. Let us think about what we are doing. If you want to do away with ATF, you have that opportunity. That is the way it should be done, not to say to the employees who work at ATF, at our request, the overwhelming majority of whom are trying to do the best job they know how, that none of the funds in this bill can be used to give them a merit increase or a bonus for heroic behavior or any other behavior.

Ladies and gentlemen of this House, as I said earlier, we have significant and strong differences of opinion, but that does not mean we need to act irrationally. I frankly was opposed to the last amendment because I thought the message that the sponsors wanted to send about the bailout of Mexico was affected by an amendment which may affect many, many nations and may affect the stabilization of our dollar and of other currencies. Another meat ax approach to important, serious issues.

I ask the House to reject this amendment. In voting to reject this amendment, not to in any way be interpreted as sanctioning bad activity at ATF or adopting the premise that ATF is an agency that you want to support, but an action that says, ''I am a responsible Member of the House, of 435 people, who is going to support or oppose amendments or proposals based upon their merit and their impact and their accomplishment of objectives that I support.''

□ 1815

I ask every Member of this House to reject this amendment.

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

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

Mr. ENGEL. Mr. Chairman, I thank the gentleman and I could not put it any better. To me this amendment is simply an amendment, frankly, to pander to the militias and to pander to people who have loony conspiracy theories about Waco and the Weaver case in Idaho. I do not think we need to bash Federal employees.

If there are Federal employees that did something wrong, then those Federal employees ought to be drummed out or prosecuted, but do not tarnish a whole group of people because there may be a few rotten apples. It is like saying if a Member of Congress does something wrong, does that cast negative views on all 435 Members of Congress? Why penalize people who were not there?

The underlying attitude here of somehow conspiracy theories or somehow we have to pander to the militias I think is very, very dangerous. This is a dangerous amendment and it ought to be rejected.

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

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. OBEY moves that the Committee rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes in support of his motion.

Mr. OBEY. Mr. Chairman, I want to say that as one citizen of this country, I think there is a lot that is wrong in the BATF. I am also concerned about some of the things that have happened in the FBI.

I think that just as I was outraged when anti-war demonstrators were treated in a way not consistent with their civil liberties during the Vietnam war, I am also outraged when individual citizens, it does not matter whether they belong to the militias or anything else, have their civil rights violated by any agency in today's America. I think we need to be equally outraged about that.

But having said that, I simply want to read the language of this amendment. It says, ''None of the funds made

available by this act may be used to provide bonuses or any other merit-based salary increase for any employee of the Bureau of Alcohol, Tobacco and Firearms.''

What that really says is that if the general at the top of the agency screwed up, that it is the PFC at the bottom who pays the price. I did not know that was the kind of fairness meted out by the House of Representatives. I thought we could do better than that.

What it says is that if a Member of Congress does something stupid, their employee should be penalized. An awful lot of employees would be penalized unjustly if we allowed that principle to govern.

Mr. Chairman, I would simply say that what this amendment does, clumsy as it is and misguided as it is, is it simply shoots the troops in the field for the mistakes of people running the agency.

If there are mistakes in the agency, get them fixed. If there are mistakes by people higher up in the agency, correct them. Under this language, an individual employee could blow the whistle on their own agency for misconduct and they could not be rewarded by their government. Does anybody really think that makes sense? I doubt it. I hope not.

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

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

Mr. DURBIN. Mr. Chairman, let me tell my colleagues what this amendment is all about. This amendment is inspired by the gun lobby, the National Rifle Association and their associate groups, which would like to see the BATF and its activities regulating criminal firearms trafficking disappear.

This amendment is the kind of political effort which makes extremist militias stand up and cheer. This punishes the BATF, the very agency which closely monitors the activities of these extremist paramilitary groups. This amendment is disgraceful. And let me tell my colleagues, it is without precedent.

When the Federal Bureau of Investigation was found guilty of discrimination in employment, did we decide then to sanction every agent of the FBI? No.

When Operation Tailhook occurred to the shame and embarrassment of many in this Chamber and in the Pentagon, did we sanction all of the pilots serving in the U.S. Navy? No.

When one CIA employee was found guilty of treason, did we decide to sanction every employee of the CIA? No, because simple elemental justice tells us that is wrong.

The amendment by the gentlewoman from Idaho [Mrs. CHENOWETH] says that every employee of BATF shall be punished, because some may have transgressed the law. Consider for a moment these employees, some 4,000 strong, who literally put their lives on the line for every American family, every day, suppressing illegal gang activity, working on drug trafficking, trying to stop the criminal trafficking of firearms.

This morning they got up and put on their uniforms and their vests and went out and put their lives on the line, I tell the gentlewoman from Idaho. And despite an act of heroism by one of them that might have saved someone's life, the gentlewoman is saying, unequivocally, no recognition, no bonus. Why? Because someone else in the agency offended her sense of justice or sensibility.

That is so basically unfair, it really should not be considered seriously by this Chamber. If someone is guilty of wrongdoing in this agency, let them answer for it and let them pay the price. Do not punish all the employees in this agency.

The CHAIRMAN. Is there a Member who rises in opposition to the motion of the gentleman from Wisconsin [Mr. OBEY]?

The gentlewoman from Idaho [Mrs. CHENOWETH] is recognized for 5 minutes.

Mrs. CHENOWETH. Mr. Chairman, I rise in opposition to the motion, and I yield 2 minutes to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Chairman, I stand in opposition to the motion and I think it is important that we understand what is happening procedurally in this debate. We are debating a motion to rise and to basically strike the enacting clause of the bill which would kill the bill. The real purpose of the motion, though, is to stop debate on this issue and to move us ahead without getting resolution of the question.

It has been argued that we do not need to take this type of action to address the concerns about the ATF. What is not apparent, however, is that there were efforts to look at other parts of the bill which have been halted by not getting the kind of support that is necessary on the floor; efforts to look at the enforcement funding at the ATF; the kinds of issues that would be much more credible in terms of attacking the problems that many of us see with the handling of ATF issues around the country, but those efforts have been stopped.

Certainly, it is possible that a better-crafted approach to this can happen, but this is this bill that we are talking about and this is the type of approach that we have been able to move forward on. I am sure that as we move forward on the debate on this bill, and on other bills, we can find more effective ways to do it. But this is an opportunity to send a message and to make a start in terms of telling the American public that we are now having debate, we are now having a hearing, and we are now looking at finding answers to questions about what happened at Waco and what happened at Ruby Ridge and what are we going to do in the future to deal with it?

In this Congress, we use the vehicles we have to raise those issues and to make our points. I think we would all agree that as we address them, we will ultimately need to refine the approach that we take until it is pinpointed and it is effective. But today, this is the vehicle we have and this is the motion that we have and I think we ought to reject the motion of the gentleman from Wisconsin [Mr. OBEY] that we rise.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to withdraw my motion.

Mrs. CHENOWETH. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The gentlewoman from Idaho is recognized.

Mrs. CHENOWETH. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. STOCKMAN].

Mr. STOCKMAN. Mr. Chairman, it is interesting that the other side, when I was running against the former chairman of the Committee on the Judiciary, he stated, and I quote, ''Burning to death was too good for them. I prefer a slower method.''

What do we have? Is there a threshold of conscience on the other side that we have found out now that there is racism rampant in the department? Where do we rise and say that this is wrong? Do we stay silent? Now it is coming out on ''Nightline'' and ''20/20,'' other news shows, other credible mainstream shows, saying ''What is going on? There is something wrong,''and they do not want to talk about it.

Mr. Chairman, I think the other side should be ashamed. We need to talk about this and this motion to rise is a fraud and an unrealistic motion. We need to vote this motion down, but I ask the other side: At what point do you say we have to to stand up and say what is going on is wrong?

I do not criticize the gentlemen that are in the front-lines. One of the boys that passed away, was shot at Waco, was a camp counselor just near my home; one mile. He died. But I think in his memory we need to preserve freedom. And freedom is what this country is about and we are being denied the access to discuss this issue by this cheap motion.

Mrs. CHENOWETH. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Chairman, I thank the gentlewoman from Idaho [Mrs. CHENOWETH] for yielding me time and welcome the opportunity to speak against the motion of the gentleman from Wisconsin [Mr. OBEY]. The fact is, it is our constitutional prerogative to act at this juncture, because through the appropriations mechanism, we do have a chance to send a clear signal and to establish sound policy.

Mr. Chairman, I rise to fully associate myself with the comments of the gentleman from Idaho. Yes, the process can be reformed at some juncture, or

refined I should say, but this is our opportunity to say ''no'' to the mysterious new air force of the BATF; to take a serious look at what has transpired in recent days; and to say enough is enough. It is time to rein in this agency and we do it through the appropriations mechanism.

Mr. CHAIRMAN. The question is on the preferential motion of the gentleman from Wisconsin [Mr. OBEY].

The motion was rejected.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Chairman, I have a lot of good friends on this side of the aisle, but yet I am in opposition to my friends today. I think as we step back and look, as the gentleman from Maryland [Mr. HOYER] said, this is an ax. We need a scalpel. I think this is a shotgun. I think this is messy.

I get mad at the USDA frequently, but does that mean that I think that the local ASCS officers should be penalized for those decisions? I get mad at the Post Office a lot. Should my personal mail carrier have his pay frozen because of what goes on in Washington? I get mad at the mayor. Do I want to penalize the clerk at city hall?

That is what we are doing. We are talking about freezing the salary of secretaries, mechanics, janitorial personnel, for things that they have absolutely no control of.

I have got problems with BATF. I have concerns about this air force; I think we should look into the 22 airplanes. I think an amendment to reduce their funding may be a good idea. Investigating the ''Good Ole Boys'' networks, that would be something good. Investigating Waco, that would be good. Investigating the Randy Weaver involvement, that is good.

But what we are talking about doing is because of managerial decisions, we are going to penalize secretaries and mechanic's pay raises for the next year.

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

Mr. KINGSTON. I yield to the gentleman from Ohio.

Mr. HOKE. Mr. Chairman, my understanding is that this is only for merit pay and bonuses and the whole purpose is it will not freeze salaries.

Mr. KINGSTON. Mr. Chairman, reclaiming the time, if a secretary is on merit pay, he or she will not get a salary increase. And if they do a good job and are entitled for discretionary bonus, we are talking about none.

I believe that what we should do is deal with BATF in a broader picture. Let us not get mad at them for what happened in Waco and then do the same thing in a different way on them here. Let us be a little more above the fray of what you are saying is their own management style. Let us go in there and say, ''Cut the funding.''

Mrs. CHENOWETH. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Chairman, this is not about the NRA or some militia group. This is about good behavior and bad behavior.

When I go back into my district they say, In a free society, if you have some actions that you want to approve of, you reward it and if you have some actions you do not want to approve of, you do not reward it.

We have some actions that we do not approve of. In fact, there are two agencies that the people in my district say they are afraid of. One is the IRS and the other is the ATF.

□ 1830

So when we are to reward good behavior, we should not do it by giving money for things that we do not agree with.

Now, we have got the investigation going on about the good old boy retreat down in Tennessee and allegedly, allegedly it is anti-Semitic, it is sexist, it is racist, some romp in the woods. If that is true, then none of us should agree with it, none of us on both sides. We should disapprove of that type of activity, and all this is doing, it is not like we are starving the people out here at the ATF. In the last rescission, we added in an additional $34,823,000. We have been handing money over to them.

What we are trying to do is send a message there is some kind of behavior, as a Congress, we do not approve of. It includes Waco, where we had over 80 people that were terminated by this government without a trial, without a judge, and without a jury, and we have the incidents in Ruby Ridge, where, again, a 14-year-old-boy, and Randy Weaver's wife, and I do not agree with him politically, I do not agree with him, but he does not deserve what he got; again, without a trial, without a judge, without a jury, human life was taken. We must not reward this type of behavior.

I think this sends that message. It does not say there is a salary freeze; it says there is no merit increase. We are sending a message to them we are not going to reward this kind of behavior.

So I think this is a good way for us to send this message to them. We certainly do not want to encourage anyone who disregards human life.

I just encourage those of us to vote in favor of the amendment.

Mrs. CHENOWETH. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, this amendment is not perfect, and there will be other opportunities to approach this issue, but if I may quote the bard, ''The problem, dear Brutus, is not in the gentlewoman's amendment. It is in yourselves.''

You should have had hearings on this in 1993. There was another disgrace.

Mr. HOYER. Mr. Chairman, if the gentleman will yield, we had hearings.

Mr. DORNAN. No.

Mr. HOYER. I do not have them here.

Mr. DORNAN. Oh, no.

Mr. HOYER. Oh, yes.

Mr. DORNAN. Not the type of hearings we were asking for on our side.

I reclaim my time.

There was another issue where you had no hearings at all. That is similar, and that is the brutal death of 19 young Americans, our special ops and rangers, men in Somalia, no hearings, and that was in October. Back in April when this happened, there was so much lying and coverup and confusion, none of it excusing the atrocity and mass murder at Oklahoma City.

I do not care about the militia, militias. Of 10 presidential candidates, only one was not spooked by that issue, me. I said, ''Get a life or join the Guard if you are young, or teach a Little League team or soccer team, if you are older.''

I flew in the Guard with a Minuteman on the tail of my aircraft. I thought I was in the militia. That is how much I knew about militia. I thought it was the National Guard or the Air Guard.

None of this has to do with them. It has to do with things like this photograph. Who is the ATF to run up a flag before the bodies of 24 children are removed from the ashes? Some of them died choked to death on CS gas.

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

Mr. DORNAN. I yield to the gentleman from Iowa.

Mr. LIGHTFOOT. There has been a lot of reference made to news reports and so on. I said I was going to accept the gentlewoman's amendment. I am about to change my mind, because that is exactly the kind of garbage that is being distributed, the flag——

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

Mr. LIGHTFOOT. Would the gentleman from Maryland [Mr. HOYER] yield me 30 seconds?

PARLIAMENTARY INQUIRY

Mr. DORNAN. Mr. Chairman, parliamentary inquiry. How much time do we have on each side?

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

Mr. DORNAN. You did not hear me. I asked a parliamentary inquiry. I asked how much time is on each side.

The CHAIRMAN. The gentleman from Maryland has 2 minutes remaining, and the gentlewoman from Idaho has 4 minutes remaining.

Mr. DORNAN. If my friends would like 30 seconds from that side, I would like 30 seconds from our side.

The CHAIRMAN. Who yields time?

Mrs. CHENOWETH. Mr. Chairman, I yield 30 additional seconds to the gentleman from California [Mr. DORNAN].

Mr. LIGHTFOOT. Mr. Chairman, if the gentleman will yield, I will try and give some of it back.

Mr. DORNAN. That was to me?

Mrs. CHENOWETH. I yield 30 seconds to the gentleman from California [Mr. DORNAN].

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

Mr. DORNAN. I yield to the gentleman from Iowa, but do not take it all, Mr. Chairman.

Mr. LIGHTFOOT. The flags in that photograph, hold it up again, this is typical of what has been done. If you notice the picture is cut off right at the top of the American flag. Those flags were at half mast as a memorial to the Americans that died at Waco, the Texans that died there, and the ATF agents that died. That is not a celebration of victory, as you said.

Mr. DORNAN. No; no. Reclaiming my time, there are four gold stars on there for the young agents sent to their death by the worst leadership I have seen in any agency, domestic agency, in recent history. My heart goes out to the four gold stars, not to the idiots who sent them into combat.

Mrs. CHENOWETH. Mr. Chairman, I yield 1 minute and 30 seconds to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I would like to put it in perspective, because the Tailhook example was brought up on the other side and said that all members had not been chastised, and I would like Members to know that even as we sit here today, those members in the United States Navy that were commanders are still waiting after a year to be selected as captain because of Tailhook, and so they were chastised, and they were penalized. We took and fired the Secretary of the Navy, the chief of naval operations, two flag officers, and I want to tell Members on both sides, whatever the issue is, that all Navy people are not bad, all ATF agents are not bad, and I agree with that.

But we need to send a message to the Navy, which we did, and I think we need to send a message not only to the AFT but to the committee that is holding the hearings to hurry these things through.

When my daughter is bad, or daughters, I do not increase their allowance. Now, they can always prove themselves, but I would also ask, you know, the gentlemen on both sides of this issue that when we take a look at these kinds of issues, we do need to go after the people that are responsible, and I would say if you fire the Secretary of the Navy and you fire the chief of naval operations and all the other flag officers, then maybe you ought to look at the top, Janet Reno, who is responsible for this issue, and be consistent.

Mrs. CHENOWETH. Mr. Chairman, I yield 30 seconds to the gentleman from Iowa [Mr. LIGHTFOOT], the chairman.

Mr. LIGHTFOOT. Mr. Chairman, I thank the gentlewoman for yielding.

The gentleman from California [Mr. CUNNINGHAM] I think hit on a key issue we need to address. The top management in ATF tried to discipline people in Waco, and many of his decisions were overturned, and through the Fair Labor Standards Act and the Federal Employees Protection Act, these agents were made to go back to the agency against the wishes of the Director.

He currently is under a situation with an agent who he fired for behavior unbecoming a law enforcement officer, but yet through this hearings appeal panel board, he is forced to take this individual back, give him a gun and put him on the street. That issue has to be addressed. Management has to be able to function. They have to be able to weed out people that are not beneficial to the agency.

Mrs. CHENOWETH. Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, first of all, let me say this: That does not affect cost-of-living increases. It is only merit pay and bonuses, and the purpose of the amendment is to send a very strong signal to the BATF that we do not want innocent women and children or anybody else killed because somebody makes a big mistake, because they do not think these things out well.

At Ruby Ridge and at Waco, Americans were killed unnecessarily because of bad judgment, because of mistakes that were made, and that needs to be changed. We need to send a very strong signal that that needs to be changed.

No American should be killed by a Federal agent of any agency because of bad judgment, because they made a mistake and, therefore, signals have to be sent.

I cannot understand why the BATF now has an Air Force. It makes no sense to me. Why do they have weapons of that type? That is for the military, not for the BATF.

Let me say one more thing real quickly. At this good old boys network that my colleagues are concerned about racism, there are members of these agencies that they have on videotape with tee shirts depicting the Reverend Martin Luther King in gunsights' crosshairs, with black boys in hoods straddling across police cars. These are people from these agencies, the BATF. A signal needs to be sent that that kind of situation, that kind of thing should not be tolerated, and that is what this amendment is all about.

Mr. HOYER. Mr. Chairman, I yield 60 seconds to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I am extremely impressed with the newfound consciousness about racism that is being displayed here this afternoon. I do not wish the actions of the ATF, which some of us are certainly going to deal with and must be dealt with, to be used as a shield for those who want to protect the actions of the militia and other kinds of things.

I would say to this body that it does not make good sense to punish secretaries and mechanics, et cetera, et cetera, for the actions of a few, maybe at the top, and I do not want my colleagues to be fooled to think that some of us who work on this business of racism day in and day out are going to be fooled or sucked in on these kinds of arguments.

I ask you to vote against this senseless amendment. It does not do any good to take away the bonuses of innocent people to get at what they care about, and I say let us deal with racism in a real way at some point in time on this floor.

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, following some of these incidents, there were at least five hearings. We had days of hearings, the gentleman from Iowa [Mr. LIGHTFOOT] and I. The fact of the matter is that the director resigned under pressure. The head of the law enforcement side of ATF, after Waco, resigned. The fact of the matter is they are gone. The agents to which the gentleman from Iowa [Mr. LIGHTFOOT] referred were disciplined. They are not in law enforcement.

But the fact of the matter is this is painting with a very broad brush everyone who serves us, everyone whom we ask day in and day out to go out and risk their lives to make this country safer.

Do some transgress? Yes. Rodney King was a transgression. But we did not damn the entire police force of Los Angeles nor cut their salaries because we knew it was critical for the safety of our streets and our country and our democracy that we maintain law and order in this country.

Ladies and gentlemen, do not, with a broad brush damn everybody who serves this country so well.

Reject the Chenoweth amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Idaho [Mrs. CHENOWETH].

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

RECORDED VOTE

Mrs. CHENOWETH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 111, noes 317, not voting 6, as follows:

[Roll No. 532]

AYES—111

Allard	Cooley	Herger
Armey	Cox	Hilleary
Baker (CA)	Crapo	Hilliard
Barr	Cubin	Hoke
Bartlett	DeLay	Hostettler
Barton	Dickey	Hunter
Boehner	Doolittle	Hutchinson
Bonilla	Dornan	Johnson, Sam
Bono	Dreier	Jones
Brownback	Duncan	Kelly
Bunn	Emerson	Kim
Bunning	English	LaHood
Burr	Ensign	Largent
Burton	Everett	Latham
Buyer	Frisa	Laughlin
Callahan	Funderburk	Lewis (KY)
Camp	Gutknecht	Manzullo
Chabot	Hall (TX)	McInnis
Chenoweth	Hamilton	McIntosh
Chrysler	Hancock	Metcalf
Coble	Hansen	Mica
Coburn	Hastings (WA)	Moorhead
Collins (GA)	Hayworth	Myers
Combest	Hefley	Neumann

Ney
Nussle
Paxon
Petri
Pombo
Quillen
Radanovich
Roberts
Rogers
Rohrabacher
Roth
Royce
Salmon
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Skelton
Solomon
Souder
Stearns
Stenholm
Stockman
Stump
Tate
Taylor (NC)
Thornberry
Tiahrt
Traficant
Upton
Volkmer
Vucanovich
Wamp
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Young (AK)

NOES—317

Abercrombie
Ackerman
Andrews
Archer
Bachus
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TN)
Calvert
Canady
Cardin
Castle
Chambliss
Chapman
Christensen
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Cremeans
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Harman
Hastert
Hastings (FL)
Hayes
Hefner
Heineman
Hinchey
Hobson
Hoekstra
Holden
Houghton
Hoyer
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Moran
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Norwood
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roemer
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Spence
Spratt
Stark
Stokes
Studds
Stupak
Talent
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Waldholtz
Walker
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Weller
White
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zeliff
Zimmer

NOT VOTING—6

Bryant (TX)
Collins (MI)
Crane
Horn
Moakley
Reynolds

□ 1903

Mr. GOODLING changed his vote from ''aye'' to ''no.''

Messrs. COBLE, COLLINS of Georgia, and BARR changed their vote from ''no'' to ''aye.''

So, the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WARD

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

The clerk read as follows:

Amendment offered by Mr. WARD: Page 84, after line 17, insert the following new section:

SEC. 628. None of the funds made available in this Act may be used to issue any tax compliance certificate required under section 6851(d)(1) of the Internal Revenue Code of 1986 of any individual departing the United States, except when it is made known to the Federal official having authority to obligate or expend such funds that a system is in place to collect taxes in the manner prescribed under the provisions of H.R. 1535 (as introduced in the House of Representatives on May 2, 1995), which provides tax rules on expatriation.

Mr. WARD (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 Kentucky?

There was no objection.

Mr. LIGHTFOOT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes, with the time being equally divided.

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

Mr. WARD. Mr. Chairman, reserving the right to object, as we discussed between both sides, a 25 minute limit, it was my understanding that it was a 25-minute limit on this amendment. So I would not object to a 25-minute limit on the Ward amendment.

The CHAIRMAN. The unanimous-consent request of the gentleman from Iowa is that the 25-minute limit apply to the Ward amendment and all amendments thereto.

Mr. WARD. Would the Chair restate that? I apologize to the gentleman from Iowa. I just want to make sure, if I may, that we have the full 25-minutes.

The CHAIRMAN. The gentleman reserves the right to object and may proceed under his reservation.

Mr. WARD. With that reservation, if we can have 25-minutes on this amendment and on the issue that this amendment represents. That is what I am looking for, that is what I thought we had, and that is what I would like.

The CHAIRMAN. The unanimous-consent request of the gentleman from Iowa was that 25-minutes be allowed on the Ward amendment and any amendments thereto.

Mr. HOYER. Mr. Chairman, will the gentleman yield on his reservation?

Mr. WARD. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I do not know of any amendments to the Ward amendment. I do not know whether the Chairman does or not. But I would, if there are no amendments to it, then I would suggest that we agree with the gentleman from Kentucky [Mr. WARD] that we have 25 minutes on the Ward amendment. I do not know of any amendments, so I do not think it really affects the debate. Am I wrong? Are there amendments that the gentleman from Iowa knows of?

Mr. LIGHTFOOT. If the gentleman would yield under his reservation, would the gentleman agree to the language of the Ward amendment and all amendments thereto and we go 30 minutes? That would give the gentleman 25 minutes, and an extra 5 minutes if somebody wants to offer one.

Mr. HOYER. If the gentleman will yield further, in my discussions with the gentleman from Kentucky [Mr. WARD], he wanted and asked for 25 minutes on the Ward amendment. He was then concerned about any amendments. I said that I did not know of any amendments to the Ward amendment. There may be, but I do not know about them. If there are none, however, it seems to me that as a practical matter we can agree with the gentleman from Kentucky that it would be on the Ward amendment, because I do not think there are any other amendments.

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

Mr. WARD. Further reserving the right to object, I yield to the gentleman from Iowa.

Mr. LIGHTFOOT. Mr. Chairman, could I suggest that we word the unanimous consent request to say that we would have 25 minutes of debate on the Ward amendment and an additional 5 minutes on any that might be added thereto, therefore protecting the 25 minutes?

Mr. WARD. I would have no objection.

Mr. LIGHTFOOT. Mr. Chairman, then that would be the request, 25 minutes on the Ward amendment and an additional 5 minutes on any amendments thereto.

Mr. WARD. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from Kentucky [Mr. WARD], the author of the amendment, will be recognized for 12½ minutes, and a Member in opposition to the amendment will be recognized for 12½ minutes.

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

Mr. WARD. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I would begin by thanking the gentleman from Iowa [Mr. LIGHTFOOT] for his understanding on the allocation of the time.

Mr. Chairman, what we are talking about here, this amendment is to close the expatriate billionaire tax loophole, a loophole that we have tried one dozen times to close. Twelve times we have attempted in this body to deal with this issue, and 12 times we have been turned back. I do not know why. I do not know what the motives of our opponents could be behind turning this back. But I can tell you that it does not make sense for us not to close a loophole, to just clean up some language in the law.

It is not a new tax. It is not changing anything but the effectiveness of the laws we have in place to close this loophole, to make it so that billionaires who renounce their citizenship pay their taxes.

Mr. Chairman, this is a group of people who have said no to America, who are turning their backs on this country. Why? To save on their tax liability. That is what we will be talking about.

The CHAIRMAN. Is there a Member wishing to manage time in opposition to the Ward amendment?

Mr. ARCHER. Mr. Chairman, I rise in opposition to the Ward amendment.

The CHAIRMAN. The gentleman from Texas [Mr. ARCHER] will be recognized for 12½ minutes.

AMENDMENT OFFERED BY MR. ARCHER TO THE AMENDMENT OFFERED BY MR. WARD

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

The Clerk read as follows:

Amendment offered by Mr. ARCHER to the amendment offered by Mr. WARD: On lines 8-9, strike ''H.R. 1535 (as introduced in the House of Representatives on May 2, 1995)'' and insert ''H.R. 1812 (as reported by the Committee on Ways and Means on June 16, 1995).

The CHAIRMAN. Under the unanimous-consent agreement, 5 minutes will be allotted to debate the amendment offered by the gentleman from Texas [Mr. ARCHER].

□ 1915

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. HOYER. Mr. Chairman, I understand the gentleman from Texas, the chairman of the Committee on Ways and Means, has an amendment. I presume that is what is going to occur at the end of the 5 minutes?

The CHAIRMAN. The Committee will proceed with debate on the underlying amendment. That is the spirit of the unanimous-consent request that we have received.

Mr. HOYER. I thank the Chair for the fair interpretation.

The CHAIRMAN. The gentleman from Texas [Mr. ARCHER] is recognized for 2½ minutes, and a Member in opposition to the amendment will be recognized for 2½ minutes.

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

Mr. Chairman, in his amendment, the gentleman from Kentucky refers to H.R. 1535, which was introduced by the ranking minority member of the Committee on Ways and Means, Mr. GIBBONS. He and I both share the view that it is important to address the issue of expatriation for tax avoidance purposes. However, we differ in our views as to how best to do it.

I have introduced legislation to prevent tax-motivated expatriation, H.R. 1812, which the Committee on Ways and Means has considered and reported favorably, rejecting Mr. GIBBONS' approach, which is part of Mr. WARD's amendment. It is our intention to bring H.R. 1812 to the floor in the near future.

H.R. 1812, as reported by the Committee on Ways and Means, is much tougher than the approach taken in H.R. 1535. The nonpartisan Joint Committee on Taxation has estimated that H.R. 1812 would raise $2.4 billion for expatriates over the next 10 years, far more than the $800 million that they estimate would be raised by the Gibbons bill, H.R. 1535, which is referred to in the underlying Ward amendment.

The approach of H.R. 1535 was considered by our committee and found to be unsatisfactory for numerous reasons, including reduced revenue, difficulty in enforcement, and questions of constitutionality.

Mr. Chairman, I urge Members to approve my perfecting amendment, which would substitute H.R. 1812, a tougher proposal than the underlying bill in the Ward amendment.

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

The CHAIRMAN. Is there a Member who wishes to control time in opposition to the Archer amendment?

Mr. WARD. Mr. Chairman, I rise in opposition to the Archer amendment.

The CHAIRMAN. The gentleman from Kentucky [Mr. WARD] is recognized for 2½ minutes in opposition to the Archer amendment.

Mr. WARD. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Connecticut [Mrs. KENNELLY].

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

Mr. Chairman, I had come to the floor to speak in support of the Ward amendment to prohibit the use of funds for the issuance of so-called sailing certificates pursuant to section 6851(d)(1) of the Internal Revenue Code. As those who are listening understand, sailing certificates are simply a certification seeking to say that expatriates have complied with their obligations to the U.S. Government.

Now before us we have the Archer amendment, which is an amendment to the Ward amendment. I would like to speak against that and have to oppose that, though Mr. ARCHER is my chairman. But this has come before the Committee on Ways and Means and a great deal of thought has been given to this situation.

What the bottom line continues to be with the Archer proposal is that it is a loophole. The reasons for the opposition now that I stand to oppose the gentleman from Texas [Mr. ARCHER], this country depends on the voluntary compliance of its citizens to collect its taxes. We are not arguing anywhere tonight about taxes are too high or we pay too many taxes. It is just how this Government is run, on the hard-earned taxes paid by its citizens.

In that respect, we are unique in this world. This system has worked. The willingness of our citizens to continue to voluntarily comply with our tax laws is threatened when very, very wealthy individuals can avoid that responsibility.

So to put it in the clearest language possible of why I am opposed to the Archer amendment to the amendment is this amendment to the amendment does not protect tax avoidance by expatriates who have patience. You just have to have patience.

It does not prevent tax avoidance by expatriates who plan ahead. You can do that if you have the means and you have the attorneys and you have got the wherewithal. It does not prevent tax avoidance by expatriates who have foreign assets.

So what we are talking about today is taking legislation that we have dealt with in the Committee on Ways and Means, and it simply requires millionaires to hire a higher priced lawyer and accountant to avoid paying their taxes.

The Joint Committee on Taxation Report on Expatriates clearly states that proper tax-planning techniques can be used to avoid all taxation, if you are in the right place at the right time with the right means. The Committee on Ways and Means bill proscribes only.

Mr. ARCHER. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. THOMAS], a respected member of the Committee on Ways and Means.

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

Mr. THOMAS. Mr. Chairman, I invite you to go over to the Random House Dictionary of the English Language over here, and on page 322 look up the word chutzpa. It says: unmitigated effrontery or impudence; gall.

This amendment takes a bill that never got a recorded vote in committee and substitutes it, in essence, for a bill that passed the Committee on Ways and Means. That is gall. That is chutzpah. And it ain't going anywhere.

The CHAIRMAN. All time has expired. We will now proceed with debate on the underlying amendment by the gentleman from Kentucky, [Mr. WARD].

The gentleman from Kentucky is recognized.

Mr. WARD. Mr. Chairman, I would, first, like to thank the gentleman for his compliment.

Mr. Chairman, I yield 1 minute to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Chairman, if you are going to characterize this amendment in the fashion that the gentleman from California [Mr. THOMAS] just did, I think you ought to take into account what is going to occur if it passes. It means that Benedict Arnold billionaires, and I do not know what page you will find Benedict Arnold, but perhaps some Member of the opposition can enlighten me. Benedict Arnold billionaires who wanted to abandon their United States citizenship are not going to be able to do it and get away with it and take their money with them.

Now, that is the bottom line. If that is what we are being characterized, if our actions are being characterized in that manner as being chutzpahs, as having some gall, it seems to me the real gall is to think that someone can renounce their citizenship, can take their money with them, and we are supposed to treat them as if they were a refugee.

I coined that phrase Benedict Arnold billionaires, and if this is going to be the thirteenth time we are going to be defeated on trying to get billionaires to pay their taxes, then let it be, and let the opprobrium fall on the opposition.

The CHAIRMAN. The Chair wishes to inform the Committee that the gentleman from Texas has 12½ minutes remaining, and the gentleman from Kentucky has 11 minutes remaining.

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

Mr. Chairman, the gentleman from Hawaii has spoken several times on the floor with great emotion. If he wishes to implement a proposal that will correct the problem he is talking about, he should vote for the Archer amendment.

The Archer amendment is far tougher, far stronger, and constitutional. It generates, as I said, $2.4 billion of revenue for the Treasury, whereas the bill that the gentleman is speaking for generates only $800 million. It clearly is a pansy approach to this problem compared to the Archer amendment.

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

Mr. WARD. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Chairman, I have yet to talk to anyone in central Texas who can even imagine renouncing their citizenship in order to avoid paying their taxes, people who have earned their sustenance in this country, in the freedom of this country, who would then renounce their citizenship in order to get the maximum after-tax benefit from the sustenance of this country.

There is a suggestion by my colleague from Texas that a way has been found to solve this problem. The way that has been found, according to the administration, is a way that leads to about $100 million in additional revenues, whereas the proposal that Mr. WARD advances and has been advanced by the ranking member, Mr. GIBBONS, would yield $1.7 billion over 5 years in additional revenues.

I think, therefore, that the arguments that the gentlewoman from Connecticut has advanced, that the Archer amendment will only allow expatriates who are patient, who hire the best-priced advisors to continue what they have been doing in the past, has great merit.

Mr. ARCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. LIGHTFOOT], a respected member of the Committee on Appropriations.

Mr. LIGHTFOOT. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, originally, I was going to oppose the Ward amendment for one reason. It does not belong on this appropriations bill. It deals with changing the Tax Code, and that is out in the jurisdiction of Mr. ARCHER's Committee on Ways and Means.

I would also make the argument we would not even be having this debate if we had a Tax Code that was not so dilatory that it causes people to want to leave the country because the burden has become so high. But that is a debate for another day.

If the Archer amendment is accepted, I would change my position and support the Ward amendment, because we have tried to work very closely with Mr. ARCHER in the Committee on Ways and Means whenever we are dealing with tax issues so that we did not get cross-jurisdictions.

I think it is important that we have the input now of the chairman of that committee, and if the Archer amendment is accepted on the floor, then I would vote for the Ward amendment as amended.

Again, original opposition was because it really does not belong on this bill. But since it is here, I think this would be a common sense way to deal with it.

Mr. WARD. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. GIBBONS], the distinguished ranking member of the Committee on Ways and Means.

Mr. GIBBONS. Mr. Chairman, if the Archer amendment passes, I cannot support the Ward amendment. The Archer proposal was adopted, as I recall, in the Committee on Ways and Means on a party line vote. Every Democrat voted against it.

I do not believe it will collect the money that it is advertised to collect. If you are going to collect any money from these billionaires that leave here, you have got to get it before they leave. If they get out of the country with their money, there is no way you are going to ever get it.

Any first-year tax planner can tell you hundreds of ways around the Archer amendment, and it just will not work. I repeat, I do not want to be partisan about this, but the Archer amendment passed in the Committee on Ways and Means on a strictly partly line vote. It will not work.

If you are going to get the money, you got to get it before they leave, and that is what our proposal does. If Archer is adopted, forget about Ward.

Mr. ARCHER. Mr. Chairman, I yield 1 minute to a member of the committee, the gentleman from Nevada [Mr. ENSIGN].

Mr. ENSIGN. Mr. Chairman, I rise in support of the Archer amendment.

During the conference bill when we first heard about this expatriate situation, we were criticized by the other side of the aisle for not voting for this expatriate proposal when we had 15 minutes to read about it. We said it was wrong, we should take and be patient and have hearings on this, which I commend my chairman, Mr. ARCHER, for having.

In these hearings, the nonpartisan Joint Tax Committee pointed out that the bill that the gentleman from Florida [Mr. GIBBONS] had brought forward would leave a loophole that if you inherited the money and then expatriated at that point, you could avoid paying all tax. So if there is a loophole, it is in Mr. WARD's amendment as currently stated under Mr. GIBBON's bill.

So if you want to avoid the loophole for billionaires, the Archer amendment is the amendment to support, and I encourage my colleagues to support the Archer amendment.

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

I need to say now that is chutzpa squared. To say that we are adding a loophole is just absurd.

Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. LEVIN].

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Chairman, let me read from the dissenting views of the minority on the Archer amendment so we are reminded.

It does not prevent tax avoidance by expatriates who have patience. That means they can wait it out.

It does not prevent tax avoidance by expatriates who plan ahead. They can plan and get out of this.

It does not prevent tax avoidance by expatriates who have foreign assets.

It does not prevent tax avoidance by expatriates who have U.S. assets with enough wealth to use the present loopholes.

It is not administrable.

It does little to prevent avoidance of estate and gift taxes.

The Archer amendment, more than anything else, pussyfoots on this issue. The Ward amendment would hit it directly. I urge support of the Ward amendment and that we vote against the Archer amendment.

□ 1930

Mr. ARCHER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. THOMAS], a member of the Committee on Ways and Means.

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

Mr. THOMAS. Mr. Chairman, talk about circular arguments, the gentleman from Michigan just read the dissenting views. That is the Democrats on the Committee on Ways and Means continuing to try to justify why H.R. 1535 is the bill that should be in front of us.

As a matter of fact, the Democrats had so much confidence in H.R. 1535 that they did not even ask for a rollcall vote. They refused to even put the votes up in committee. They went quietly. They went meekly. It was a reasonable effort on their part. We listened to Undersecretary Samuelson tell us that this administration had not pursued these people who were leaving. And let us get one thing straight, no one here is in favor of anyone renouncing their citizenship for purposes of avoiding taxes. No one here is in favor of that.

The question is, how do you deal with the issue? You will recall earlier in the year, when my colleagues tried to rush to judgment on that issue and we said: Wait a minute. Let us ask the responsible people. Let us take it to the nonpartisan Joint Committee on Taxation and see if they can analyze ways in which we can go after these people, not to avoid going after these people but to really go after them.

The Joint Committee on Taxation said: The approach by the gentleman from Florida [Mr. GIBBONS] on H.R. 1535 was fatally flawed. There is a loophole in the bill. When you come of age, if you have got the right tax lawyers, and these people have the money, when you have an election period there is a window of opportunity in which you can decide to cut out and lose judgment.

There is no perfect mechanism. If there was a perfect mechanism, we would not have this issue on the floor. The reason I said the gentleman from Kentucky [Mr. WARD] had an amendment that was full of chutzpah is very simple. He is trying to take a bill which was introduced, no recorded vote ever anywhere in any subcommittee or committee, and substitute that measure for the will of the Committee on Ways and Means on a recorded vote that passed H.R. 1812.

The chairman of the committee wants to take the work product of the committee, passed by a recorded vote, a majority of the committee, and substitute it for the flawed work product that the Democrats would not even bring to a vote in the committee.

It just seems to me that, when you take a look at the work product of the Joint Committee on Taxation, that produces more money, that closes more doors, that got a majority of votes, that that is the route to take. It makes no sense whatsoever to try to keep alive a flawed bill which did not even deserve a recorded vote by virtue of the Democrats in the committee. Frankly, I think we should take to heart the advice of the gentleman from Florida [Mr. GIBBONS]. Pass the Archer amendment and then in the words of Mr. GIBBONS, the Ward amendment is not worth anything and we ought to vote it down.

I say to the gentleman from Florida [Mr. GIBBONS] that he is right. Pass the Archer amendment and then vote the Ward amendment down.

Mr. WARD. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. HAYES].

Mr. ARCHER. I yield 1 minute to the gentleman from Louisiana [Mr. HAYES].

The CHAIRMAN. The gentleman from Louisiana [Mr. HAYES] is recognized for 3 minutes.

Mr. HAYES. Mr. Chairman, my dad was born in the little town of Coushatta, LA, which never dreamed of having a millionaire, much less a billionaire. He was born there in 1909. So the time that he was a young man, and whose ambition was to go to college, that was short-circuited by a national Depression. And instead of being a kid with an education, he became a kid who carried the burden of educating his family. So the only dream he had left without the opportunity to go to college was to work hard and do well. And nobody could stop him from that.

So by working hard and doing well, by the time in the 1960s, when Jack Kennedy was President, he was a 91 percent taxpayer. And never on any occasion at our dinner table did anyone ever suggest that you walk out on the country that gave him the opportunity to do that. Never on the day when only 9 cents of a tax dollar was left in his pocket did he remotely suggest that you leave the shores of this country for money.

Now, the reason that I would give this admonition to those of my friends on this side of the aisle, as I stand here as someone who voted for 9½ of the 10 items in the Contract With America, but notice the term Contract With America. That is bilateral; you have got to give as well as get. And if all you are doing is worrying about how you avoid ever giving a dime, then you ought to get what you deserve, and that is the scorn of every other hard-working American who wants part of that dream.

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

Mr. HAYES. I yield to the gentleman from Florida.

Mr. SHAW. Mr. Chairman, I find myself more in agreement with the gentleman in the well than in disagreement.

I would like to point out to the gentleman and ask him a simple question: If you had a bill that was trying to attack the same problem, one of them was scored as netting $800 million and the other was being scored as netting over $2 billion, which one do you think would have the most holes in it or the most loopholes? I am sure the gentleman would answer me, certainly the one for $800 million has a whole lot more loopholes than the one for over 2 billion.

Do the gentleman agree with that?

Mr. HAYES. Mr. Chairman, I do in part agree, but the problem is, my degree is in tax from Tulane University. I practiced law for really rich people who figured out how not to pay their taxes. I did a damn good job of it, but let me tell the gentleman something: I came to Congress for bigger and higher reasons. It is time to tell those folks, we want you to make more money, but we would kind of like you to stay around here and spend a little of it.

Mr. SHAW. Mr. Chairman, if the gentleman will continue to yield, I would say to the gentleman then that I am sure with that type of good common sense and legal background as he has that he will support the Archer substitute.

Mr. HAYES. Mr. Chairman, I wish I could.

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

Mr. WARD. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. GIBBONS], distinguished ranking member of the committee.

Mr. GIBBONS. Mr. Chairman, I know we are in a very technical discussion, and I feel sorry for all the Members of Congress who have to listen to this. And this is an honest difference of opinion. The vote that has been referred to that was taken in the Committee on Ways and Means was a party line vote. Not a single Democrat voted for the Archer bill. We did not put up a substitute because we just get outvoted and slaughtered by the Republicans in the Committee on Ways and Means. There is no chance. We have never carried an amendment in the Committee on Ways and Means since this Congress that amounted to a tinker's whatever.

And we have very professional staff. They tell us that the Archer amendment cannot work. All you have to do, if you have as much money as these people do, you do not have to make any tax moves. You have got plenty of income. And you wait for the 10 years to run out and then you cash in your chips.

Plus we have to chase these people all over the world to find them and keep up with them. The only way you are ever going to collect any money out of them is, you have to get them before they leave. You have got to get

them before they leave or there is no way to collect any money out of them.

Mr. BUNNING of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. GIBBONS. I yield to the gentleman from Kentucky.

Mr. BUNNING of Kentucky. Mr. Chairman, for 40 years the Democrats controlled the Committee on Ways and Means.

Mr. GIBBONS. Reclaiming my time, Mr. Chairman, I have heard that before, and I do not yield any further. I have heard that garbage for a long time.

On a party line vote, the Archer bill was adopted. If they stick it on, the Ward amendment, kiss the Ward amendment goodbye. It is not worth a hoot with the Archer bill on there. The Archer bill, when it comes to the floor, will not collect any money.

This is just a ploy. That is all it is. It is a big charade that they just put on over there. Their bill will not collect any money. If they stop and think about it, they will know that. But the bill that we had, we did not even bring it up. We have been rejected on party line votes time and time again on the Committee on Ways and Means. So If you adopt Archer, forget about the main amendment.

The CHAIRMAN. The gentleman from Kentucky [Mr. WARD] has 2½ minutes remaining, and the gentleman from Texas [Mr. ARCHER] has 5½ minutes remaining. The gentleman from Kentucky [Mr. WARD] is entitled to close the debate.

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

Mr. Chairman, I have a great deal of amity in my feeling toward the gentleman from Florida [Mr. GIBBONS], the ranking Democrat on the committee. But his argument is simply that we should not go by the official estimators. The official estimators control this body.

At times I do not agree with them. He is saying, they do not know what they are doing; pay no attention to them.

All of what we must comply with to determine what we do toward the deficit is determined by these estimates. He does not want to believe them. That is certainly his prerogative. But the reality is, the official estimators say that the Archer amendment will produce $2.4 billion and that the Gibbons proposal, which is part of the Ward amendment, will produce $800 million. They are the people that determine whether we have complied with the budget requirement or not. And they have examined this very carefully. They know that tax consultants will advise people who are recently the beneficiary of legacies of large amounts, now is the time to leave. Get out of here because you pay nothing under the Gibbons proposal.

I do not believe that is what the people of this country want. I think they want something that will have teeth in it, that those who impartially score and estimate say will produce the greatest degree of success in this issue.

He is correct, we all want to try to get at this issue. The gentleman from Louisiana [Mr. HAYES] is correct; the gentleman from Kentucky [Mr. WARD] is correct. But I would submit to my colleagues that my amendment will do a better job.

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

Mr. WARD. Mr. Chairman, I reserve the balance of my time, for the purposes of closing debate.

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

Mr. WARD. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to thank the Members of this body who are watching in their offices and who are watching here in the Chamber, because you have truly had an opportunity to see a unique debate, a debate where the Republicans are arguing with the Democrats about their proposal raising more tax revenue than the Democrats. I guess we have seen everything. I guess we have seen it all. Because really what that revenue estimate issue is about is whether you take the estimates of the Joint Committee on Taxation, the Committee on Ways and Means, whether you take the estimates of the Department of Treasury, you will find a different estimate from everybody you ask for an estimate.

What we are doing in this proposal is firmly and once and for all not creating new taxes, not increasing taxes, no. All we are doing is closing a very clear, specific, widely known tax loophole. That loophole is the expatriate billionaire tax loophole.

What it says is that if you care so much about money that you are willing to turn your back and renounce your American citizenship, you get a tax break. To me the answer is simple. The result should be clear. And I ask my colleagues for a no vote on the Archer amendment to the Ward amendment and then a yes vote on the Ward amendment.

Stand up. Be counted. Say that each of us should pay our fair share.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. ARCHER] to the amendment offered by the gentleman from Kentucky [Mr. WARD].

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair may reduce to 5 minutes the minimum time for electronic voting, if ordered, on the underlying Ward amendment.

The vote was taken by electronic device, and there were—ayes 231, noes 193, not voting 10, as follows:

[Roll No. 533]

AYES—231

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—193

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Danner
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr

Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Murtha
Nadler
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—10

Bryant (TX)
Collins (MI)
Crane
de la Garza
Jefferson
Moakley
Neal
Reynolds
Spence
Studds

□ 2005

Mr. DIXON changed his vote from ''aye'' to ''no.''

Mr. COMBEST changes his vote from ''no'' to ''aye.''

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

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

The amendment, as amended, was rejected.

The CHAIRMAN. Are there further amendments to the bill?

Mr. BILBRAY. Mr. Chairman, I move to strike the last word for the purpose of engaging in a colloquy with the subcommittee chairman.

I appreciate my colleagues' courtesy and I thank the Chair. I would ask that we address a concern involving the maintaining of competitivization in the U.S. Postal Service and would ask for a colloquy.

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

Mr. BILBRAY. I yield to the gentleman from Iowa.

Mr. LIGHTFOOT. I would be pleased to engage the distinguished gentleman in a colloquy.

Mr. BILBRAY. Mr. Chairman, I understand that the distinguished subcommittee chairman has requested the General Accounting Office to compare the cost to the U.S. Postal Service of contracting for remote bar code service versus having the work done in-house.

Mr. LIGHTFOOT. The distinguished gentleman from California is correct. I understand GAO will release its report in about 1 month.

Mr. BILBRAY. I thank the chairman. I further understand that while the GAO is in the process of finalizing this report, the results will show that the Postal Service is potentially foregoing millions of dollars of savings by performing remote bar code service in-house rather than continuing to contract with the private sector.

As the chairman well knows, the Postmaster General has been making the rounds on Capitol Hill over the past several months urging Congress for support for the changes in the Postal Reorganization Act that will make the Postal Service more businesslike. Yet, when it comes to the remote bar code system, the reason why I raise this issue is the estimated savings of contracting the bar code system was $4.3 billion over the next 15 years. The Postal Service continues to terminate the private sector role in this program and adds tens of thousands of civil service employees at the time of dismembering the system.

Mr. Chairman, I obviously share your concern with the wasteful spending of the Postal Service, particularly when the bureaucratic civil service jobs are created at the direct expense of private sector companies. It is therefore my understanding, Mr. Chairman, that based on the GAO's cost comparison, you intend to proceed with an appropriate communication to the Postmaster General urging him to consider the possibility of suspending the transition of private sector remote code service contracts.

Mr. LIGHTFOOT. The gentleman is correct.

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

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

Mr. DELAY. I applaud the chairman's efforts to support greater levels of contracting out at the U.S. Postal Service. The chairman should be proud that his leadership on this issue is in direct harmony with the mandate of the 104th Congress: to shrink the Federal Government.

I find it ironic that while on the one hand the Postal Service is asking for Congress' help to make the Service more businesslike, on the other hand is eliminating the private sector's role in an information technology program that was developed specifically for private sector operation.

I urge the chairman to continue to pursue this line of inquiry with the Postal Service, and preserve the private sector's role in the RBCS program.

Mr. LIGHTFOOT. If the gentleman will yield further, I would like to thank both the distinguished majority whip and distinguished gentleman from California for their thoughts on this important issue. I agree that it makes absolutely no sense for the Postal Service to spend hundreds of millions of dollars more to do work in-house that was designed to be contracted out.

The Treasury-Postal Subcommittee will continue to monitor this issue closely and take all appropriate steps to ensure the continued involvement of the private sector in the bar coding program.

Mr. BILBRAY. I thank the distinguished subcommittee chairman for his encouraging words.

The CHAIRMAN. Are there further amendments to the bill?

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

We are at the end of this bill.

□ 2015

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

Mr. Chairman, we started this bill yesterday. In a relatively short period of time we considered the central portions of this appropriation bill. Today we have been on issues of importance, but frankly only in a few instances relating directly to the level of appropriations.

I want to say to the chairman of the committee, as I said at the beginning, the chairman has been fair, he has been open, he has conducted himself in every way as a gentleman, and for my side of the aisle, not just for me as the ranking member or the minority members of the committee, but for our staff and for all Members on this side I want to tell the chairman we appreciate his handling of this bill.

I further want to thank the gentleman from California [Mr. DREIER]. I think, while this has not necessarily been the most difficult bill, it has been a difficult one, and for our side of the aisle I want to tell him that I think he has been fair and presided with an equal hand. We appreciate that on our side of the aisle.

Mr. Chairman, I will, when we rise and come back, make a motion to recommit. I very much regret that I will not be able to support this bill. I am not going to debate at length my reasons for that. We have debated them here. I think we have inadequate resources to meet the responsibilities of law enforcement, and Customs, and some other areas, but it is not because of the chairman, in my opinion, who wanted to take that action. It is because we have squeezed the discretionary side of the budget very hard.

My colleagues, I am for balancing the budget, but I am also investing in America. I am for having this country provide the opportunity for our children and for our grandchildren that is essential if they are to enjoy the kind of good life that we have.

So, Mr. Chairman, regrettably I will be opposing final passage of this bill, but it is not because of any reason

other than the resources available to it were insufficient to allow Chairman LIGHTFOOT and the committee, the subcommittee and full committee, to recommend to this House resources adequate to fund the priorities of this bill.

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

The CHAIRMAN. Are there further amendments to the bill?

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

(Mr. LIGHTFOOT asked and was given permission to revise and extend his remarks.)

Mr. LIGHTFOOT. Mr. Chairman, I would like to insert at this point in the RECORD language concerning the Model State Drug Laws Conference:

MODEL STATE DRUG LAWS CONFERENCE

Language in the ONDCP appropriation states that funds can be used for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies. This language could include conferences held by Governors to review Model State Drug laws proposed by the President's Commission on Model State Drug laws.

Mr. Chairman, I also want to add my thanks to Mr. HOYER's to you for the great job you have done this afternoon and yesterday, and I thank the gentleman from Maryland [Mr. HOYER] and members of our subcommittee, and Members on his side of the aisle who were able to get, I think, reasonable time agreements on many of these amendments that everyone wanted to speak to in order to allow everyone to have their say-so not 435 times, but maybe only 40 times, as is the nature of this group.

I also would be very remiss if we did not pay tribute to the hard-working staff who has really made all this happen. As most of us know, we end up getting the credit, but the staff does all the work. Michelle Mrdeza, who is one of the few female clerks, on her maiden voyage has done an outstanding job along with Betsy Phillips, Dan Cantu, Jeanne Kochniarczyk, who is with us. Jenny Mummert, who is gone right now, is a brand-new mother, who brought her offspring by the office the other day, and Bill Deere on my personal staff, Terry Peel on the majority staff, and Seth Statler on Mr. HOYER's personal staff. They have been good people to work with. We have enjoyed the process, if one can enjoy that when they are doing something like that.

In closing I would only like to say to our colleagues that I am sorry the gentleman from Maryland [Mr. HOYER] cannot support the bill, but we are $430 million in outlays under last year. This is a downpayment on balancing the budget. There is pain in the bill which probably is necessary in these times. We have difficult numbers to work with, and I think we have done probably the best job we can do.

Mr. DOOLEY. Mr. Chairman, I rise today to express my support for $4.7 million for the Federal courthouse project located in Fresno, CA. Because the Committee chose not to fund any new starts, this project did not receive any funding. However, I believe that the unique circumstances surrounding the Fresno Courthouse project merit further consideration by the Appropriations Committee. I am currently working with our Senators from California to ensure that funding is included in the Senate's Treasury, Postal Service, and General Government appropriations bill.

Mr. Chairman, today there is a crisis in Fresno. The Fresno courthouse has fewer courtrooms than judges, and the court has projected that five more judges will be appointed within the next eight years. The Fresno Division of the Eastern District, which represents 2.3 million persons, has the largest population per judgeship of any U.S. District, and the Bureau of Census ranks Fresno as first among the fastest growing cities in America. The court system cannot handle its current case load with its available resources, and the only solution is to build additional courtroom facilities.

When the GSA began investigating the overcrowding problem several years ago, they sought to identify all available options. GSA came to the conclusion that it would be in the taxpayers best interest to build a new facility rather than renovate the current building or build an addition to the current building. The City of Fresno has taken a responsible approach to helping the crisis at the Fresno District Court. They have agreed to donate 4.5 acres in the downtown region, not far from the current courthouse's location. The agreement between Fresno and the GSA will save the taxpayers $4.7 million since purchasing the land will not be necessary.

I would like to stress that this appropriation would be for the design phase only and not for land acquisition as was requested in the President's budget. In addition to donating the land, Fresno will also complete all site preparation, and will build 392 new public parking spaces around the project. The environmental impact study has been completed and the last public hearings have been held (without negative reaction). Because Fresno is willing, at this time, to donate the land for the courthouse project, we need to act quickly to codify this agreement. By appropriating funds for this project now, we can save taxpayers the cost of purchasing land in the future.

Mr. Chairman, as I stated earlier, this is an unique situation. We have a demonstrated need for a new courthouse and we have the local government willing to assist this project thereby reducing the taxpayers burden to complete the Fresno Courthouse Project. This is the type of cooperative agreement the Federal Government ought to embrace, not discourage. By not appropriating funds for this project, we may not have the opportunity to enter into similar agreements in the future.

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

The CHAIRMAN. Are there further amendments to the bill?

If not, under the rule the Committee rises.

Accordingly the Committee rose, and the Speaker pro tempore (Mr. GOODLATTE) having assumed the chair, Mr. DREIER, 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. 2020) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1996, and for other purpose, had directed him to report the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment adopted by the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HOYER. I am in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOYER moves to recommit the bill, H.R. 2020, to the Committee on Appropriations.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 216, nays 211, not voting 7, as follows:

[Roll No. 534]

YEAS—216

Allard	Calvert	Emerson
Archer	Camp	English
Armey	Canady	Ensign
Bachus	Chabot	Everett
Baker (CA)	Chambliss	Ewing
Baker (LA)	Christensen	Fawell
Ballenger	Chrysler	Fields (TX)
Barr	Clinger	Flanagan
Barrett (NE)	Coble	Foley
Bartlett	Coburn	Forbes
Barton	Collins (GA)	Fox
Bass	Combest	Franks (CT)
Bateman	Costello	Frelinghuysen
Bereuter	Cox	Frisa
Bilirakis	Crapo	Gallegly
Bliley	Cremeans	Ganske
Blute	Cubin	Gekas
Boehner	Cunningham	Gilchrest
Bonilla	Davis	Gillmor
Bono	Deal	Gilman
Boucher	DeLay	Goodlatte
Brewster	Diaz-Balart	Goodling
Brownback	Dickey	Goss
Bryant (TN)	Doolittle	Gutknecht
Bunn	Dornan	Hamilton
Bunning	Dreier	Hansen
Burr	Duncan	Hastert
Burton	Dunn	Hastings (WA)
Buyer	Ehlers	Hayes
Callahan	Ehrlich	Hayworth

Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Petri
Pombo
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanders
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Thornton
Tiahrt
Traficant
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—211

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bilbray
Bishop
Boehlert
Bonior
Borski
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Castle
Chapman
Chenoweth
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Cooley
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Fowler
Frank (MA)
Franks (NJ)
Frost
Funderburk
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Graham
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hancock
Harman
Hastings (FL)
Hefley
Hefner
Hilliard
Hinchey
Holden
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Kolbe
LaFalce
LaHood
Lantos
Leach
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Porter
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanford
Sawyer
Scarborough
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Stump
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Upton
Velazquez
Vento
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—7

Bryant (TX)
Collins (MI)
Crane
Jefferson
Moakley
Reynolds
Studds

□ 2042

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MORAN. Mr. Speaker, during rollcall vote No. 535 on H.R. 1976 I was unavoidably detained. Had I been present I would have voted ''no.'' I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 535.

GENERAL LEAVE

Mr. LIGHTFOOT. 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. 2020, the bill just passed, and that I be allowed to include tabular and extraneous material.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2058, THE CHINA POLICY ACT OF 1995, AND HOUSE JOINT RESOLUTION RES. 96, DISAPPROVING EXTENSION OF MOST-FAVORED-NATION STATUS TO THE PRODUCTS OF CHINA.

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–194) on the resolution (H. Res. 193) providing for consideration of a bill establishing United States policy toward China and a joint resolution relative to most-favored-nation treatment for the People's Republic of China, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

Mr. VOLKMER. Mr. Speaker, on Tuesday, July 18, I missed four rollcall votes during consideration of H.R. 1977, the Interior Appropriations for Fiscal Year 1996. On rollcall votes Nos. 517 and 518, I would have voted ''nay.'' On rollcall votes 519 and 525, I would have voted ''aye.''

PERSONAL EXPLANATION

Mr. WYNN. Mr. Speaker, as a result of my attendance at a funeral today, I missed two rollcall votes. Had I been present I would have voted ''yes'' on rollcall No. 529 and ''no'' on rollcall No. 530.

POSTPONING VOTES DURING FURTHER CONSIDERATION OF H.R. 1976, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1976 pursuant to House Resolution 188 the chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and that the chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than 15 minutes.

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

Mr. DURBIN. Mr. Chairman, reserving the right to object, and I do not plan to object, but I wanted to make sure it is clear, will there be any record votes taken this evening?

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

Mr. DURBIN. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Speaker, I have a plan for this evening. If the gentleman will allow me, I would like to go ahead and run through it.

The plan of action for this evening is if this unanimous-consent agreement is agreed to, we would proceed as follows: Take a minimum amount of general debate, say 10 or 15 minutes on each side, and since we are reading this bill under the 5 minute rule, no Members' rights are denied since they can always move to strike the last word and make their statements. Then we will take up the chairman's amendment made in order under the rule for a total of 10 minutes debate, and take a record vote on this amendment only. Then we would begin to read the bill for amendments, but take no further votes this evening, and we would roll the votes until tomorrow.

Mr. DURBIN. Mr. Chairman, further reserving the right to object, I yield to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, it was my understanding that we would not proceed past the end of title I. Is that correct?

Mr. SKEEN. If the gentleman will yield, we would like to finish title I, if we can. We will test the waters.

Mr. OBEY. We will not go beyond title I?

Mr. SKEEN. No, we will not, unless we get a chance to.

Mr. OBEY. If the gentleman will yield further, I also thought the understanding was that there would be no further action taken after 10:15 p.m.

Mr. SKEEN. That is correct. I am sorry I did not mention that to the gentleman, but 10:15, we will try to wind it up here this evening by as early as 10:15. There will be only one vote.

Mr. DURBIN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

GENERAL LEAVE

Mr. SKEEN. 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. 1976, and that I be allowed to include extraneous and tabular material.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 188 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. 1976.

□ 2047

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. 1976) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes, with Mr. KLUG 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 New Mexico [Mr. SKEEN] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. DURBIN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. SKEEN].

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

Mr. Chairman, I am pleased to bring before the House today H.R. 1976, which makes appropriations for Agriculture, Rural Development, Food and Drug Administration and related agencies.

Before I begin in this discourse, I would like to say that I appreciate very much the opportunity to serve once again with the distinguished Member of this body, Mr. DURBIN, as my ranking member. He was my chairman in our life a year or so ago, and it has been a real pleasure and it is a real compliment to me that he would come back on this committee as the ranking member.

I also want to thank the members of the committee that have worked so hard and diligently and given of themselves to this process, and also the great staff that we have that support us all. I want them to know that I appreciate all their help, all their associations in the work we have done. I think the work product will reveal the quality of that work.

Mr. Chairman, I know many of my colleagues think of this simply as the Agriculture appropriations bill. It does, of course, provide funds for the very diverse activities of the U.S. Department of Agriculture, but its scope reaches every American citizen and goes far beyond the borders of this great country.

Before I begin, I want to say we have been living in sin for a certain great span of time, Mr. Chairman. That is, as the Committee on Appropriations, we have poached on the area of the authorizing committee, so we have decided to have a prenuptial agreement and divide this territory up and to get a property settlement and so on.

But, anyway, we are working together, and I am delighted to have the cooperation of the House Agriculture Authorization Committee. We understand the problems that we have had to go through to make this an equitable and very harmonious situation, and we hope that it continues.

This bill provides funds for:

A system of agriculture which allows less than 2 million farmers and ranchers to produce a safe and abundant supply of food for nearly 250 million Americans and others around the world;

Research programs at our universities, which keep us the most competitive producer of agricultural products in the world;

The Food and Drug Administration's efforts to ensure safe supplies of foods, drugs, and medical devices;

A wide variety of domestic feeding and nutrition programs, including food stamps, the Women, Infants and Children feeding program, known as WIC, and food distribution programs for the elderly and homeless, some 26 nutritional or feeding programs we handle on a renewable basis every session of this Congress;

Housing and economic develop programs, rural areas which provide not only shelter, but also create jobs and economic activity throughout the country;

Export programs for bulk products and processed foods which this year will reach a record $50 billion, generating millions of jobs in the production, processing, and transportation industries, and contributing to yet another year of agricultural export trade surpluses;

And food aid for developing countries and for emergencies such as the tragic situation in Bosnia.

Mr. Chairman, this bill is the result of 8 weeks of hearings in which 325 witnesses testified, for which we have 7 volumes of hearings available to the public, covering every detail of the programs covered by this legislation.

The bill totals $62.5 billion, which is $5.5 billion less than fiscal year 1995, and $4.4 billion less than the President's request.

Mandatory spending is 80 percent of the bill and totals $49.2 billion. Discretionary spending is 20 percent of the bill and totals $13.3 billion, which is $1.6 billion less than the President's request and $85.5 million less than the current year's spending.

The bottom line is we are right on our discretionary allocation for both budget authority and outlays.

Mr. Chairman, there are very few accounts in this bill which have not been reduced or frozen at current levels of spending. I would like to remind my colleagues that this comes on top of nearly 10 percent in cuts in the fiscal year 1995 bill.

There are few small but essential increases in the bill including:

The food safety and inspection service which protects every one of us as consumers;

Conservation technical assistance for farmers as well as rural and urban communities;

Guaranteed loans for rural housing which help offset a large cut in direct loans; and

Money for USDA to begin an information sharing program to support the Department's plan to close field offices and consolidate operations which actually saves money in the long run.

There is an additional $260 million for the Women, Infants and Children's program, known as WIC, but this does not, and I repeat does not, provide for an increase in the program. It only maintains program participation at the end of the fiscal year 1995 level of 7.3 million individuals.

Otherwise, we have made large cuts in rural housing and development programs, freezing other accounts at current year levels, and eliminating some entirely.

Mr. Chairman, there is no money for university construction, either for new buildings or to complete ongoing projects. More than 80 special research and extension programs have been eliminated.

Finally, Mr. Chairman, the bill provides for current level funding for the Commodity Futures Trading Commission and allows the Rural Telephone Bank to begin privatization.

Mr. Chairman, I want to take a minute to explain the difficulty in comparing this year's accounts with last year's. As most of you know, the USDA is the first Federal department

in many years to undergo massive reorganization. As that is happening, there are many well-known agencies such as the Farmers Home Administration and the Rural Electrification Administration that have disappeared. As their functions were consolidated and placed elsewhere in other agencies, such as the Consolidated Farm Service Agency and the Rural Utilities Service, it is very difficult to show increases and decreases in the budget.

As often happens in the formulation of appropriation bills, the authorizing committee raised certain objections to provisions in our bill which were limitations on spending and mandatory programs. I have had several meetings with my good friend, the distinguished chairman of the Committee on Agriculture, the gentleman from Kansas [Mr. ROBERTS] God love the gentleman, I do, too, and I am pleased to say we have worked out an agreement on these differences, at least for now.

Mr. Chairman, shortly, I will offer an en bloc amendment which makes several changes in the bill as agreed to by the authorizing committee, and this amendment, which is part of the rule, makes the following changes to H.R. 1976:

The limitations on the Conservation Reserve Program, the Wetlands Reserve Program and the Export Enhancement Program are stricken, as is a provision that would have prohibited certain disaster payments for livestock feed producers who refuse crop insurance;

The salaries and expense accounts of the Consolidated Farm Service Agency is reduced by $17.5 million;

The Great Plains Conservation Program is eliminated for a savings of $11 million;

The loan level for section 502 direct housing is reduced from $900 million in the bill to $500 million, while the guaranteed program is increased from $1.5 billion to $1.7 billion, for a net savings of $83.6 million;

The Rural Development Loan Fund, one of several programs supporting economic development in rural areas, is eliminated, for a savings of $37.6 million; and

Funds available for the Rural Development Performance Partnership Program for rural utilities, which is essentially a block grant for water and waste disposal loans and grants and solid waste management grants, is reduced from $562 million in the bill to $435 million.

Mr. Chairman, this amendment is budget neutral. Producing this bill has been a long and difficult effort, Mr. Chairman, and I have told several of my colleagues that my joy at finally being in the majority and being a subcommittee chairman has been severely dampened when I finally got there and found out there was no money.

But as difficult as producing this bill was, it would have been absolutely impossible without the active participation of my subcommittee colleagues from both sides of the aisle.

I would like to personally thank my good friend, the gentleman from Indiana, Mr. MYERS, and my other Republican colleagues, JIM WALSH, JAY DICKEY, JACK KINGSTON, FRANK RIGGS, GEORGE NETHERCUTT, and our chairman, the gentleman from Louisiana, Mr. LIVINGSTON, and their hard-working staff members who put in so many long hours on this bill. A special thanks again to my good friend from Illinois, the distinguished former chairman and now ranking member of the subcommittee, DICK DURBIN.

The programs funded by this bill have been supported for years by Democrats, Republicans, and Independents alike, and, likewise, I would like to express deep appreciation to my other Democratic friends and colleagues, MARCY KAPTUR, RAY THORNTON, NITA LOWEY, and to the distinguished ranking member of the full committee, the gentleman from Wisconsin, Mr. OBEY, and to their staffs for all their hard work and contributions to this effort.

Mr. Chairman, this is a good bill, and it makes its fair share of contributions to the goal of a balanced budget. It looks out for the interests of farmers, ranchers, consumers, urban America, rural America, and I ask my colleagues on both sides of the aisle to support this bill.

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

□ 2100

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

I want to personally thank my colleague and friend, the chairman of this committee, JOE SKEEN of New Mexico. There are accolades which are tossed around this floor very loosely. I want those who are listening to know that I am genuinely sincere in saying that my service in this Congress has been enhanced from the time I arrived by the fact that the gentleman from New Mexico [Mr. SKEEN] and I have worked together, first on the Committee on Agriculture and now on the Committee on Appropriations.

He is a gentleman. He is an honorable man. He is very bipartisan. It has been my pleasure to work with him, and I consider it to be one of the highlights of my service in the House of Representatives.

That is not to say that we will not disagree on a few elements in this bill. I am sure we will. But the fact is that we work closely together to try to come up with a bill that addresses a very serious problem. We have an important area of Federal spending here when it comes to agriculture, rural development, the Food and Drug Administration and related agencies. And this year as last year, we were asked to cut more than $1 billion in discretionary spending.

These are not the kind of illusory cuts that you might have heard of in other bills. These are real cuts and real programs. Some of them are cuts which I am not happy with and the chairman is not happy with either. But this is our fate in life, to meet this responsibility, to help reduce this federal budget deficit.

I might say that the gentleman from New Mexico has done his very best, as I have, too, to preserve important programs for American agriculture which is too often taken for granted. I regret that some of the programs that we have cut which are important to rural development will in fact reduce the opportunity for building new housing in small town America and modernizing sewer and water systems. We will debate that a little bit later, I am sure.

I do want to salute my colleague from New Mexico for one effort which he made at my request, and I know he took some grief for it. He insisted on maintaining the level of funding for the WIC program at this year's case load level. For those who are not familiar with the program, the women, infants, and children program is an effort by the Federal Government to make sure that low income and poor mothers and children do not go hungry, either during the pregnancy or after the child is born.

This program has been a spectacular success. Across America, in clinics far and wide, men and women come together to counsel pregnant mothers on the appropriate nutrition during their pregnancy in the hopes that their children will be born healthy with a bright future. Time and again we have succeeded. What is a modest investment in tomorrow's leaders in America has paid off handsomely.

The administration had hoped when elected that we could expand this program dramatically. Budget realities have reduced that prospect. But the gentleman from New Mexico was very diligent in his efforts to make sure that the case load of people, women and children, served this year, this fiscal year, would be maintained into the next fiscal year, which required several hundred million dollars of additional expenditure.

I can assure the gentleman that I personally appreciate his efforts in this regard and his efforts overall in putting together a very difficult bill. As I said, we may disagree on some particulars as we go into the bill, but I know that he has come to the table in good faith in an effort as the new chairman to do a professional job. I can assure all those listening on both sides of the aisle he has done just that.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding time to me. I wish to rise in support of our agriculture appropriations bill this year, to commend our very distinguished chairman in his maiden voyage as chair of this subcommittee and also to thank our ranking member for his terrific service.

This will be the last bill that, second to the last bill, that he will be handling

on this floor. We thank him for the tremendous contribution that he has made over the years both as chair and now as ranking member of this committee.

I wanted to insert my full remarks in the RECORD tonight, because the subject of agriculture is so important to not just rural America but to urban America, to the nutrition needs of our people. But I wanted to say beyond that, as a member of this committee, I cannot think of a better committee in this Congress to serve on.

In listening to some of the debate that occurred here this afternoon, frankly, I was embarrassed at the level of dialog on both sides of the aisle. At one point I had teenage students here with me from my district, and I had to usher them out of the gallery because I was so embarrassed at some of the language being used here on the floor.

If I had to pick one committee in this Congress to say how the whole place should function, it would be this particular subcommittee, with the comity, the good will, with the gentlemanly and ladylike behavior that members of this committee display toward one another; frankly, the good humor as well.

I think a lot of that is due to the leadership of our chair, the gentleman from New Mexico [Mr. SKEEN] who is truly a man for all seasons. We appreciate what he is as a person as much as what he does as chair of this committee. Frankly, I think if we had more Members like him, with his spirit on both sides of the aisle in this institution, I think the Nation would be much better off.

I rise in support this evening of this measure. I know with its passage, the Nation will have been bettered.

Mr. Chairman, I rise today in support of the Agriculture appropriations bill and commend our chairman, the gentleman from New Mexico, and our ranking member, the gentleman from Illinois, for their outstanding leadership in putting together a responsible bill. This bill continues our support for American farmers which are the most productive in the world as well as fulfills an important commitment for advancing agriculture and nutrition to rural and urban America.

The bill is fiscally prudent and includes a total of $13.3 billion for discretionary programs which is $135,571,000 less than the amount appropriated in Fiscal Year 1995 and $1.6 billion less than the budget request.

For mandatory programs, which are 80% of the funding in this bill, the committee provides $49.2 billion a decrease of $5.5 billion below the amount available for fiscal year 1995 and $4.4 billion below the budget request.

The committee faced difficult decisions in meeting the needs of U.S. agriculture and related programs in this bill. Only three programs, meat and poultry inspection, conservation and the Women, Infants, and Children's Feeding Program received increases in funds.

Those who serve farmers and work with Agriculture are taught over and over again that there is a big difference between money and wealth. Our job on this Committee on Agriculture is to help create the wealth of America through the investments that we make through this department.

To call this an agriculture bill is a bit misleading. Nearly 60 percent of the programs funded by our subcommittee are nutrition programs, primarily foodstamps. The bill also funds rural development, food assistance, and export programs as well as the Food and Drug Administration.

Mandatory spending not under the jurisdiction of this subcommittee accounts for a majority of the appropriations in this bill. Discretionary spending in this bill amounts to $13.4 billion in budget authority.

I would like to commend the chairman and the members of the subcommittee for putting together a bill that meets the budget mandate bill. We were faced with tight budget constraints that forced us to eliminate a number of programs including the Great Plains Conservation Program as well as 80 special research and extension projects. The bill also places a moratorium on funding for all university research buildings and facilities.

Tough choices had to be made. Yet while faced with tight budget constraints we were still able to shift resources to priority programs.

We continued funding for TEFAP, the Emergency Food Assistance Program, which provides vital support to our community food pantries and senior centers.

The Women, Infants, and Children Feeding Program is provided with a $290 million increase to cover inflation and food cost increases to maintain 1995 participation levels. WIC decreases infant mortality rates and investments in WIC are offset by decreases in long term Federal Medicaid expenditures.

Traditional farm programs however continue to receive a decreasing portion of our spending. With the upcoming debate on the 1995 farm bill, it is my hope to begin targeting our scarce agricultural dollars to small family farmers.

In the decade of the 1980's we have slowly eroded the basis of American agriculture—the family farmer—and are moving in the direction of large corporate farms. We must ensure that to ensure that prices are maintained at a level high enough to compensate for costs or production and to maintain standards of living in order to attract and retain individuals in farm production. We must also negotiate trade agreements which encourage and enhance the ability of family farmers to compete in world markets.

In agriculture trade, we must also work to recapture lost markets and increase exports. As American agricultural exports grow, foreign agriculture exports are being shipped to the United States in greater magnitude. Since 1981, our agricultural exports have declined from $43.8 billion to a low of $26.2 billion in 1986 and back to $42.2 billion for 1992. Under the USDA programs, the profit has gone to the exporter but the cost is charged to the farmer.

Since 1981 agricultural imports have increased from $10.8 billion to $24.3 billion in 1992. In many cases these are products our own farmers could be selling.

In closing, I want to again commend the chairman and the ranking member for putting together a solid bill under difficult budget constraints. I urge the Members to support this fiscally responsible measure.

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

I would like to engage in a colloquy with my good friend from Kansas, Mr. ROBERTS, chairman of the authorizing committee, if I might.

While I understand that some Members are anxious to see certain policy changes in the Federal farm programs, I am concerned that if the appropriations process becomes the vehicle for these legislative changes, the chances for true and longlasting reforms may be lost. I know my friend from Kansas shares these concerns, and I ask if he can offer any assurances to Members with amendments that their issues will be addressed in the coming farm bill debate.

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

Mr. SKEEN. I yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman for his question, and I thank my longtime friend and colleague from New Mexico for the opportunity to really discuss this problem.

Let me say that I would like to associate myself with the remarks from the distinguished gentleman from Illinois in regard to the accolades that are due to the gentleman from New Mexico. They are not loose, as he has described. There is a snug-fit accolade that is well deserved on the floor of the House. The gentleman from New Mexico should wear it proudly.

Let me begin by saying how much the members of the authorizing committee appreciate the hard work that the gentleman and the members of his subcommittee and staff have really put into fashioning this very, very difficult bill. We have worked very closely with him to develop the legislation on the floor today, and this bill has our support.

However, it would be unfortunate if the hard work he has done to really create a good bill was overshadowed by some amendments that are really inappropriate. I do share the concern that this bill should not be the vehicle to take up major farm policy debates. The Committee on Agriculture will be bringing a major and comprehensive reauthorization of all farm programs to the floor later this year.

During the course of committee consideration of the farm bill, we will be considering major changes of all the programs addressed by the amendments that are proposed here today. The difference is that in the farm bill these changes can be considered, in the context of the total policy package that will provide long-term coherent framework for the farm and rural sector. The Committee on Agriculture encourages all Members of the House to bring their concerns to us and work with us as we mark up the farm bill.

Let me repeat that: To every Member who has a concern about agriculture program policy, to all watching in their offices and all the staff that may be watching, the committee encourages all Members of the House to bring their concerns to us and work with us as we mark up the farm bill. Bring

them to me or bring them to the former chairman and the distinguished ranking member, the gentleman from Texas [Mr. DE LA GARZA].

Let me assure the Members with interest in specific policy changes that, if the farm bill we bring to the floor does not satisfy the Members' policy concerns, there will be an opportunity for any Member to bring those concerns before the House at that time.

The gentleman from Texas [Mr. DE LA GARZA] shares in that concern and also shares in regard to that policy opportunity.

Today we need to get down to the serious business of appropriating funds for rural America in the fiscal year of 1996. Issues concerning farm policy for the rest of this century should be deferred until the authorizing committee brings the farm bill to the floor. That will be in September.

I urge my colleagues to withhold their amendments until the Committee on Agriculture has had time to consider the issues individually. This is not the appropriate time or place for authorizing amendments.

Mr. SKEEN. Mr. Chairman, I want to thank the gentleman and my friend for his assurance that all Members will be given an opportunity to address the issues that they deem important, and I thank him for the partnership that we have.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

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

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman for yielding to me. I take the time only to echo the words of our chairman and to agree with all of the accolades that he has made about the chairman and about our ranking member. We certainly appreciate the concern and the dedication and the sensitivity which the distinguished chairman has shown to the authorizing committee and to those that work in that area.

I associate myself strongly and wholeheartedly with the remarks of our chairman, the gentleman from Kansas [Mr. ROBERTS].

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

Mr. DURBIN. Mr. Chairman, I yield 4 minutes to the gentlewoman from New York [Mrs. LOWEY], the newest member of our subcommittee.

I guess it is odd for people to be watching this and wondering what a resident of New York City is doing on the Committee on Agriculture. But I can tell you that she has noted, as many have, that this bill goes far beyond addressing the concerns of rural America. It addresses nutrition programs and environmental concerns which are of as much importance to her home city and home State as well.

Mrs. LOWEY. Mr. Chairman, I want to thank the chairman and our minority ranking member, the gentleman from Illinois [Mr. DURBIN], for the cooperation they have shown me on this committee.

This is an extraordinary bill, in fact, because, as our member said, Mr. DURBIN is from Illinois, this bill serves all of our communities across this country. It has really been an honor and a privilege for me to serve on this committee. I want to especially thank the chairman and the ranking member for their help and for the knowledge which they have offered, and certainly our staff.

At this moment I would like to engage the gentleman from Kansas [Mr. ROBERTS] in a colloquy.

I understand that there is quite a bit of discussion about the proper venue in which to alter the federal peanut program. But I must say that those of us who favor elimination of the program have heard that we are not going to be able to sufficiently debate and vote on this matter during consideration of the farm bill.

I would ask the gentleman if he believes that debate on the agriculture appropriations bill is the only time during which we will be able to get a vote on this issue?

Mr. ROBERTS. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Chairman, I would inform the gentlewoman, and I appreciate the question, the answer is no. I know that you and some of your other colleagues have serious concerns about the peanut program. I want to assure you that the Committee on Agriculture has heard those concerns and is working on some real policy changes and a plan to reform the program.

It is my hope that we can come to an agreement on a reform plan that all the Members of this body will be happy with and that we can avoid a protracted floor fight at the time of the farm bill. With that in mind, I would ask the gentlewoman if she would consider withdrawing her amendment and let us continue the progress, and let me add, we are making real progress, to address your concerns about this program and the concerns of the growers and everybody connected with the program.

Mrs. LOWEY. Mr. Chairman, I am particularly pleased to know that there is progress made on this issue, because I think the gentleman is aware of the serious concerns that I and many of our colleagues have with this program.

I look forward to seeing the result of the Committee on Agriculture deliberations, but if the reform plan that the gentleman's committee comes up with does not adequately address the problems I and many of my colleagues have with this program, can the gentleman assure me that there will be an opportunity to discuss and vote on this issue on the floor during debate on the farm bill?

Mr. ROBERTS. Mr. Chairman, if the gentlewoman will continue to yield, I will tell the gentlewoman, the answer is a firm yes. If the Committee on Agriculture cannot reach an agreement on reforming the program that satisfies the concerns of you and your colleagues, I can assure you, as I have said in my previous colloquy with the gentleman from New Mexico, that you and your colleagues will have an opportunity to address these issues simply during the farm bill debate.

Mrs. LOWEY. Mr. Chairman, I thank the gentleman. I will not offer the amendment this evening. I appreciate the gentleman's consideration of this very important issue.

Mr. DE LA GARZA. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Chairman, I also wish to thank the gentlewoman for her cooperation and agree with the chairman in assuring her that because of her generosity and understanding our situation on this legislation, we will work nonetheless to assure her and those that feel like her that we will give them ample opportunity. In the meantime, we ourselves are trying to correct any deficiencies in the program. So I am assuring her we will work together, and we appreciate her understanding of the issue this evening.

Mrs. LOWEY. Mr. Chairman, I just want to thank the gentleman for his comments. I want to also make it very clear that those of us who consume the products of all your hard work on the farm are very involved with this issue, and we appreciate the gentleman's comments and we look forward to working with him.

Mr. SKEEN. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. MILLER].

□ 2115

Mr. MILLER of Florida. Mr. Chairman, I appreciate the comments of the distinguished chairman of the Committee on Agriculture concerning the ability to offer amendments on the agriculture reauthorization bill later on this year. As the gentleman may know, I am the author, along with 95 other Members of Congress, of a bill to repeal the sugar program.

As we balance the budget, the American people want a fair process and must see that everything is on the table. America's wheat growers, corn growers and others have seen farm programs slashed since 1985. Yet unlike the other programs of wheat and corn, the sugar program has conspicuously not been on the table. The generous benefits to the large cane and beet producers have not been reduced at all during the last two farm bills. Meanwhile, benefits to wheat farmers have been effectively reduced by 40 percent since 1985 and the budget process may require cuts amounting to another 25 percent.

In fact, the U.S. Department of Agriculture's equity analysis dramatically indicated that the Federal government supports sugar growers at $472 per acre, more than 20 times the $23 per acre

that wheat farmers receive. Faced with a broken sugar program and the farm bill inequity, we believe our bill, H.R. 1687, which has 96 cosponsors, a fair way to provide America's sugar farmers with a market-oriented sugar policy.

It removes the excessive price supports and domestic cartel-like provisions, taking the government out of micromanaging the sugar industry, yet it leaves in place the program's import quotas to protect our farmers from subsidized sugars.

Many in the House of Representatives are eager to see what the Committee on Agriculture will do with respect to sugar.

Mr. Chairman, at this time I would like to engage in a colloquy with the gentleman from Kansas [Mr. ROBERTS], the distinguished Chairman of the committee, and inquire about his intentions regarding the sugar program.

Mr. Chairman, I would ask the gentleman what are his intentions with respect to the sugar programs?

Mr. ROBERTS. We have very good intentions.

Mr. MILLER of Florida. I hope so.

Mr. ROBERTS. The road to a good farm program is paved with good intentions.

Mr. Chairman, I know that the gentleman from Florida [Mr. MILLER] and some of his other colleagues have serious concerns about the sugar program, as well as other farm programs. I want to assure him, as I have assured the gentleman from New Mexico and the gentlewoman from New York, that the Committee on Agriculture plans to pursue a market-oriented policy to this program.

It is my hope that we can come to an agreement on policy changes that all Members of this body will be happy with and that we can avoid a protracted floor fight at the time of the farm bill.

With that in mind, I would ask the gentleman, as I have asked the other Members of this body, to withdraw his amendment and permit the authorizing committee to address these issues.

Mr. MILLER of Florida. Mr. Chairman, then I understand and appreciate the chairman's commitment to reform the sugar program. I look forward to seeing the results of the Committee on Agriculture's deliberations. Indeed I have already testified before the specialty crops subcommittee for over two hours, a very enjoyable two hours I might remind the gentleman, of my concerns about the programs.

Many members have expressed concerns with the domestic marketing allotments and the high loan rate. After the committee finishes its work, if Members believe that more needs to be done, can the gentleman assure us that we will be afforded the opportunity to debate and vote on our amendment to the sugar program?

Mr. ROBERTS. Mr. Chairman, the answer is yes, I would tell the gentleman. And after the Committee on Agriculture finishes its consideration of the sugar program, if he is not satisfied with the committee's actions, I can assure the gentleman and his colleagues that they will have an opportunity to amend the sugar program during the farm bill debate.

Many are called; few are chosen. The gentleman from Florida will be one of the chosen.

Mr. MILLER of Florida. Mr. Chairman, I appreciate the gentleman's commitment to the honest and open debate on the issue. We respect the right and the prerogative of the distinguished chairman of the House Committee on Agriculture to have the initial opportunity to address the sugar program and I will not be offering the amendment to the appropriations bill.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman. I think the gentleman from Virginia would like to be recognized to address the same concerns and questions that the gentleman from Florida has.

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

Mr. MILLER of Florida. I yield to the gentleman from Virginia.

(Mr. DAVIS asked and was given permission to revise and extend his remarks.)

Mr. DAVIS. Mr. Chairman, I will be brief. First of all, I want to thank my colleague from Florida, Mr. MILLER, for his leadership in this matter and I thank my friend from Kansas for the assurances he has given us today.

This fall, in the House we will be debating a new farm bill. We will also be debating the budget reconciliation bill that will balance the Federal budget in 7 years, which is going to force substantial cuts in farm commodity programs, such as wheat, dairy, corn, cotton and rice.

While these programs have faced an average 40 percent cut since 1985, sugar has not been cut one iota. I believe this is unacceptable and we can face this issue during the farm bill.

Mr. Chairman, I just want to add I think every citizen is paying a hidden tax today because of the sugar program. It takes money out of the pockets of American consumer to the tune of $1.4 billion every year in higher food prices. I thank my colleagues for their efforts.

Mr. Chairman, I rise today to discuss the Miller amendment to repeal the government sugar program. There is no plausible reason why our government is involved with setting and controlling the price of sugar. It is big government at its worst. It benefits a wealthy few. It promotes the destruction of one of our prized environmental landmarks—the Florida Everglades.

The November elections signaled that the American people wanted a change in the way we in Washington do business. Getting the Federal Government out of this program is a very good place to start. Every citizen pays a hidden tax that takes money out of the pockets of American consumers to the tune of more than $1.4 billion every year in higher food prices according to GAO. This hidden tax has cost Americans more than $10 billion over the last decade. In addition, the consumer interest group Public Voice has recently estimated that the sugar program has cost the Federal Government $110 million annually because of higher purchase prices for sugar and sugar-containing products used in domestic feeding and food programs. This is money that the American people could be saving, investing, or using to buy needed items for their families. But because of this program, they must pay higher prices on everything containing sugar all because of the Federal Government controls in the marketplace.

I have great respect for the distinguished chairman of the House Agriculture Committee, Mr. ROBERTS and also respect his committee's right to deal with the future of the sugar program. I want him to know that the nearly 100 co-sponsors of the Miller amendment to repeal the sugar program are watching his committee closely. We look forward to working with him in this endeavor, and working with my friend, Mr. FOLEY, from Florida, who represents many of these growers and shares a different perspective on this issue.

Mr. DURBIN. Mr. Chairman, I yield 5 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I also want to add my commendation and also observation that the authorizing committee in agriculture works with a certain amount of respect across party lines. And it is good to also see that the appropriating and authorizing committees are also working well with each other.

Mr. Chairman, I want to commend both my colleague, the gentlewoman from New York [Mrs. LOWEY], who is respectful of the fact that with the farm bill we will have the opportunity to discuss the issues that she is concerned about.

Mr. Chairman, I do want to raise some concerns that I have about this particular bill, not because it has not been well intended, but there are some cuts, Mr. Chairman, that I think we need to observe and bring to the attention of our colleagues.

Mr. Chairman, Speaker GINGRICH last week cautioned this House about a mindless march towards a balanced budget, without regard to the merits of certain programs, I agree with that statement.

The Agriculture appropriations bill, which we are considering, is typical of that kind of budget cutting, a mindless march, without regard to the great pain and suffering we will cause a large number of people, and without regard to the dislocation of communities.

It is for that reason that I intend to support and perhaps offer amendments, designed to spare programs of merit that are slashed by this bill or by other amendments.

Agriculture has consistently reduced spending and has absorbed drastic cuts over the last several years.

Again, we will absorb reductions in operations and support of our commodities programs. But, much in this bill goes too far.

This bill intrudes heavily into the jurisdiction of the Agriculture Committee, legislating, in many instances, instead of appropriating.

Among the many provisions to H.R. 1976, there is one that is particularly egregious to Republicans and Democrats alike—the unamendable en bloc that is to be offered by our colleague, Congressman JOE SKEEN, who is, acknowledged, a very considerate person and a good person to work with.

That amendment, among other actions, zeros out funding for the Rural Development Loan Fund Account.

That account funds the vital empowerment zones and enterprise communities program, including loans and grants for water and waste disposal; community facilities; guaranteed business and industry loans and other programs.

We are also facing drastic cuts in two housing programs that effectively serve rural and low-income Americans—the 502 Direct Loan Program and the 515 Rural Rental Housing Program.

Section 502 provides the opportunity for home ownership for people who otherwise would have no chance to own their own home. It also provides loans to farmers for housing for themselves and their workers.

Section 515 is the only housing program available for very low income people. It is essential to the housing needs of citizens in rural areas.

All of these programs should be the recipients of our unwavering support; instead they face decimation.

These programs often provide the only means for rural communities to support local initiatives and also provide avenues in which to combine Federal, State, local and private funding initiatives—thus allowing limited Federal dollars to be expended with the support from other resources.

Empowerment Zones and Enterprise Communities are prime methods through which government can encourage self-sufficiency, a key element of the Contract With America.

In my district, funds from the Rural Development Loan Fund Program Account have been allocated to renovate a defunct hospital site into a facility the citizens of Wilson can use for jobs, training and business expansion.

In addition, it is expected that in fiscal year 1995, the Rural Housing and Community Development Service will provide over 30,000 home ownership loans to rural families.

Moreover, thousands rely on the Section 515 Program. At one time, this program was funded at $540 million. Last year, I and others joined in an effort to restore the program to its current level of $220 million, after a proposed cut which nearly eliminated the program.

Another cut in the Section 515 Program will render it nearly ineffective.

What happens next year? How much more deeply can we cut? It is our intent to phase out all rural programs?

And, while this bill is cutting programs to help people survive, it is also cutting programs that could allow them to thrive.

The bill severely limits the Export Enhancement Program, for example. Agriculture exports have been vital to our balance of trade situation, yet this bill will make it more difficult for us to compete globally.

Cooperative State research, education, and extension programs are cut.

The implementation of new meat and poultry inspection regulations are hindered by this bill.

The list seems unending.

It would appear that we are engaged in a mindless march.

A balanced budget is important, but if in seeking to balance the budget, we create a serious imbalance among our citizens and in our communities, this march could lead us to places we do not intend to go.

Let's heed the admonition of the Speaker.

Let's balance the budget, but let's make program cuts that are meaningful, not mindless.

Mr. SKEEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida [Mr. FOLEY].

Mr. FOLEY. Mr. Chairman, I thank the gentleman from New Mexico [Mr. SKEEN] for his fine work on this document dealing with agriculture. I would like to thank our colleagues for their colloquy earlier on the sugar and peanut program.

Mr. Chairman, let me suggest to all Americans listening and to Members of Congress, when we talk about America's food supply we have one of the finest, safest, most affordable food supplies in the world. I think it important when we talk about these programs that we put them in the context that they deserve; that we are feeding America's families.

We are doing it efficiently, we are doing it safely, and we are supplying the world's food needs. So when we talk about farm bills and we talk about in the abstract of eliminating programs, let us look at the consumers that would be affected by our actions.

Let us remember that when we order ice tea in the restaurant, they give you sugar. When we are riding on the airplanes, they give you peanuts. There is a reason for that; because they are inexpensive, because they are abundant, and because they are available.

So, Mr. Chairman, I appreciate the comments of the gentleman from Florida [Mr. MILLER] and the gentleman from Virginia [Mr. DAVIS] tonight to give us the opportunity in September to fully debate the farm bill in the appropriate forum, in the farm bill where it belongs.

I thank the gentleman from Kansas [Mr. ROBERTS], the chairman, for his efforts to bring this bill to the floor ultimately when we can discuss it, debate it in the full context of making certain that America continues to be the leader in food production, not only for ourselves and our citizens, but for occupants around the globe.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I want to say a word to my colleagues from America's great cities, or from those places that do not have farms or agriculture production at all. I know that sometimes the farm portion, the ag portion of this bill, and particularly the ag bill that will come later out of the House Committee on Agriculture, can get a little arcane if you do not deal with production farming. But there are a couple of facts that I want to share with my urban or non-agriculture colleagues.

One out of every six jobs in America happens because of agriculture. Agriculture makes up 16 percent of America's gross domestic product. Now, what are the cost of farm programs and are they going up or are they coming down? In less than the last 10 years, in just 9 years, since 1986, the cost of agriculture programs has dropped 60 percent. The Federal cost of farm programs has dropped 60 percent in 9 years.

By the way, entitlements, the Federal cost of entitlements, have doubled during that same time period.

Farm programs amount to less than 1 percent of Federal spending, so the farm portion of this program that we may vote on tonight and will complete tomorrow, will be less than 1 percent of all the Federal spending we will be called upon to enact this year.

Finally, Mr. Chairman, I want to make this point to my colleagues. Americans paid just 8 percent of their income for food. Our European friends spend an average of 17 percent of their income for food and our Japanese friends spend 20 percent of their income for food. Why? Because Federal farm programs stabilize price by stabilizing production.

□ 2130

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. KINGSTON], a committee member.

Mr. KINGSTON. Mr. Chairman, fellow Members of the House and Representatives representing grocery buyers, let me talk to you a little bit about what the previous speaker just said about our European counterparts spending 17 to 20 percent of their energy on groceries.

In America we do not do that, and yet every time I pick up the Readers Digest, it seems that the way to balance the budget is always on the back of agriculture. Americans spend 11 percent of their income on farming. And what is the investment your government makes in order to make this possible?

Look at this chart right here. We see what the Federal Government spends money on: Social Security, defense, Medicare, Medicaid, interest on the debt. Where is agriculture? Under 1 percent. That is what the farm programs are costing our taxpayers, and

yet time and time again you hear, ''Cut the farm bill, cut the farm bill.''

Have we ever cut the farm bill? This is what we have reduced in discretionary agricultural spending since 1986, almost $26 billion, and today, 1995, we are at $10.6 billion.

What other Federal Government program has dropped like that?

Support the farm bill.

Mr. DURBIN. Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina [Mr. ROSE].

(Mr. ROSE asked and was given permission to revise and extend his remarks.)

Mr. ROSE. Mr. Chairman, I want to rise and thank the gentlewoman from New York [Mrs. LOWEY] and the gentleman from Florida [Mr. MILLER] for their colloquy with the chairman of the Committee on Agriculture, and I want to also associate myself with the remarks of the gentleman from Florida [Mr. FOLEY].

I held a hearing on the General Accounting Office audit of the peanut program and the sugar program, and what we found was that the General Accounting Office was saying that the consumer was paying too much, and by that they meant the first purchaser of sugar and the first purchaser of peanuts, who is not the housewife, not the consumer, but the manufacturers. I asked them, ''Did you ask the sugar and the peanut people if we give them a reduction in the price level, will you pass that on to the American housewife?'' They said, ''Yes.'' We asked them, ''What did they say?'' ''They said 'no,' they could not do that.''

My friends, we could give sugar and peanuts to the candy manufacturers of this country, and that is who is driving this train, we could give them the peanuts, we could give them the sugar, and you would not see one nickel decrease in the price of a candy bar.

I hope that between now and the farm bill we can have an opportunity to go into this. I would be glad to reduce the price of port levels of both of these commodities if the savings were passed directly to the American housewife.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FARR].

Mr. FARR. Mr. Chairman, I thank the gentleman for yielding.

I rise to discuss in support of this appropriation. I represent the State of California. You are always hearing about California being a state of 32 million people. But what you may not know is the largest industry in California is agriculture.

Per year, $18 billion in farm sales generates over $70 billion in economic activity annually and employs over 2 million people on the farm and related jobs. Nearly 1 out of every 6 California jobs depends on agriculture.

The fastest-growing sector of this economy is the agricultural export market, which now derives nearly $13 billion in economic activity and supports over 137,000 jobs in California.

Despite the Uruguay round agreement on GATT, California's agricultural exports are up against the heavily subsidized foreign competition that still dominates the global marketplace. The European Union, for example, outspent the United States in export subsidies by more than 6 to 1 and will be able to maintain this historical advantage under GATT.

Chile just announced a $25 million export promotion, and Norway has initiated a $20 million program to promote just salmon exports.

This is the real world of global competition.

With the help of the market promotion program, we run a trade surplus of $14 billion per year with Japan, our biggest agricultural export market, and it grew by $500 million just in last year alone. The market promotion program helps California agriculture develop, expand, and maintain foreign markets. Eliminating the market promotion program would amount to unilateral disarmament.

The USDA estimates that for every dollar in the market promotion program, the funds generate an average of $16 in agricultural exports. I support the market promotion program in this bill and would urge my colleagues to reject any amendments to delete or diminish it.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Illinois [Mrs. COLLINS], who has been a leader in this Congress on many issues and has a recognized expertise in the area of meat inspection and food safety.

(Mrs. COLLINS of Illinois asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I want to thank the gentleman from New York for withdrawing his language that would have blocked issuance of the new meat safety rule. The Agriculture Department has been working on this rule for about 6 years and is finally about ready to issue the rule.

I also want to thank the gentleman from Illinois [Mr. DURBIN], who has worked very, very hard on this issue, and even though he has mentioned that I have been a hard worker on this particular matter, so has he. He has been a yeoman on this particular issue which is critically important—to all Americans.

To block it now would only further delay bacterial testing of meat and poultry which is the only way, I repeat, the only way to determine whether meat has the deadly E. coli or other bacteria.

Bacteria contamination of meat is what caused the death 2 years ago of young Alex Donley of Chicago, IL. It is also what killed 4 children and made 600 others gravely ill 2½ years ago in the Jack-in-the-Box food poisoning incident in Washington State.

Mr. Chairman, the new meat rule has been the object of constant attack from the very beginning of this Congress. Opponents of the meat safety rule tried to kill it in the regulatory moratorium bill; they tried to kill it last week in the Senate's regulatory reform bill; and they tried to kill in this bill.

I, for one, completely oppose any further delay in the issuance of this regulation. Only bacterial testing can tell us whether the meat and poultry our families consume may be deadly.

Mr. Chairman, again I thank the gentlemen, both gentlemen, in fact, for withdrawing, first of all, the gentleman from Wisconsin [Mr. ROTH] for withdrawing his amendment. I thank the gentleman from Illinois [Mr. DURBIN] who worked so hard on this issue, and I am very pleased the Agriculture Department will be able to go forward with this important new meat inspection program.

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

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

Miss COLLINS of Michigan. Mr. Chairman, I must register my very strong opposition to the Republican proposal to limit the number of people who can participate in the WIC program, a program that for decades has sought to reduce some of the effects of severe poverty on infants and children in this country.

WIC's annual appropriation already limits the number of women, infants, and children who can be served. An additional participation cap, as proposed by the Republicans, would likely result in serving fewer eligible people next year, by creating additional administrative burdens.

Currently, some 3 million eligible women, infants, and children are unable to receive WIC benefits. These are overwhelming statistics, given the fact that WIC saves lives and is highly cost-effective. WIC reduces infant mortality, low birthweight and anemia and therefore, saves money by averting medical and other related expenditures. For every dollar spent by WIC on pregnant women, taxpayers save between $1.92 and $4.21 in Medicaid costs for newborns and their mothers.

Not only is such a cap morally wrong, but it simply does not make good fiscal sense. The participation gap would discourage State innovation, cause taxpayer dollars to be spent less efficiently, and result in participation declines. There are better ways to achieve the Appropriation Committee's goal of fiscal responsibility. We owe it to our country to show greater moral leadership than my Republican colleagues have shown. And we owe it to our country to show the kind of compassion that will lead to a brighter, healthier future for our children.

Mr. MARTINI. Mr. Chairman, I rise today with regard to the Federal peanut program. There are several members of this House, including myself, which would like to see major reform or the outright elimination of this program.

I am pleased that the Chairman of the Agriculture Committee, Mr. ROBERTS of Kansas, has made a commitment to this entire body that this issue will be addressed when his

committee takes up the reauthorization of the entire Federal farm programs later this year.

The peanut program has two peculiar aspects to it. First, and foremost, the peanut program subsidizes the price of peanuts received by farmers and raises the cost of peanuts and peanut products for the consumers. Second, in order to grow peanuts to be sold for human consumption, peanut farmers have established a quota system that forces potential farmers to rent licenses from a few ''quota-holders'' that were granted over a century ago. This license system along with other Federal Government restrictions raises the cost of peanut production by 26 percent. This cost is also passed along to the consumer. These consumers are the individuals who make up my Congressional District in northern New Jersey.

The General Accounting Office estimates that the peanut program costs American consumers between $314 and $514 million a year in higher prices. In an era of tight budgets and a promise to achieve a balanced budget it is clear this program needs to be restructured. We have made a promise to make the Federal Government smaller, smarter, and less costly, and ending this program would be another step toward that end.

All businesses are required to produce revenue or face the harsh reality of termination, why should the Federal Government treat peanut producers any differently? In a country that values competition, a peanut program that shelters the industry from competitors is contrary to the very principles that founded this great nation.

Mr. Chairman, this is why I call upon the Chairman of the Agriculture Committee to restructure or eliminate the quota and price supports for peanuts. I urge my colleagues in the House of Representatives to eliminate the peanut program from the folds of the Federal Government's wings.

Mr. BEREUTER, Mr. Chairman, this Member rises in support of H.R. 1976, the Agriculture appropriations bill for fiscal year 1996.

This Member would like to commend the distinguished gentleman from New Mexico [Mr. SKEEN], the chairman of the subcommittee, and the distinguished gentleman from Illinois [Mr. DURBIN], the ranking member of the subcommittee for their hard work in bringing this bill to the Floor.

Mr. Chairman, this Member certainly recognizes the severe budget constraints under which the subcommittee operated. The subcommittee was forced to make some difficult funding choices in order to stay within its budget allocation. In light of these limitations, this Member is grateful and pleased that this legislation includes funding for several important projects of interest to the State of Nebraska.

First, the bill provide $423,000 for the Midwest Advanced Food Manufacturing Alliance. The Alliance is an association of twelve leading research universities and corporate partners. Its purpose is to develop and facilitate the transfer of new food manufacturing and processing technologies.

The Alliance awards grants for research projects on a peer review basis. These awards must be supported by an industry partner willing to provide matching funds. During the first year of competition, the Alliance received 30 proposals requesting nearly $1 million, but it was limited to funding 14 proposals for a total of $393,617. Matching funds from industry totaled $623,148 with an additional $134,000 from in-kind funds. These figures convincingly demonstrate how successful the Alliance has been in leveraging support from industry.

Mr. Chairman, the future viability and competitiveness of the U.S. agricultural industry depends on its ability to adapt to increasing world-wide demands for U.S. exports of intermediate and consumer good exports. In order to meet these changing world-wide demands, agricultural research must also adapt to provide more emphasis on adding value to our basic farm commodities. The Midwest Advanced Food Manufacturing Alliance can provide the necessary cooperative link between universities and industries for the development of competitive food manufacturing and processing technologies. This will, in turn, ensure that the United States agricultural industry remains competitive in a increasingly competitive global economy.

This Member is also pleased that this bill includes $200,000 to fund a drought mitigation project at the Agricultural Meteorology Department at the University of Nebraska-Lincoln. This level of funding will greatly assist in the further development of a national drought mitigation center. Such a center is important to Nebraska and all arid and semi-arid states. Although drought is one of the most complex and least understood of all natural disasters, no centralized source of information currently exists on drought assessment, mitigation, response, and planning efforts. A national drought mitigation center would develop a comprehensive program designed to reduce vulnerability to drought by promoting the development and implementation of appropriate mitigation technologies.

Another important project funded by this bill is the Alliance for Food Protection, a joint project between the University of Nebraska and the University of Georgia. The mission of this Alliance is to assist the development and modification of food processing and preservation technologies. This technology will help ensure that Americans continue to receive the safest and highest quality food possible.

This Member is also pleased that this legislation includes $1.5 billion in loan authority for the Farmers Home Section 502 Middle Income Loan Guarantee Program. This is a housing program this Member proposed and pushed through his membership on the House Banking Committee. After a very successful 20 state demonstration program in 1991, the 502 unsubsidized loan guarantee program was expanded to all 50 States in 1992. The subcommittee members are to be commended for recognizing the value of this program and providing funding levels more in line with the demand for the program from lenders, borrowers, and future homeowners.

Mr. Chairman, in conclusion, this Member supports H.R. 1976 and urges his colleagues to approve it.

Mrs. VUCANOVICH. Mr. Chairman, as a former member of the Agriculture Appropriations Subcommittee, I recognize the difficulties faced by the Chairman and ranking member and I commend them for their efforts on this bill. H.R. 1976 provides $15.9 billion in agricultural programs but still saves $5.2 billion, compared to spending last year. However, with tough challenges come tough decisions, and I am faced with one today. I am concerned about an amendment to be offered later during this debate and the effect this will have on low-income housing for people in my State of Nevada and throughout the Nation. Specifically, 502 direct housing loans help those low and very-low income families who are unable to obtain financing elsewhere. Without these funds, it will be difficult or impossible for people to achieve the American Dream of owning their own home. In addition, I am concerned about other reductions to rural programs including rural waste disposal projects and rural development.

Although reluctant, I will support this amendment because it does have some good provisions in it regarding the Conservation Reserve Program and the Wetlands Reserve Program. However, I urge the Chairman to continue to fight to restore funding for the 502 housing program and some of the other rural programs in conference.

Mr. MARTINI. Mr. Chairman, the sugar program fixes the price of sugar, guaranteeing business high profit margins in an industry that is not suffering significant losses. In fact, the Federal Government takes it a step further by limiting imports to further increase the price of sugar. These efforts swell the price of sugar to double the price paid in most foreign nations.

My colleague, DAN MILLER of Florida, has been a leader in the effort to reform this program. Congressman MILLER should be commended for going against an interest which has a strong representation in his home State. He said, long before the election results told us, that the American people expect changes in Washington, beginning with the elimination of programs like the sugar subsidy. I am pleased that Mr. MILLER has received the commitment from the chairman of the Agriculture Committee, Mr. ROBERTS, to work to restructure this program.

While the wealthy sugar producers claim that the industry can not survive without the subsidy, nothing could be further from the truth. In fact, Mr. Chairman, the sugar program subsidizes the wealthiest plantation owners. The 33 plantations represent only 0.2 percent of all sugar producing farms, yet they receive one-third of all farm-level benefits from the program. In addition, the General Accounting Office estimates that the program costs American consumers $1.4 billion a year through the increased prices of products that contain sugar.

The citizens of my district sent me to Washington with a specific goal in mind. That goal was to eliminate or restructure all the Federal programs that are outdated. The Federal sugar program is exactly the type of program that I seek to eliminate from the government books.

Mr. Chairman, I urge the Federal Government to get out of the sugar business. While it may be a sweet deal to the sugar producers, it leaves a bittersweet taste in the mouths of the American public.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment printed in House Report 104–185 is now pending. That amendment shall be considered read, shall be debatable for 10 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, and shall not be subject to amendment or to a demand for division of the question.

If that amendment is adopted, the bill, as amended, shall be considered as

the original bill for the purpose of further amendment under the 5-minute rule.

Further consideration of the bill for amendment shall proceed by title and each title shall be considered read.

Pursuant to the order of the House of today, the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment made in order by the resolution.

The Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

AMENDMENT MADE IN ORDER BY HOUSE RESOLUTION 188

The CHAIRMAN. The Clerk will designate the amendment printed in House Report 104–185.

The text of the amendment is as follows:

Amendment made in order by House Resolution 188:

On page 25, line 20 strike $805,888,000 and insert $788,388,000.

On page 34, line 16 strike the ''and'' and all that follows through ''590p(b)),'' on line 20; and on page 35, line 13 strike $47,000,000 and insert $36,000,000.

On page 35, line 25 strike $77,000,000 and insert $210,000,000.

On page 40, line 10 strike $2,400,000,000 and insert $2,200,000,000; and on line 11 strike $1,500,000,000 and insert $1,700,000,000.

On page 40, line 20 strike $191,460,000 and insert $107,840,000 and strike $2,550,000 and insert $2,890,000.

On page 46 strike lines 8 through line 2 on page 47.

On page 50, line 22 strike $562,000,000 and insert $435,000,000.

On page 67 strike lines 10 through 17.

On page 67 line 18 strike 717 and insert 715.

On page 67, line 21 strike 718 and insert 716.

On page 69, line 6 strike 719 and insert 717.

On page 69 strike lines 12 through 18.

On page 69, line 19 strike 721 and insert 718.

On page 70 strike lines 5 through 11.

On page 70, line 12 strike 723 and insert 719.

On page 70, line 15 strike 724 and insert 720.

On page 70, line 20 strike 725 and insert 721.

The Chairman. Pursuant to the rule, the gentleman from New Mexico [Mr. SKEEN] and the gentleman from Illinois [Mr. DURBIN] will each be recognized for 5 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. SKEEN].

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

Mr. Chairman, I would like again to explain the en bloc amendments.

Mr. Chairman, the limitations on the Conservation Reserve Program, the Wetlands Reserve Program and Export Enhancement Program are stricken from the original bill, as is the provision that would have prohibited certain disaster payments for livestock feed producers who refused crop insurance.

The salaries and expenses account of the Consolidated Farm Service Agency is reduced by $17.5 million. The Great Plains Conservation Program is eliminated for a savings of $11 million. The loan level for section 502 direct housing is reduced from $900 million in the bill to $500 million, and the guarantee program is increased from $1.5 billion to $1.7 billion, for a savings of $83.6 million.

The Rural Development Loan Fund, one of several programs supporting economic development in rural areas, is eliminated for a savings of $37.6 million. Funds available for the Rural Development Performance Partnerships Program for rural utilities, which is essentially a block grant for water and waste disposal loans and grants and solid waste management grants, is reduced from $562 million in the bill to $435 million.

Mr. Chairman and colleagues, this amendment is budget neutral, and that is the en bloc amendment, Mr. Chairman.

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

Mr. DURBIN. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Mr. Chairman, I appreciate the gentleman yielding time.

I rise to oppose the chairman's en bloc amendment because it contains further reductions in direct loans available through the section 502 rural housing program. My district covers most of the rural areas of my State. Over the past year these low-interest loans have allowed 89 families in my district who otherwise could not secure a loan to buy or build their own home. these families earn an average of about $22,000 a year, which is only a little bit more than half the average income in Massachusetts.

Even in the most rural areas of my district, homes cost upwards of $85,000. The 89 loans this year in my district are worth almost $5 million.

This loan program is the one chance that many families have to own their homes. In fact, it is the only Federal assistance for low-income rural homeownership.

Section 502 funding has already been cut by about 20 percent over the past 5 years, and the Skeen amendment would so reduce the funding for the direct loan portion of the program that only about 8,000 families in the whole country could be assisted next year. This is no way, in my view, to encourage people who are working hard to pay their bills and raise their kids, yet dream of owning their own home.

I would urge my colleagues to vote against the Skeen amendment.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. CALLAHAN].

(Mr. CALLAHAN asked and was given permission to revise and extend his remarks.)

Mr. CALLAHAN. Mr. Chairman, I agree very much with the former speaker here with respect to the 502 housing program. It is a very valuable and essential program that is working in America.

There are 130,000 people standing in line waiting for this.

We have 13,000 people here in America standing in line waiting for October 1 and waiting for the money under the 502 program. Unfortunately, we are not going to be able to put it in this bill at this time, but I will assure you that the chairman of the committee is sincere in his effort to work with us to try to find some opportunity, try to find some way to properly fund the 502 program, because he agrees with us that it is essential that we do it.

There is just not enough money under the agreement that they have with the Committee on Agriculture to do it now. I think that we have worked out a way where we can get an additional $10 million put in. That will be offered by me under title III.

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

Mr. CALLAHAN. I yield to the gentleman from New Mexico.

Mr. SKEEN. We are essentially looking for other monies to put back in the program. If we find any, which I think we can, we will put it back in the 502 housing. We also have the concern for and respect for that program and how well it has worked.

Mr. CALLAHAN. I know you do, Mr. Chairman. That is my point here. I am encouraging people to support your en bloc amendment. Let us get on with it. Let us get to title III. We found a way to recapture some of it. We can probably recapture some more during the process.

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Mr. SKEEN. Mr. Chairman, if the gentleman would further yield, this is exactly what we have had to do because we did the en bloc very quickly, and so we are going to do everything that we can to make that program whole again.

Mr. CALLAHAN. I know that, and I appreciate that.

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

Mr. CALLAHAN. I yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Chairman, as chairman of the authorizing committee I want to make it very clear for everybody on the floor and who has concerns about the housing programs the gentleman will be offering an amendment under a different title, we have $10 million, staff informs me that really leverages to $50 million, and the gentleman has indicated that while he has some concerns over the housing situation, he will vote for the en bloc amendment. We will address that issue in other titles.

I would urge a yes vote on the en bloc amendment.

Mr. CALLAHAN. That is right. I encourage my colleagues to vote for the en bloc amendment.

Mr. DURBIN. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin [Mr. OBEY], the minority

spokesman on the appropriations subcommittee.

Mr. OBEY. Mr. Chairman, let me simply say that farmers in my area have virtually given up on that expectation that they will get any kind of rational national farm policy which will be at all fair. They face, for instance, milk marketing arrangements which are ridiculously outmoded and biased against our region of the country. But at least they held out some hope that there would be some modicum of rural development which would help in terms of housing, and in terms of water, and in terms of sewer, and the problem with this en bloc amendment is that it further damages those programs. It cuts help for the program which provides people to buy their first home in rural America. I do not think that is a good idea. It amazes me that the reductions in the rural sewer, and water loan and grant programs will mean, for instance, that if this House buys the B–2 program, that we will spend more on just one B–2 bomber than the entire cost of all of those programs for 4 years on just one of those bombers.

Mr. Chairman, it makes absolutely no sense to me, it makes absolutely no sense to the farmers I represent or certainly to the nonfarmers who occupy rural America in districts like mine, and therefore, while I have great respect and affection for the distinguished chairman of the subcommittee, I do not much approve of the amendment which will be offered, and I would urge Members to vote against that amendment.

Mr. SKEEN. Mr. Chairman, I understand the gentleman's concern and also appreciate the respect and so on, and I would be disappointed if he had not made some comment contrary to the best efforts of this thing. We are going to try to get there.

Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from New Mexico [Mr. SKEEN] has 1½ minutes remaining.

Mr. SKEEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, I rise in strong support of the Skeen en bloc amendment. This amendment reflects the work done between the authorizers and appropriators to put forward a bill that both committees can support. This amendment makes the difficult choices in discretionary spending to reach the requirements of the budget resolution.

Many of the spending choices reflected in the en bloc amendment are painful. I wish we didn't have to make them, but we do. Later this year, the Agriculture Committee will be bringing a farm authorization bill to the floor that will contain ever harder choices. The en bloc amendment before us today will allow the House to make clearer and more accurate decisions on how we should approach all farm and rural spending.

The gentleman from New Mexico [Mr. SKEEN] and his colleagues on the Agriculture Appropriations Subcommittee have faced up to their budget responsibilities and provided in this amendment honest spending reductions in their discretionary area of responsibility. Adoption of this amendment is crucial to securing the support of all the agriculture community for this bill. I strongly urge the House to pass the Skeen en bloc amendment.

Mr. DURBIN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me say that I understand why the chairman entered into an agreement with the chairman of the Committee on Agriculture on this amendment, but I do not particularly care for the terms of it. Let me tell my colleagues two specific areas that I think are wanting in this en bloc amendment and give them two specific reasons to vote against it.

My colleagues have heard about the cuts in the rural housing program. Last year we spent $1.2 billion on rural housing programs under 502, which is a single-family dwelling program, usually for communities of 50,000 population or less. The administration asks for the same amount of money. With this en bloc amendment we will cut the spending to $500 million, less than half of what it is in the current fiscal year.

The gentleman from Alabama [Mr. CALLAHAN] was correct. We have over 100,000 people hoping and praying that they will be able to realize the American dream in their small towns through this housing program, and we will be saying no to more than half of those. In fact, we will be saying no to virtually all of them in the outyears if we follow the course predicted by this en bloc amendment. So there is a substantial cut in rural housing.

Now my colleagues say, ''Well, Mr. DURBIN, now that you've said that, where will you come up with the money?'' One of the things the Committee on Agriculture insisted on was a provision which allows those who are in livestock to have special benefits. In other words, we have a provision in the law now which says:

If your livestock feed could be covered by crop insurance; in other words, if you had the ability to protect yourself in case of a disaster, then the Federal Government is not going to race to your rescue if a disaster occurs.

Now that is a provision in law that is sensible because we ought to encourage people, ''Buy insurance. Cover yourself. Don't come begging to Uncle Sam.''

Well, the Committee on Agriculture insisted on lifting that provision and saying that livestock feed that is lost because of a disaster will now be eligible for a disaster payment even if the livestock producer could have bought crop insurance and could have protected himself.

My colleagues, that is the wrong message. If we are going to cut back in Federal spending, and particularly in disaster spending, the message should be, if insurance is out there, buy it, and if you don't buy it, it is at your own peril.

Please join me in opposing the en bloc amendment.

The CHAIRMAN. The question is on the amendment made in order by House Resolution 188.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 240, noes 173, not voting 21, as follows:

[Roll No. 535]

AYES—240

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doggett
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (RI)
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Luther
Manzullo
Martini
McCollum
McCrery
McDade
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Reed
Regula
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Taylor (NC)

Thomas
Thornberry
Thornton
Tiahrt
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—173

Abercrombie
Ackerman
Andrews
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Conyers
Costello
Coyne
Cramer
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gonzalez
Gordon
Green
Gutierrez
Hamilton
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Lazio
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Lowey
Maloney
Markey
Mascara
Matsui
McCarthy
McDermott
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Mineta
Minge
Mink
Mollohan
Morella
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Pomeroy
Poshard
Rahall
Rangel
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Slaughter
Spratt
Stark
Stokes
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Whitfield
Williams
Wilson
Wise
Woolsey
Wyden
Wynn

NOT VOTING—21

Blute
Bryant (TX)
Collins (MI)
Crane
Hall (OH)
Harman
Jefferson
Manton
Martinez
Miller (CA)
Moakley
Moran
Murtha
Reynolds
Schiff
Sisisky
Studds
Tate
Tauzin
Volkmer
Yates

□ 2211

Mr. GILCHREST and Mr. POMEROY changed their vote from ''aye'' to ''no.''

So the amendment made in order by House Resolution 188 was agreed to.

The result of the vote was announced as above recorded.

Mr. SKEEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. KINGSTON], having assumed the chair, Mr. KLUG, 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. 1967) making appropriations for Agriculture, rural development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes, had come to no resolution thereon.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON DEPARTMENT OF COMMERCE AND RELATED AGENCIES APPROPRIATIONS BILL, FISCAL YEAR 1996

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations for the Department of Commerce, Justice, and State, the judiciary and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XXI, points of order are reserved.

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communications from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, July 18, 1995.

Re State of Illinois versus Melvin Reynolds.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that my Office has been served with a subpoena issued by the Circuit Court of Cook County, Illinois.

After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

SCOT M. FAULKNER,
Chief Administrative Officer.

□ 2215

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2002, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES FOR FISCAL YEAR 1996

Mrs. WALDHOLTZ, from the Committee on Rules submitted a privileged report (Rept. No. 104–195) on the resolution (H. Res. 194) providing for the consideration of the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONGRESS MARCHES TOWARD BIPARTISAN REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I believe this has been a historic week for colleagues on both sides of the aisle. It is a continuation of the 104th Congress's march to bipartisan reforms. Looking over the last 6 months, some of the more notable days in the House have been those that have seen institutional change.

First of all, the accountability law, sometimes called the Shays Act, has been passed, which, in fact, requires that all the laws we pass here in Congress will, in fact, apply to Congress itself. In years past, we found there were laws passed such as fair labor standards, civil rights laws, and family leave that did not apply to Congress. Now, passed by the House and the Senate, signed into law by President Clinton, the accountability law requires that Congress be under the same laws that it passes for others, and our staffs will have the same protections.

We have also passed a one-third cut in franking. This is a measure which will give a reduction in the amount of free mail, or taxpayer-paid mail, for each Member, and, in fact, will restore some degree of an even playing field for challengers and incumbents.

We have also had a reduction in pensions for House Members. That is a measure which is closer to the level given to Federal workers in their pensions, and it is certainly a step in the right direction for this House.

We have also outlawed proxy voting in committees. If you are on a committee and you want to vote, you have to be there. It makes a lot of sense, and you might have thought it would have been adopted prior to the 104th Congress. But that was one of the early reforms adopted.

Also we have had legislation introduced which I support and many other Members on both sides of the aisle support, and that is a ban on gifts, Mr. Speaker, from lobbyists. No one can believe that a $25 gift, whether it be a meal or a token of appreciation from a lobbyist, certainly is something we do not want to have. It would not influence our vote anyhow, so let's just ban them. That is a bill we hope will pass soon.

The audit of House records, this is the historic item this week which came to fruition. While we adopted the rule to allow the audit, this week the auditors came forward from Price Waterhouse and, after a thorough examination of the books, found that, first of all, the books are not clear. But what is clear is there are unpaid bills, there is a breach of the security system for our computers, and there is not a clear accounting, Mr. Speaker, of all the equipment that we have here in the House, to say the least.

Mr. Speaker, as a result of a bipartisan House resolution passed last evening, we will, in fact, continue the audit by the firm of Price Waterhouse to make sure that we have our fiscal house in order for this Chamber and continue the kinds of savings we have already realized this year, with $155 million already in savings in the running of the House by reducing one-third of the committee staffs, eliminating 3 committees, 25 subcommittees, and now we are going to have the sale of one of our buildings.

In addition, Mr. Speaker, we have had the closing of the House folding room. We are working on privatizing, downsizing, consolidating, and reducing the number of Federal agencies we have, and I believe the House is moving forward by just reducing our own staffs as a way of example, saying we can do that with the Federal Government generally and having more service to the people, but less bureaucracy to support them.

We also have the legislation from the gentleman from Florida [Mr. MICA] to sunset Federal regulations, and my bill which would sunset Federal agencies that are being duplicated by State government or by the private sector.

Mr. Speaker, so as far as I am concerned, and I think many other Members, we are on our way to great reform, not only for the Federal Government spending less money and being more accountable, but making sure we reform the House, which is the people's House.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. OLVER] is recognized for 5 minutes.

[Mr. OLVER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

[Mr. WISE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. MCINNIS] is recognized for 5 minutes.

[Mr. MCINNIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. TOWNS] is recognized for 5 minutes.

[Mr. TOWNS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

NO END IN SIGHT IN HAITI

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, another week has gone by and by all accounts there are still more questions, more uncertainties regarding the situation in Haiti. I am happy to report, however, that Ambassador Dobbins of the State Department Haiti working group has removed one uncertainty. In hearings last week he took the time to clarify the amount of money the United States taxpayers paid for the intervention in Haiti. As you know, we have been using a rough figure frequently cited in the press—something in the neighborhood of $2 billion. In fact, Ambassador Dobbins told the Senate Foreign Relations Committee that for just the period between the occupation of Haiti in September 1994 and the March 1995 takeover by the United Nations mission in Haiti, the Clinton administration only spent $1.2 billion. That is a load off of my mind. Of course, my constituents will still be interested to know what progress has been achieved toward a more democratic and stable Haiti for the sum of $1.2 billion of their tax dollars.

How, for example, is the elections process going? This week, the long-awaited OAS assessment of the June 25 Haitian elections was finally released. The conclusion? According to OAS Secretary-General Cesar Geviria: ''It is difficult for us to say that this was free and fair. Everybody knows there were a lot of flaws.'' Given the abuse that credible observer organizations like the International Republican Institute took when they offered the same conclusion, I am surprised at the resounding lack of interest in Mr. Geviria's statement in both the Clinton administration and the media. Secretary General Geviria also went on to say he hopes Haitian officials will ''find a way to get these results accepted'' and ''solve some of these problems in the three elections we have ahead.'' We hope so too, but there are signs that the process may already be seriously damaged. The first of those upcoming elections, originally slated for this weekend, are supposed to be a makeup day for areas where gross irregularities, administrative snafus, or ballot-burning meant Haitians could not exercise their right to vote. As of Tuesday these elections have been indefinitely postponed.

Added to this is the fact that 23 of the 27 parties participating in the June election continue to reject the process, and therefore the results. They have vowed to boycott both the makeup elections and the runoffs set for some time in August. There is also a growing list of disturbing events to consider. The shooting of a mayoral candidate during the elections and a deputy candidate 2 days later were disturbing enough. This week Deputy Mayor Elect Johnny Charles was attacked by knife-wielding thugs. If the security environment deteriorates, it will simply add another disincentive for Haitians who might otherwise participate in the political process as either voters or candidates.

Time is passing and each day brings us closer to the February date envisioned for the withdrawal of U.S. troops and the end of the U.N. mission. But the lack of progress on elections and growing questions regarding security point to a possible continuation of the mission well into the new year. Mr. Speaker, each day that passes means more bills added to the $1.2 billion tab that the American taxpayers have already paid in Haiti. My constituents and I would like to know: Is the end in sight?

REFORM IN CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. BROWNBACK] is recognized for 5 minutes.

Mr. BROWNBACK. Mr. Speaker, I appreciate being able to speak to the body about what has taken place here recently, and that is the House audit that occurred yesterday and was released to the public yesterday. The reason I want to bring this up is this last weekend and for a number of months and throughout the campaign that I went through in eastern Kansas, a number of people talked to me about the things that they saw that they wanted to see changed.

They wanted to see reduction in the Federal Government, and they wanted to see us return to basic values. But one of the big things that they saw that they really wanted to see happen was the reform of the Congress. They had lost faith in this institution to represent them and not be just self-serving to itself.

Well, yesterday, a second big step occurred on that, where we had an audit released to the House of Representatives for the first time ever. I say second big step. The first big step was taken on January 4 of this year when this body agreed virtually unanimously to conduct its first ever audit. Why it took so many years, I do not know. But we finally agreed on January 4. That was a historic step, to audit this body, that has had so many scandals to it, the post office scandal, the bank scandal, the restaurant scandal.

The second big step was the audit that came out yesterday. It was quite revealing. The auditors themselves say that they cannot issue an opinion as to the fiscal conditions of the House of Representatives because the records are so bad. They just cannot even issue an opinion about what is the condition of the financial records here in this audit.

They identified millions of dollars that are not accounted for in the body. They make over 200 recommendations of changes that need to take place, like privatizing the gift shop, privatizing

the supply store, centralized personnel records, establishing storage space fees to make warehouse storage for congressional inventories self-supporting, eliminating and contracting out the House office furnishing functions, and they go on and on and on.

The reason for me to point this out is this past weekend I was in Pittsburgh, Kansas, in my district, for a four State farm show. We had about an hour and a half town meeting at this farm show where a number of people gathered underneath a tent and we carried this on radio throughout much of the southern portion of my district. And it was interesting.

The lead question was not about what are we going to do about the farm bill, although there was interest on that, and it was not so much really about how are we going to reform what is taking place within the Federal Government. The lead question I got was when are you going to clean up the House itself? I noted the reforms we have done, a one-third cut in staff reductions, reducing ice buckets, or eliminating ice buckets being delivered to our office, and some of the proposals being put forward about the gift ban.

But one of the biggest things we have to do to reinstill the faith and confidence of the American people in their representative body is follow through on this audit, wherever our noses lead us to, whatever we might see that needs to be changed to open up. The second big step has taken place. We have got a lot further to go, and I recommend that many people look at this audit and see what is in it. It is a scathing indictment of the financial condition and how his House has been operated in the past. It is scathing.

□ 2230

I have never seen an audit of a governmental body that has been declared such a mess of an institution. The first two big steps have been taken. We have got to keep pressing forward with these reforms that are suggested in the audit and keep looking and searching and finding until we lift the dome off of everything and show the people what has been going on.

FRENCH NUCLEAR TESTINGS

The SPEAKER pro tempore (Mr. KINGSTON). Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend the President of France for having recently acknowledged a very serious matter that for some 50 years every French head of state has denied any involvement of the French Government.

Last Sunday, Mr. Speaker, President Jacques Chirac of France publicly stated that the Government of France was an accomplice and was involved in the deportation of some 75,000 Jews, whom a majority were French citizens and many refugees also—their deportation to Nazi Germany during World War II. These Jews were sent to Nazi death camps, and according to reports only about 2,500 survived. In his remarks, President Chirac said, ''France, the homeland of the Enlightenment and the rights of man, a land of welcome and asylum, on that day committed the irreparable. Betraying its word, it delivered its dependents to their executioners.''

Mr. Speaker, I admire President Chirac for saying these noble words, but I would admire him even more if he would be consistent with his statements and policy towards resumption of nuclear bomb explosions in the South Pacific.

Quoting from President Chirac's own words, Mr. Speaker, if France is truly the homeland where the rights of men are respected and honored, then why is President Chirac giving a deaf ear—an unwilling spirit—to listen and to examine carefully the plans and requests from leaders of countries from around the world, especially the leaders of countries and territories representing some 28 million men, women, and children of the Pacific region, to stop this insane practice of exploding nuclear bombs in these Pacific atolls.

Mr. Speaker, if France is truly the homeland of the enlightenment, then why is the President of France not giving serious consideration to reason and commonsense thinking by the majority of humanity throughout the world—do not explode nuclear bombs in the middle of the Pacific Ocean—given the fact that the Pacific Ocean covers almost one-third of our planet's surface. Mr. Speaker, may I also remind the President of France that two-thirds of the world's population reside in the Pacific region.

Mr. Speaker, the president of France makes the point that exploding eight more nuclear bombs in the South Pacific is a necessary step to improve France's nuclear deterrent system. The fact of the matter is, Mr. Speaker, the technology to improve the trigger mechanism to explode nuclear bombs is already available. It has been done, and guess which country has this technology. We do. The United States of America.

Mr. Speaker, it is my understanding our country was willing—and is still willing—to share the technology with France, so France does not need to spin its wheels again to continue a testing program when the answers are already known to questions concerning nuclear explosions.

So, Mr. Speaker, I raise another point concerning President Chirac's decision to rescind France's 1992 moratorium on nuclear testing. President Chirac said the decision by his government to resume its nuclear testing program in the South Pacific is in the highest interest of the Government of France. Mr. Speaker, I submit I have a problem with President Chirac's claim that exploding eight nuclear bombs—each bomb ten times more powerful than the nuclear bomb that was dropped on the Japanese city of Hiroshima, and killing over 100,000 men, women and children at the height of the conflict with Japan during World War II—the problem, Mr. Speaker, is that these eight nuclear bombs President Chirac's government intends to explode during an 8-month period starting in September of this year, these nuclear bombs are going to be detonated on two South Pacific atolls in French Polynesia.

The President of France claims that exploding these eight nuclear bombs on these Pacific atolls is ecologically safe and that the marine environment will not in any way be affected by it.

Mr. Speaker, the President of France is not an expert on nuclear bomb explosions, and certainly I'm not an expert on this matter, but doesn't it make sense, Mr. Speaker—common sense, that is—I strongly suggest to President Chirac that a panel of nuclear scientists from around the world be invited to these Pacific atolls and allow them the opportunity to fully examine what the French Government has done after already conducting 139 underwater nuclear bomb explosions and 41 atmospheric nuclear bombs under the Moruroa Atoll.

Mr. Speaker, the French Government claims these nuclear bomb explosions are being conducted underground and not underwater. Mr. Speaker, I submit this claim is yes and no. The reason for my saying this is that the Morurao Atoll is made up entirely of coral reefs and marine life, but in the middle of the atoll is a volcanic formation shaped like a cone, but is below sea level. So what the French officials have done is drill some 139 of these holes into this volcanic formation, and accordingly in the middle of this volcanic mountain the nuclear bombs are detonated.

Mr. Speaker, what concerns me and nuclear scientists throughout the world is that after exploding nuclear bombs 139 times inside this volcanic formation—something has to give after doing this for the past 20 years.

Nuclear scientists have expressed serious concerns about leakages of nuclear contamination directly into the ocean, and the consequences of marine environmental contamination to all forms of marine life can never be restored to life again. That's the danger, Mr. Speaker.

Mr. Speaker, why is the French Government so afraid to allow a panel of knowledgeable and expert scientists to examine the Moruroa Atoll, if all that the French Government alleges on safety and health to humans are true?

So, Mr. Speaker, while these nuclear bomb explosions will explode inside a volcanic formation—this volcanic mountain-like formation is surrounded entirely by the Pacific Ocean. Mr. Speaker, while it is quite convenient for the French Government to claim a 12-mile territorial jurisdiction around

the Moruroa Atoll, the fact is, the ocean surrounding the atoll does not discriminate on whereby nuclear contamination is carried freely and dispersed by the ocean currents—and these ocean currents affect the entire Pacific Ocean.

Mr. Speaker, if the President of France continues to refuse to listen and to stop his government's nuclear testings in the Pacific, I am left one other possible option—declare and ask the goodness of the American people to boycott all French products being sold in the United States and throughout the world.

I also make an appeal, Mr. Speaker, for our musicians and leaders noted in the media and entertainment business to set September 1 of this year to conduct concerts, musical arrangements and gatherings to protest French nuclear testing in the Pacific.

Mr. Speaker, I include for the RECORD the following information.

[From the Los Angeles Times, July 18, 1995]

GOVERNMENT WATCH—NATIONAL CONFESSION

Credit President Jacques Chirac with the moral and political courage at last to say unequivocally what other French heads of state have refused to say for 50 years. Credit him with publicly recognizing France's direct responsibility in the deportation of some of the 75,000 Jews—many of them refugees but the majority French citizens—who were seized and shipped to Nazi death camps during World War II.

Official French complicity in this crime against humanity has long been known and documented. Yet for decades successive governments sought to place responsibility solely on the country's German occupiers, later adding the collaborationist Vichy regime to the roll of those guilty. Chirac, in remarks at a memorial service for 13,000 Jews who were seized in Paris in 1942 and transported to the death camps, was explicit about the actual French role. ''France, the homeland of the Enlightenment and the rights of man, a land of welcome and asylum, on that day committed the irreparable.'' His nation owes those victims, he said, ''an everlasting debt.''

It's seldom easy for proud nations to admit crimes or follies. Only in 1976, for example did President Gerald R. Ford apologize on behalf of the government for the hysteria-prompted wartime internment of 120,000 people of Japanese ancestry 34 years earlier. That great wrong had long been widely recognized.

In France for more than five decades it was official denial that prevailed. President Chirac, to his great credit, has made any further denial untenable.

[From Newsweek, July 24, 1995]

FUTURE SHOCK—

(By John Barry)

The terrorists went undetected. In the noon-hour crush of a spring day in midtown Manhattan, the two men with suitcases looked like hotel-bound businessmen. Nobody gave them a second glance as they bought sandwiches from a street vendor and sat on one of the benches by Rockefeller Center. After a moment, they seemed to rummage in the contents of the bags. Only the blinding fireball that vaporized the attackers and instantly killed tens of thousands of New Yorkers announced that nuclear warfare had finally come home to the nation that first split the atom. And by then, of course, it was too late to avert catastrophe.

For years, versions of that nightmare scenario have been grist for doomsday prophets. It was pure hype. A terrorist group with the funds and know-how to develop a knapsack nuke would have had to be so big, rich and sophisticated as to rival a good-sized nation—hardly a recipe for keeping a secret. The routes to the prize—breeding plutonium in a reactor or refining uranium in a giant enrichment plant—are strewn with technical obstacles. Theft of the primary materials was the only way to short-circuit that laborious process, and the nuclear fraternity's huge stores of A-bomb ingredients were tightly protected. So what really mattered was keeping sensitive technology out of the hands of would-be nuclear powers, convincing nervous nations that the U.S. nuclear umbrella would protect them, monitoring peaceful uses of atomic energy—and heading off a showdown with the U.S.S.R.

Those goals were achievable—but history has turned the nuclear threat on its head, and the terrorist scenario has become frighteningly real. For veterans of the nonproliferation struggle, these are in one sense the best of times, because the terrifying contest between Washington and Moscow is largely over. The United States and Russia are dismantling their ICBMs and their multiple warheads as fast as they can. Their remaining missiles are no longer targeted at each other. And this spring, U.S. negotiators persuaded more than 170 signatories to the Nuclear Non-Proliferation Treaty (NPT) to extend it indefinitely—in return only for vaguely worded security guarantees from the nuclear powers. But these are the worst of times, too, because in the debris of the cold war remain tens of thousands of nuclear weapons and thousands of tons of bomb-grade plutonium and uranium. A terrorist bomb made with as little as 13 pounds of pure plutonium would pack the punch of 1,000 tons of TNT even if it fizzled. The main problem, still, is Russia. But today the problem is Russian weakness, not strength. ''The situation in the former Soviet Union today is the single most important event in the history of nuclear proliferation.'' says a senior Pentagon official.

That history so far is one of restraint. In 1963 President John F. Kennedy said he was haunted by fears that by 1975 there could be as many as 20 nations with nuclear weapons. Back then, there were four declared nuclear powers: the United States, the Soviet Union, France and Britain; China exploded a bomb the next year. That's still the official roster (three other nations have gone nuclear without admitting it: Israel, India and Pakistan). Meanwhile, Argentina, Brazil, South Africa and Romania all have elected over the last decade to give up nuclear programs. Taiwan and South Korea began preliminary efforts to build a bomb in the 1970s, but gave up under heavy U.S. pressure. Most recently, Ukraine, Belarus and Kazakhstain disavowed the nuclear legacy that fell to them when the U.S.S.R. split up. ''The NPT has succeeded beyond the wildest dreams of its authors,'' says John Holum, director of the Arms Control and Disarmament Agency. ''Non-nuclear has become a global norm.''

Those still knocking at the clubhouse door remain a long way from getting the keys. Consider Iraq, which has drawn most of the attention since the end of the gulf war, when U.N. inspectors began carting away boxes of plans outlining Saddam Hussein's $10 billion nuclear program. Iraqi scientists may not have been as far along as the documents indicated. It seems the scientists lied to please the boss. ''[The program] was a disaster,'' says Bob Kelley of Los Alamos, who has made 27 trips to Iraq as part of the monitoring effort. ''The leadership got taken for a ride. They didn't know what they were doing.''

Other pretenders are scarcely in better shape. Libya's Muammar Kaddafi still wants a bomb, but a Russian intelligence study concluded in 1993 that his poor engineering and technology base put that out of his reach for ''the foreseeable future.'' North Korea has taken a buyout—$4.5 billion worth of nuclear reactors from South Korea. And although the North Koreans may already have produced as much as 26 pounds of plutonium, Russian experts say scientists there don't have the computers or design know-how to make a bomb. Iran's nuclear ambitions go back to the shah, but poor infrastructure, demoralized personnel and political factionalism under the ayatollahs create huge barriers to building an ''Islamic bomb,'' experts agree. In all, the nuclear wanna-bes are a sorry lot.

But what happens with a nuclear power heads in the same direction as such Third World basket cases? The collapse of the Soviet Union has opened the door to proliferation—by states or terrorists—on a scale that previously was unimaginable. In the START treaties of 1991 and 1993, the United States and the former Soviet Union agreed to drastically reduce their strategic warheads. The problem is that in Russia that has meant moving some 3,000 warheads a year from under control of the military, where safeguards have been stringent, to the civilian Ministry of Atomic Energy (Minatom), where U.S. experts charge the protection against theft has become so slipshod that some think the best answer may be to slow down or even stop the whole disarmament process.

Just about every U.S. specialist on the issue has had an epiphany about how vast the problem is. For Charles Curtis of the U.S. Energy Department, it was when he was taken into Building 116 of the Kurchatov Institute in the Moscow suburbs. About 160 pounds of weapons-grade uranium cast into shiny spheres was stored in high-school-style lockers and secured by a single chain looped through the handles. There was no other security. William Potter, who tracks nuclear thefts for the Monterey Institute of International Studies in California, was transfixed by a Russian Navy investigator's report on the theft of almost 10 pounds of enriched uranium from one of the Russian Navy's main storage facilities for nuclear fuel, the Sevmorput shipyard outside Murmansk. The thief had climbed through one of many holes in the wooden fence surrounding the fuel-storage area, sawed through a padlock on the warehouse door, lifted the lid on a container and broken off three pieces of a submarine reactor core. ''Potatoes were guarded better,'' the investigator said.

Flimsy locks aren't the most frightening weakness. While security for the U.S. nuclear program depends on high-tech gadgetry backed by armed guards, Russia has depended on control of people. ''They had watchers watching watchers, backed by very strict control on movement,'' said one Energy Department official. Will hard times fray the watchers' loyalty? Frank von Hippel, a Princeton physicist, noticed big new dachas going up inside the barbed-wire perimeter of Chelyabinsk-70, a closed city for Russian nuclear scientists. When he asked who owned the houses, his Russian companion cut him a glance and replied, ''The night people''—black marketers. Former Los Alamos weapons designer Stephen Younger recalls how the director of the weapons lab at another closed city, Arzamas–16, called him aside to beg for emergency financial aid, adding that his scientists were going hungry. ''You are driving us into the hands of the Chinese,'' the man said.

How much may already have leaked? The CIA lists 31 cases of thefts or seizures, most allegedly involving low-grade Russian materials found by German police, in the first six months of this year alone. But many of the cases resulted from ''sting'' operations, part of a pre-emptive strategy initiated by Western intelligence agencies since 1992. Some Russians charge that the operation has actually created a market. Still, some cases are chilling. In Prague last December, police found almost six pounds of highly enriched uranium in the back seat of a Saab; also in the care were a Czech nuclear scientist and two colleagues from Belarus and Ukraine. ''We're starting to see significant quantities of significant material,'' says a White House source. Adds a Pentagon official, ''If just one bomb's worth gets out, people are going to wake up real fast.''

Some members of Russian President Boris Yeltsin's staff are already sounding the alarm. After a presidential inquiry last fall, staffers identified nine facilities they said urgently require modern security systems. But everyone agrees that the list barely begins to address the problem: U.S. experts say not one of the nearly 90 facilities where a total of 700 tons of weapons-grade materials are stored has adequate security. The outcry seems to have had an impact on Minatom, a huge bureaucracy whose director, Victor Mikhailov, is legendary in Washington for resisting foreign interference. In June, Mikhailov agreed to let teams of U.S. experts go to five of his facilities ''to facilitate development of joint improvement plans.'' U.S. experts also will install and demonstrate new security systems at the Arzamas and Chelyabinsk complexes. Moscow's Kurchotov Institute already has the new system.

Paying for all that will require major outlays. U.S. officials estimate that the new equipment will cost $5 million per site: a total of $450 million if Russia agrees to harden security at all its storage facilities. The Clinton administration has begun discussions in NATO, in the International Atomic Energy Agency and among members of the Group of Seven about how the costs might be spread around. The Russian presidential commission studying the problem paints an even grimmer picture. It says upgrading security will cost $17 billion. Nobody knows where that kind of money might come from. But in the meantime, the Russians have begun to adopt a drastic but simple strategy—closing the doors to nuclear plants, even to their own inspectors. Asked if it would be possible to visit one nuclear site, Mikhailov's spokesman said that ''because of Chechnya, no one can go anywhere.'' Evidently security has already been tightened against possible attacks by Chechen separatists.

In place of the arms race, a new race is on—to see how quickly Russian can be cajoled and helped into throwing up enough safeguards to prevent some of the world's most lethal materials' leaking into the wrong hands. In the meantime, the Pentagon is spending $100 million this year in an effort to identify high-tech ''counterproliferation'' tools to track and, if necessary, take out rogue nuclear powers. And policy specialists already are wrestling with the dilemma of how the United States can both cut military spending and continue to convince Japan and other friends around the world that they don't need their own nuclear weapons. It's still a battle to make sure ''The Day After'' isn't just a day away.

[From the Los Angeles Times, July 17, 1995]

CHIRAC ADMITS FRANCE'S COMPLICITY WITH NAZIS

(From Times Wire Service)

PARIS.—President Jacques Chirac acknowledged Sunday what a generation of political leaders did not—that the French state was an accomplice to the deportation of tens of thousands of Jews during World War II.

At a ceremony to commemorate the 53rd anniversary of the roundup of at least 13,000 Jews at a Paris stadium—the biggest during the war years—Chirac said that French complicity with the Nazis was a stain on the nation.

''These dark hours soil forever our history and are an injury to our past and our traditions,'' Chirac told the gathering at the former site of the Velodrome d'Hiver stadium in western Paris.

''The criminal folly of the [German] occupier was seconded by the French, by the French state,'' he said.

Chirac, a conservative who took office in May, is the first French president to publicly recognize France's role in the deportations of Jews under the Vichy regime of Marshal Philippe Petain, which collaborated with the Nazis.

In all, about 75,000 Jews were deported from France to Nazi concentration camps during World War II. Only 2,500 survived.

Chirac's predecessor, Socialist President Francois Mitterrand, maintained that the Vichy regime did not represent the French republic and its actions were not those of the state.

That attitude pained France's large Jewish community, which has long pressed authorities to come to grips with the nation's collaborationist past.

At dawn on July 16, 1942, French police banged on doors throughout Paris, pulling men, women and children from their homes and rounding them up at the cycling stadium. The families were imprisoned for three days without food or water, then deported to Auschwitz. Only a handful returned.

''France, the nation of light and human rights, land of welcome and asylum, accomplished the irreparable,'' said Chirac. ''Betraying its word, it delivered its dependents to their executioners.''

In a clear warning against today's extreme-right National Front, Chirac also urged vigilance against attempts by some political parties to promote a racist, anti-Semitic ideology.

Noted Nazi hunter Serge Klarsfeld hailed Chirac for his ''courage'' and said that the president's words were ''what we had hoped to hear one day.''

Chirac's statements culminated a process that gained pace in 1994 when a court for the first time convicted a French citizen, Paul Touvier, of crimes against humanity. The former pro-Nazi militia chief is serving a life term for ordering the executions of six Jews in June 1944.

Several deportation survivors attended Sunday's ceremony, along with representatives of the Jewish community and the archbishop of Paris, Cardinal Jean-Marie Lustiger, a Jew who converted to the Roman Catholic faith.

LOBBYING REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Maryland [Mr. EHRLICH] is recognized for 60 minutes as the designee of the majority leader.

Mr. EHRLICH. Mr. Speaker, I rise tonight to talk about a very important issue, really one of the issues that I believe we were sent here to address, which is lobbying reform, ending taxpayer funded lobbying by special interests, Mr. Speaker. And the problem is one of the best kept secrets in this town and on this floor.

Special interests lobby for taxpayers' money and then use that taxpayers' money to create political operations that serve to lobby for even additional money. It is a vicious cycle, Mr. Speaker. It is taxpayer abuse, and it is an outrage.

More than 40,000 special interests received at least 39 billion, Mr. Speaker, that is with a B, dollars in federal grants during 1990. Because accounting records are not complete and because some records are not available for inspection, there is no way of knowing how much taxpayers' money is being used to direct lobbying and political efforts. There are, however, specific examples, Mr. Speaker, of recipients of federal grants that lobby the government.

Examples of abuse, Mr. Speaker, on Flag Day in June, the ABA, the American Bar Association, staged a rally at the Capitol to protest a proposed constitutional amendment protecting the desecration of the American flag. Last year, the ABA received more than $10 million in grants in Washington. The Nature Conservancy used a $44,000 grant from the Department of Commerce to lobby for defeat of a Florida referendum.

At the request of Interior Secretary Bruce Babbitt, the National Fish and Wildlife Federation lobbied to protect the National Biological Service from cuts in FY 1995 rescissions. The foundation has received hundreds of thousands of dollars in federal grants from the Interior Department.

Since 1993, Mr. Speaker, the EPA has distributed more than $90 million in federal grants to more than 150 special interests, including the Sierra Club, the Natural Resources Defense Council, and other groups that are lobbying against the regulatory reform component of the Contract with America, an issue near and dear to my heart because it currently formed the focal point of our campaign for this House.

The federal dollars also make many special interests appear to be a larger force in the political arena than they would be if they relied solely on private business. This is a very important point, Mr. Speaker.

For example, the National Council of Senior Citizens receives more than 96 percent, that is 96 percent of its funding from this Congress. AARP receives 66 percent; Planned Parenthood, 33 percent, et cetera.

Because special interests do not open their books for public inspection, there is no way to guarantee that they are not using taxpayer dollars for political advocacy. In many cases, however, these federal dollars free up the group's private resources to be spent in direct political lobbying and other advocacy activities.

Mr. Speaker, Representatives ISTOOK, MCINTOSH, and myself have a bill to stop this taxpayer abuse.

The bill bans grantees from using taxpayer-funded grant money, Mr. Speaker, to lobby the government. Because money is fungible, the bill also places strict limits on the amount of lobbying that grantees can do with their nongrant funds.

To ensure the law is followed, Mr. Speaker, grantees must open their books to audits and submit annual reports to GAO and agencies that award the grants. Most importantly, the bill gives taxpayers the information and the authority they need to root out abuses on their own so they can recover in an appropriate way these grant funds from the government.

American need to have confidence that their hard-earned tax dollars are not being wasted. Under this program, their money is not going down a rat hole.

If Americans knew this happened every day, Mr. Speaker, they would be rightly outraged.

We have gathered many, many groups throughout the country who support this legislation, including the Association of Concerned Taxpayers, Citizens for a Sound Economy, the American Family Association, the National Restaurant Association, Americans for Tax Reform, the Competitive Enterprise Institute, the National Taxpayers Union, Citizens Against Government Waste, the National Federation of Independent Business, the National Association of Wholesaler Distributors, the Chamber of Commerce, the National Beer Wholesalers, Senior Coalition, and the list goes on and on, Mr. Speaker.

There are a lot of people, there are a lot of groups in this country engaged with respect to this issue who understand how important the issue is and support our reform efforts.

Just to conclude with a few remarks, Mr. Speaker, it has been popular to criticize this reform measure as ''defunding the left.'' The left, the right and the center have nothing to do with respect to this particular piece of legislation, whether groups on the right or groups on the center or groups on the left are violating the law, we need to know. I particularly do not care what particular ideological group they happen to fall into. It is unfortunate, Mr. Speaker, that everything is spun and subject to political spin in this town. This is not about ideology, other than, Mr. Speaker, cleaning up this House and the way we conduct business in Washington, DC.

One last point, Mr. Speaker. We seem to have lost the distinction in this country when it comes to nonprofit lobbying efforts between an advocate and the mission of the nonprofit. The purpose, the bottom line with respect to this bill, Mr. Speaker, is to return the primacy of special, of nonprofit groups to their targeted areas, to their missions, to their goals and away, Mr. Speaker, from going to the public, coming to this town, coming to this floor and asking forevermore additional moneys to fund their advocacy programs.

There is a clear distinction between the two concepts, Mr. Speaker. The purpose of this bill, the bill put forward by Represenatives MCINTOSH, ISTOOK, and EHRLICH is to reestablish that dichotomy, that very important distinction between nonprofits who view their essential mission in life to accomplish their goals, to fulfill their missions and other nonprofits who simply seek to expand their ability to gain public dollars.

That should not be their primary mission; being a lobbyist should not be what they are about. That is the bottom line to their reform measure. I have been very pleased to receive the sort of response from our district and from around the country, from the groups I mentioned earlier and from just individual citizens who are very happy to see true nonideological reform efforts take place in this House.

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. SANDERS) to revise and extend their remarks and include extraneous material:)

Mr. OLVER, for 5 minutes, today.
Mr. WISE, for 5 minutes, today.
Mr. TOWNS, for 5 minutes, today.
Mr. FALEOMAVAEGA for 5 minutes, today.
Mrs. CLAYTON, for 5 minutes, today.
Mr. OWENS, for 5 minutes, today.

(The following Members (at the request of Mr. EHRLICH) to revise and extend their remarks and include extraneous material:)

Mr. MCINNIS, for 5 minutes, today.
Mr. BROWNBACK, for 5 minutes, today.
Mr. FOX of Pennsylvania, 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. SANDERS) and to include extraneous matter:)

Mr. FRAZER.
Mr. LIPINSKI.
Mr. SERRANO.
Mr. TOWNS.
Mr. HAMILTON in three instances.
Mr. LANTOS.
Mr. CLYBURN in three instances.
Ms. NORTON.
Ms. WOOLSEY.
Mr. GORDON.
Mr. MORAN.
Mr. BROWDER.
Mr. THOMPSON.

(The following Members (at the request of Mr. EHRLICH) and to include extraneous matter:)

Mr. SMITH of New Jersey.
Mr. MCINNIS.
Mr. TIAHRT.
Mr. PACKARD.
Mrs. MYRICK.
Mr. GILMAN.
Mr. HASTERT.
Mr. HANSEN.
Mr. HORN.
Mr. ARMEY.
Mr. RADANOVICH.
Mr. EVERETT.
Mr. CUNNINGHAM.
Mr. GOODLING.

ADJOURNMENT

Mr. EHRLICH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 45 minutes p.m.) the House adjourned until tomorrow, Thursday, July 20, 1995, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1228. A letter from the Chairman, Board of Governors, Federal Reserve System, transmitting the mid-year monetary policy report, pursuant to the Full Employment and Balanced Growth Act of 1978; to the Committee on Banking and Financial Services.

1229. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense articles and services sold commercially to International Maritime Satellite Organization [INMARSAT] (Transmittal No. DTC–50–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1230. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''The Propriety of the Agreement Between Merrill Lynch and Lazard Freres, Who Served as the District's Financial Advisor,'' pursuant to D.C. Code, section 47–117(d); to the Committee on Government Reform and Oversight.

1231. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation to provide administrative procedures for the nonjudicial foreclosure of mortgages on properties to satisfy debts owed to the United States, and for other purposes; to the Committee on the Judiciary.

1232. A letter from the Secretary of Energy, transmitting the Department's report entitled, ''Annual Report of the Metals Initiative'', pursuant to section 8 of the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; to the Committee on Science.

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. CLINGER: Committee on Government Reform and Oversight. H.R. 1655. A bill to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the U.S. Government, the community

management account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes: with an amendment (Rept. 104–138 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. SOLOMON: Committee on Rules. House Resolution 193. Resolution providing for consideration of a bill establishing United States policy toward China and a joint resolution relating to most-favored-nation treatment for the People's Republic of China (Rept. 104–194). Referred to the House Calendar.

Mrs. WALDHOLTZ: Committee on Rules. House Resolution 194. Resolution providing for the consideration of the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104–195). Referred to the House Calendar.

Mr. ROGERS: Committee on Appropriations. H.R. 2076. A bill making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104–196). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLARD:

H.R. 2057. A bill to establish the Cache La Poudre River National Water Heritage Area in the State of Colorado, and for other purposes; to the Committee on Resources.

By Mr. BEREUTER:

H.R. 2058. A bill establishing United States policy toward China; to the Committee on International Relations, and in addition to the Committees on Ways and Means, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of California:

H.R. 2059. A bill to authorize appropriations to the National Aeronautics and Space Administration for human space flight, science, aeronautics, and technology, mission support, and inspector general, and for other purposes; to the Committee on Science, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARMEY:

H.R. 2060. A bill to promote freedom, fairness, and economic opportunity for families by reducing the power and reach of the Federal establishment; to the Committee on Ways and Means, and in addition to the Committees on Government Reform and Oversight, the Budget, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOLEY:

H.R. 2061. A bill to designate the Federal building located at 1550 Dewey Avenue, Baker City, OR as the ''David J. Wheeler Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. EHRLICH (for himself, Mr. MFUME, Mrs. MORELLA, Mr. GILCHREST, Mr. BARTLETT of Maryland, Mr. HOYER, and Mr. WYNN):

H.R. 2062. A bill to designate the Health Care Financing Administration building under construction at 7500 Security Boulevard, Baltimore, MD as the ''Helen Delich Bentley Building''; to the Committee on Transportation and Infrastructure.

By Mr. EMERSON:

H.R. 2063. A bill to disapprove sentencing guideline amendments relating to cocaine base; to the Committee on the Judiciary.

By Mr. EVERETT (for himself, Mr. BEVILL, Mr. BISHOP, Mr. BROWDER, Mr. CRAMER, and Mr. HILLIARD):

H.R. 2064. A bill to grant the consent of Congress to an amendment of the Historic Chattahoochee Compact between the States of Alabama and Georgia; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts (for himself, Ms. RIVERS, Mr. VENTO, Mr. BERMAN, Mr. SERRANO, Mr. BONIOR, Mr. WAXMAN, Mr. HINCHEY, Mr. MILLER of California, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. GEPHARDT, Ms. VELÁZQUEZ, Mr. GEJDENSON, Mr. WYNN, Mr. ACKERMAN, Mr. WILSON, Ms. WOOLSEY, Mr. LANTOS, Ms. KAPTUR, Mr. DEFAZIO, Mr. VISCLOSKY, Ms. LOFGREN, Mr. REED, Mr. OLVER, Mr. STARK, Mr. CONYERS, Mr. ROMERO-BARCELO, Mr. SANDERS, Mr. FILNER, Mrs. MINK of Hawaii, Ms. NORTON, Mr. OWENS, and Mr. EVANS):

H.R. 2065. A bill to prohibit the importation of goods produced abroad with child labor, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLING:

H.R. 2066. A bill to amend the National School Lunch Act to provide greater flexibility to schools to meet the dietary guidelines for Americans under the school lunch and school breakfast programs; to the Committee on Economic and Educational Opportunities.

By Mr. HANSEN:

H.R. 2067. A bill to facilitate improved management of National Park Service Lands; to the Committee on Resources.

By Mr. MCHALE:

H.R. 2068. A bill to reduce the size of the House of Representatives to 295 Members; to the Committee on the Judiciary.

By Mr. MORAN:

H.R. 2069. A bill to help avoid the costs and disruptions of agency shutdowns when there is a lapse in appropriations; to the Committee on Appropriations.

H.R. 2070. A bill to provide for the distribution within the United States of the U.S. Information Agency film entitled ''Fragile Ring of Life''; to the Committee on International Relations.

By Mr. PETERSON of Florida (for himself, Mr. MORAN, Mr. DOOLEY, Mr. CLEMENT, Mr. POSHARD, Mr. STENHOLM, Mr. MARTINEZ, Mr. GIBBONS, Mrs. MEEK of Florida, and Mr. COLEMAN):

H.R. 2071. A bill to promote cost containment and reform in health care; to the Committee on Commerce, and in addition to the Committees on Ways and Means, Economic and Educational Opportunities, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. SMITH of Washington (for herself, Mr. BROWNBACK, Mr. FOX, Mr. METCALF, and Mr. TATE):

H.R. 2072. A bill to amend the Federal Election Campaign Act of 1971 to ban contributions to candidates in elections for Federal office by persons other than individuals and political party committees, to amend the Rules of the House of Representatives to ban gifts, and for other purposes; to the Committee on House Oversight, and in addition to the Committee on Rules, Government Reform and Oversight, and Standards of Official Conduct, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK (for himself and Mr. MCCOLLUM):

H.R. 2073. A bill to disapprove sentencing guideline amendments relating to cocaine base and money laundering; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 2074. A bill to designate certain Bureau of Land Management Land in the State of Montana to preserve unique cultural and natural features; to the Committee on Resources.

By Mr. ROGERS:

H.R. 2076. A bill making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes; committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

By Mr. MCHALE:

H. Res. 195. Resolution amending the Rules of the House of Representatives to reduce the time for a recorded vote from 15 minutes to 2 minutes, and for other purposes; to the Committee on Rules.

H. Res. 196. Resolution amending the Rules of the House of Representatives to eliminate the discretion of the Speaker to name another Member to perform the duties of the Chair without the approval of two-thirds of the Members, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

136. By the SPEAKER: Memorial of the General Assembly of the State of Nevada, relative to urging the Congress of the United States, the U.S. Environmental Protection Agency, and the Division of Environmental Protection of Nevada to resolve problems of small landfills with environmental regulations; to the Committee on Commerce.

137. Also, memorial of the Legislature of the State of Maine, relative to memorializing the President and the Congress of the United States to support the Low Income Home Energy Assistance Program; to the Committee on Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mrs. THURMAN introduced a bill (H.R. 2075) for the relief of Robert L. Quinn; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 42: Mr. BERMAN, Mr. ORTON, AND Ms. NORTON.

H.R. 248: Mr. BALDACCI, Mr. LIPINSKI, and Mr. WAXMAN.

H.R. 263: Mrs. SCHROEDER and Ms. ESHOO.
H.R. 264: Mr. SHAW and Ms. ESHOO.
H.R. 351: Mr. PETRI, Mr. BEILENSON, Mr. LIVINGSTON, Mr. HANCOCK, Mrs. MEYERS of Kansas, Mr. LIPINSKI, and Mr. HASTINGS of Washington.
H.R. 359: Mr. PORTMAN.
H.R. 470: Mrs. KELLY and Ms. MCCARTHY.
H.R. 528: Mr. CRAMER.
H.R. 739: Mr. YOUNG of Alaska.
H.R. 789: Mrs. SEASTRAND.
H.R. 820: Mr. MONTGOMERY, Mr. SANFORD, Mr. CHAMBLISS, Ms. MOLINARI, Mr. TALENT, Mr. LEWIS of Georgia, Mr. ANDREWS, and Mr. ZIMMER.
H.R. 911: Mr. CARDIN, Mrs. ROUKEMA, and Mr. SMITH of New Jersey.
H.R. 945: Mr. SABO, Mr. GUTKNECHT, and Mr. MOLLOHAN.
H.R. 995: Mr. BARTON of Texas.
H.R. 1057: Mr. STENHOLM, Mrs. SMITH of Washington, Mr. BRYANT of Tennessee, Mr. EHLERS, Mr. KIM, Mr. MORAN, and Mr. ENGEL.
H.R. 1078: Ms. ESHOO and Mr. RAHALL.
H.R. 1083: Mr. BLILEY.
H.R. 1161: Mr. FIELDS of Texas, Mr. BRYANT of Tennessee, and Mr. DIAZ-BALART.
H.R. 1384: Mrs. THURMAN.
H.R. 1398: Mr. TALENT, Mr. GEPHARDT, Mr. SKELTON, Ms. MCCARTHY, Ms. DANNER, Mr. HANCOCK, Mr. EMERSON, and Mr. VOLKMER.
H.R. 1402: Ms. ESHOO.
H.R. 1434: Mr. MINETA.
H.R. 1443: Mr. BEREUTER.
H.R. 1448: Mr. HOBSON.
H.R. 1459: Mr. REYNOLDS.
H.R. 1462: Ms. ESHOO, Mr. REYNOLDS, Mr. YATES, Mr. KENNEDY of Massachusetts, Mr. HALL of Texas, Mr. FILNER, Mr. ENGEL, Ms. NORTON, and Mr. GEJDENSON.
H.R. 1506: Mr. PETERSON of Minnesota.
H.R. 1533: Mr. LUTHER.
H.R. 1567: Mr. STUPAK.
H.R. 1593: Mrs. THURMAN.
H.R. 1594: Mr. FUNDERBURK and Mr. SKEEN.
H.R. 1611: Mrs. THURMAN.
H.R. 1627: Mr. PETERSON of Florida, Mr. MICA, Mr. PACKARD, Mr. PETE GEREN of Texas, and Mr. EHRLICH.
H.R. 1713: Mr. SCHAEFER.
H.R. 1735: Mr. COLEMAN.
H.R. 1739: Mr. SMITH of New Jersey.
H.R. 1754: Ms. LOFGREN.
H.R. 1767: Mr. STUMP.
H.R. 1856: Mrs. SEASTRAND.
H.R. 1876: Mr. PETERSON of Minnesota, Mr. VISCLOSKY, Mr. MENENDEZ, and Mr. YATES.
H.R. 1882: Mr. TANNER and Mr. ENGLISH of Pennsylvania.
H.R. 1884: Mr. GEKAS.
H.R. 1915: Mr. SKEEN.
H.R. 1920: Mr. MEEHAN, Mr. UNDERWOOD, Ms. LOFGREN, Mr. RANGEL, Ms. FURSE, Ms. NORTON, and Mr. LUTHER.
H.R. 1932: Mr. HAYWORTH, Mr. LARGENT, Mr. CHRISTENSEN, Mr. HUTCHINSON, Mr. LEWIS of Kentucky, Mr. NEUMANN, and Mr. MCINTOSH.
H.R. 1965: Mr. STARK, Mrs. MALONEY, Ms. LOFGREN, AND MS. ESHOO.
H.R. 1972: Mrs. MINK of Hawaii, Mr. KNOLLENBERG, Mr. SCHAEFER, Mr. TATE, Mr. DIAZ-BALART, and Mr. PETE GEREN of Texas.
H.R. 1987: Mr. GILMAN.

H.R. 1994: Mr. CRANE, Ms. DANNER, Mr. ENSIGN, Mr. FATTAH, Mr. UNDERWOOD, Mr. CLYBURN, Mr. GENE GREEN of Texas, Mr. TANNER, Mr. SMITH of New Jersey, Mr. DOOLITTLE, Mr. ORTIZ, Mr. JACOBS, Mrs. KELLY, and Mr. FILNER.
H.J. Res. 89: Mrs. KELLY, Mr. QUINN, and Mr. COBURN.
H. Con. Res. 10: Mr. FIELDS of Louisiana, Ms. PRYCE, Mr. COX, Mr. KIM, Mr. MOORHEAD, Mr. SENSENBRENNER, and Mr. CRAPO.
H. Con. Res. 50: Mr. BONIOR.
H. Res. 118: Mr. ZIMMER, Mr. REYNOLDS, Mr. DURBIN, Mr. MEEHAN, Mrs. MALONEY, Mr. SCHUMER, Ms. WATERS, Ms. JACKSON-LEE, Mrs. MINK of Hawaii, Mr. ENGEL, Mrs. MEEK of Florida, Ms. VELAZQUEZ, Mrs. THURMAN, Mr. MARKEY, and Ms. LOFGREN.
H. Res. 122: Mr. MINETA.

PETITIONS, ETC.

Under clause 1 of rule XXII,

30. The SPEAKER presented a petition of the Council of the City and County of Denver, CO, relative to opposition to S. 240; which was referred to the Committee on Commerce.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1976

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 62: Page 29, line 24, strike ''$10,400,000,000'' and insert ''$10,394,820,000''.

H.R. 1976

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 63: Page 29, line 24, after the dollar amount, insert the following: ''(reduced by $5,180,000)''.

H.R. 1976

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 64: Page 71, after line 2, add the following new section:

SEC. 726. None of the funds appropriated or otherwise made available by this Act for the Market Promotion Program may be used to promote the sale or export of alcohol or alcoholic beverages.

H.R. 1976

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 65: Page 71, after line 2, add the following new section:

SEC. 726. None of the funds appropriated or otherwise made available by this Act may be used to promote the sale or export of alcohol or alcoholic beverages.

H.R. 1976

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 66: Page 71, after line 2, add the following new section:

SEC. 726. None of the funds appropriated or otherwise made available by this Act may be used to promote the sale or export of alcohol or alcoholic beverages of a type subject to a tax under subpart A, C, or D of part I of subchapter A of chapter 51 of the Internal Revenue Code of 1986.

H.R. 1976

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 67: Page 71, after line 2, add the following new section:

SEC. 726. None of the funds appropriated or otherwise made available by this Act for the Market Promotion Program may be used to promote the sale or export of alcohol or alcoholic beverages of a type subject to a tax under subpart A, C, or D of part I of subchapter A of chapter 51 of the Internal Revenue Code of 1986.

H.R. 1976

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 68: At page 71 of the bill, after line 2, insert after the last section the following new section:

SEC. 726. Of the funds made available to the Food and Drug Administration (''FDA'') under this Act, not more than $72,190,800 may be used for surveillance and enforcement activities for the Devices and Radiological Program, other than for the implementation of the requirements of the Mammography Quality Standards Act (42 U.S.C. §§201 note, 263b, 263b note (1992)).

H.R. 1976

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 69: At page 71 of the bill, after line 2, insert after the last section the following new section:

SEC. 726. None of the funds made available in this Act for the Food and Drug Administration may be used to prevent the dissemination of reprints of articles when it is made known to the Federal official having authority to obligate or expend such funds that the articles reference an approved, cleared, or otherwise legally marketed drug or device and have been published in peer-reviewed scientific or medical publications, or other generally recognized scientific materials, including articles discussing cost-effectiveness claims; and none of the funds made available under this Act may be used to prevent the dissemination of scientific or medical information or the demonstration of techniques or procedures using medical devices when it is made known to the Federal official having authority to obligate or expend such funds that such information is about an approved, cleared, or otherwise legally marketed drug or device and is distributed at, or such demonstration is given using a legally marketed device at, a continuing medical education accredited program.

H.R. 1976

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 70: Page 71, after line 2, insert the following new section:

SEC. 726. None of the funds appropriated in this Act for ''Special Supplemental Food Program for Women, Infants, and Children (WIC)'' may be made available to any State when it is made known to the Federal official having authority to obligate or expend such funds that such State does not use, with respect to the procurement of infant formula for the WIC program, a competitive bidding system, or any other cost containment measure that yields equivalent savings, in accordance with section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), as in effect on July 18, 1995.

H.R. 1976

OFFERED BY: MR. SANDERS

AMENDMENT NO. 71: Page 3, line 3, insert after ''$3,748,000'' the following: ''(increased by $1,000,000).''

Page 56, line 16, insert before '', of which'' the following: ''(reduced by $3,000,000)''.

Page 60, line 15 insert before '', of which'' the following: ''(increased by $1,000,000)''.

H.R. 1976

OFFERED BY: MR. SANDERS

AMENDMENT NO. 72: Page 3, line 3, insert before ''.'' the following: ''(increased by $1,000,000).''

Page 56, line 16, insert before '', of which'' the following: ''(reduced by $3,000,000)''.

Page 60, line 15, insert before '', which'' the following: ''(increased by $1,000,000)''.

H.R. 1976

OFFERED BY: MR. SANDERS

AMENDMENT NO. 73: Page 56, line 16, insert before '', of which'' the following: ''(reduced by $1,000,000)''.

Page 60, line 15, insert before '', of which'' the following: ''(increased by $500,000)''.

H.R. 1976

OFFERED BY: MR. SANDERS

AMENDMENT NO. 74: Page 71, after line 2, insert the following:

SEC. 726. None of the funds made available in this Act may be used to pay the salaries and expenses of the Chief Economist of the Department of Agriculture when it is made known to the disbursing official concerned that a report on the impact of the introduction of synthetic bovine growth hormone on small dairy farms in America will not be completed by April 1, 1996.

H.R. 1976

OFFERED BY: MR. SANDERS

AMENDMENT NO. 75: Page 71, after line 2, insert the following:

SEC. 726. None of the funds made available in this Act may be used to pay the salaries and expenses of the Food and Drug Administration when it is made known to the Federal disbursing official concerned that a test to show whether synthetic bovine growth hormone (BGH) (also called bovine somatotropin (BST)) is present in milk is not being developed by the FDA and the development of such a test is possible.

H.R. 1976

OFFERED BY: MR. THOMPSON

AMENDMENT NO. 76: Page 40, line 10, insert ''(less $50,000,000) before ''for loans''.

Page 40, line 11, insert ''(less $50,000,000) before ''shall''.

Page 40, line 20, insert ''(less $85,000)'' before ''of which''.

Page 40, line 20, insert ''(less $85,000)'' before 'shall be for''.

Page 45, line 10, strike ''$6,437,000'' and insert ''$7,080,700''.

Page 45, line 19, strike ''$500,000,000'' and insert ''$550,000,000''.

H.R. 2002

OFFERED BY: MR. NADLER

AMENDMENT NO. 8: Page 36, after line 13, insert the following caption:

(INCLUDING RESCISSION)

Page 54, after line 24, insert the following:

SEC. 346. Amounts appropriated for improvements to the Miller Highway in New York City, New York, which are not obligated before the date of the enactment of this Act are rescinded.

H.R. 2002

OFFERED BY: MR. NADLER

AMENDMENT NO. 9: At the end of the bill, add the following new title:

TITLE V

ADDITIONAL GENERAL PROVISIONS

SEC. 501. None of the funds made available in this Act may be used to incur new obligations for improvements to the Miller Highway in New York City, New York.

H.R. 2002

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 10: Page 7, line 20, strike ''$2,566,000,000'' and insert ''$2,565,607,000''.

H.R. 2002

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 11: Page 24, strike lines 1 through 19.

H.R. 2002

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 12: Page 27, line 9, strike ''$1,665,000,000'' and insert ''$999,000,000''.

Page 27, line 12, insert ''and'' after the semicolon.

Page 27, line 15, strike the semicolon and all that follows through ''project'' on page 30, line 6.

H.R. 2002

OFFERED BY: MR. BREWSTER

AMENDMENT NO. 13: Page 63, after line 6, add the following new title:

TITLE V—DEFICIT REDUCTION LOCK-BOX

DEFICIT REDUCTION TRUST FUND

DEFICIT REDUCTION LOCK-BOX PROVISIONS OF APPROPRIATION MEASURES

SEC. 501. (a) DEFICIT REDUCTION LOCK-BOX PROVISIONS.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

''DEFICIT REDUCTION LOCK-BOX PROVISIONS OF APPROPRIATION BILLS

''SEC. 314. (a) Any appropriation bill that is being marked up by the Committee on Appropriations (or a subcommittee thereof) of either House shall contain a line item entitled 'Deficit Reduction Lock-box'.

''(b) Whenever the Committee on Appropriations of either House reports an appropriation bill, that bill shall contain a line item entitled 'Deficit Reduction Account' comprised of the following:

''(1) Only in the case of any general appropriation bill containing the appropriations for Treasury and Postal Service (or resolution making continuing appropriations (if applicable)), an amount equal to the amounts by which the discretionary spending limit for new budget authority and outlays set forth in the most recent OMB sequestration preview report pursuant to section 601(a)(2) exceed the section 602(a) allocation for the fiscal year covered by that bill.

''(2) Only in the case of any general appropriation bill (or resolution making continuing appropriations (if applicable)), an amount not to exceed the amount by which the appropriate section 602(b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill (as reported by that committee), but not less than the sum of reductions in budget authority resulting from adoption of amendments in the committee which were designated for deficit reduction.

''(3) Only in the case of any bill making supplemental appropriations following enactment of all general appropriation bills for the same fiscal year, an amount not to exceed the amount by which the section 602(a) allocation of new budget authority exceeds the sum of all new budget authority provided by appropriation bills enacted for that fiscal year plus that supplemental appropriation bill (as reported by that committee).

''(c) It shall not be in order for the Committee on Rules of the House of Representatives to report a resolution that restricts the offering of amendments to any appropriation bill adjusting the level of budget authority contained in a Deficit Reduction Account.

''(d) Whenever a Member of either House of Congress offers an amendment (whether in subcommittee, committee, or on the floor) to an appropriation bill to reduce spending, that reduction shall be placed in the deficit reduction lock-box unless that Member indicates that it is to be utilized for another program, project, or activity covered by that bill. If the amendment is agreed to and the reduction was placed in the deficit reduction lock-box, then the line item entitled 'Deficit Reduction Lock-box' shall be increased by the amount of that reduction. Any amendment pursuant to this subsection shall be in order even if amendment portions of the bill are not read for amendment with respect to the Deficit Reduction Lock-box.

''(e) It shall not be in order in the House of Representatives or the Senate to consider a conference report or amendment of the Senate that modifies any Deficit Reduction Lock-box provision that is beyond the scope of that provision as so committed to the conference committee.

''(f) It shall not be in order to offer an amendment increasing the Deficit Reduction Lock-box Account unless the amendment increases rescissions or reduces appropriations by an equivalent or larger amount, except that it shall be in order to offer an amendment increasing the amount in the Deficit Reduction Lock-box by the amount that the appropriate 602(b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill.

''(g) It shall not be in order for the Committee on Rules of the House of Representatives to report a resolution which waives subsection (c).''.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 313 the following new item:

''Sec. 314. Deficit reduction lock-box provisions of appropriation measures.''.

CHANGES IN SUBALLOCATIONS

SEC. 502. (a) DOWNWARD ADJUSTMENTS.—The discretionary spending limit for new budget authority for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1974, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amount of budget authority transferred to the Deficit Reduction Lockbox for that fiscal year under section 314 of the Budget Control and Impoundment Act of 1974. The adjusted discretionary spending limit for outlays for that fiscal year and each outyear as set forth in such section 601(a)(2) shall be reduced as a result of the reduction of such budget authority, as calculated by the Director of the Office of Management and Budget based upon such programmatic and other assumptions set forth in the joint explanatory statement of managers accompanying the conference report on that bill. All such reductions shall occur within ten days of enactment of any appropriations bill.

(b) DEFINITION.—As used in this section, the term ''appropriation bill'' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations.

(c) RESCISSION.—Funds in the Deficit Reduction Lockbox shall be rescinded upon reductions in discretionary limits pursuant to subsection (a).

SEC. 503. (a) SECTION 302(E) AMENDMENT.—Section 302(e) of the Congressional Budget Act of 1974 is amended to read as follows:

''(e) CHANGES IN SUBALLOCATIONS.—(1) After a committee reports suballocations under subsection (b), that committee may report a resolution to its House changing its suballocations, which resolution shall not take effect unless adopted by that House.

''(2) A resolution reported to the House of Representatives under paragraph (1) shall be placed on the Union Calendar and be privileged for consideration in the Committee of the Whole after the report on the resolution has been available to Members for at least three calendar days (excluding Saturdays, Sundays, and legal holidays). After general debate which shall not exceed one hour to be equally divided and controlled by the chairman and ranking minority member of the committee reporting the resolution, the resolution shall be considered for amendment under the five-minute rule. No amendment shall be in order in the House or in the Committee of the Whole except amendments in the nature of a substitute containing changes in suballocations under subsection (b) which do not breach any allocation made under subsection (a). Priority in recognition for offering the first such amendment shall

be accorded to the chairman of the Committee on the Budget or a designee. No amendments to such amendments shall be in order except substitute amendments. Following the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the house together with any amendment that may have been adopted. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion. It shall not be in order to consider a motion to reconsider the vote by which the resolution is agreed to or disagreed to.''.

(b) SECTION 602(B)(1) AMENDMENT.—The last sentence of section 602(b)(1) of the Congressional Budget Act of 1974 is amended by striking ''or revised''.

CBO TRACKING

SEC. 504. Section 202 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

''(i) SCOREKEEPING.—To facilitate compliance by the Committee on Appropriations with section 314, the Office shall score all general appropriation measures (including conference reports) as passed by the House of Representatives, as passed the Senate and as enacted into law. The scorecard shall include amounts contained in the Deficit Reduction Lock-Box. The chairman of the Committee on Appropriations of the House of Representatives or the Senate, as the case may be, shall have such scorecard published in the Congressional Record.''.

H.R. 2002

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 14: Page 54, line 24, insert the following:

SEC. 346. (a) Of the amount provided in this Act for necessary expenses of the Office of the Secretary, $2,500,000 shall be transferred and merged with the appropriation in this Act for the operation and maintenance of the Coast Guard.

(b) None of the funds in this Act may be used to close any multimission small boat station.

H.R. 2002

OFFERED BY: MR. FOGLIETTA

AMENDMENT NO. 15 At the end of the bill, add the following new title:

TITLE V—ADDITIONAL GENERAL PROVISIONS

SEC. 501. Each dollar amount otherwise specified in this Act under the heading ''FEDERAL TRANSIT ADMINISTRATION—Formula Grants'' is hereby increased by, and none of the funds made available in this Act may be used to implement or execute highway demonstration projects authorized by Public Laws 100–17 and 102–240 for which total obligation for fiscal year 1996 exceed, $135,000,000 and $200,000,000, respectively.

H.R. 2020

OFFERED BY: MR. HOBSON

(Amendment to the Amendment Offered by Mr. Packard)

AMENDMENT NO. 16: Page 84, after line 17, insert the new section:

SEC. 628. None of the funds made available in this Act may be obligated or expended for any employee training when it is made known to the Federal official having authority to obligate or expend such funds that such employee training—

(1) does not upgrade employee productivity and effectiveness;

(2) does not meet identified needs for knowledge, skills, and abilities bearing upon the performance of official duties;

(3) is inappropriate to the workplace;

(4) is designed to change participants' personal values or lifestyle outside the workplace;

(5) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations; or

(6) does not provide an acceptable alternative for those employees articulating a religious or moral objective to participating in an HIV/AIDS training program.

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PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

Vol. 141 WASHINGTON, WEDNESDAY, JULY 19, 1995 No. 117

Senate

(Legislative day of Monday, July 10, 1995)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Sovereign Lord God, You have not only called this Senate to give bold and courageous leadership to the internal affairs of our Nation, but also to its role as the leading nation of the world. Today, we confront the complex issues of the war between the Serb forces and the Moslems in Bosnia. We have been stunned and shocked by the ravage and rape, torture and murder, cruelty and carnage of the brutal hatred of this age-old conflict. All attempts to bring resolution to this strife have failed.

Today, this Senate must make hard choices about the extent of our Nation's involvement. This is one of those times when none of the alternatives is free of negative implications. When we don't know which way to turn, we know it is time to turn to You for wisdom and guidance. Lord, draw the Senators together in a spirit of unity as this complicated situation is discussed and they move toward what is the best solution for the future of Bosnia and the world. We confess our need for Your divine insight, but also for Your incisiveness. Most of all Lord, we ask You to intervene miraculously to heal the prejudice and hatred perpetuating this crisis in Bosnia. Bring an end to this brutal conflict and a just peace. We commit to You the crucial decisions of this day. In Your holy name. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader is recognized.

SCHEDULE

Mr. DOLE. I thank the President pro tempore. This morning the leader time has been reserved and there will be a period for morning business until the hour of 9:30 a.m.; and I just urge my colleagues—many always ask for a period of morning business, so we have 30 minutes this morning. I hope Senators will show up here in that time if they have anything to say. Then at 9:30 the Senate will resume consideration of S. 21, the Bosnia legislation. I assume rollcall votes can be expected throughout today's session of the Senate. Also, under the provisions of the agreement reached last evening, after a call for the regular order is made by the majority leader, the Senate may resume consideration of S. 343, the regulatory reform bill, and rollcall votes can be expected on that bill as well, including a third cloture vote on the Dole-Johnston substitute. But I do not anticipate any votes on S. 343 today. I think there will be an effort—in fact, I know there is an ongoing effort already in progress of some on each side of this issue—to try to work out some compromises. I am not certain whether any will be achieved, but there is an effort made to do that.

I hope that everybody understands the importance of the regulatory reform bill. In my view, it is probably the second or third most important piece of legislation we have considered this year. It affects almost every family, every small business man or woman, every rancher, every farmer, every big business. And we have tried to make the case. We made a number of concessions. We believe we have a real regulatory reform bill. We believe that it should be supported by 75 percent of the Members of this body. And we did not understand, or at least this Senator does not understand, the reluctance of some on the other side to come to the table, because this is important legislation. It is a battle between those in the private sector and the bureaucracy and those who believe in more regulation and more Government and more micromanagement from Washington, DC.

That is what is at issue here. Win or lose, it will be the issue. It seems to me that it is our obligation to try to put this together so the American people are the winners. We did not have debate on this floor as to whether we lost or they lost or somebody else lost. But obviously, there are some who cannot be satisfied, some who would gut the so-called Dole-Johnston proposal. This is not what it is about. It is about real regulatory reform. So I hope that those who will be meeting today will keep in mind the importance of this for the American people, not the Senate, not the Senators, not somebody's ego, but the importance to the American family where it has been estimated the cost of regulation is about $6,000 per year, which in most cases is more than people pay in Federal income tax. So it is very, very important.

I will also give a report on welfare reform. We are making progress on welfare reform, and we will have other meetings today throughout the day on welfare reform. It is still the hope of the majority leader that on the week of August 7, we will take up welfare reform. And again it is not easy. Everybody has a different view on welfare reform. We believe we made some progress. And I hope, if we can resolve some of the issues, we can start the process of drafting that legislation.

It also will be our intent to take up gift and lobbying reform next Monday. We are hoping to get a time agreement. We have a draft of a time agreement that has not yet been given the Democratic leader. Also, the Ryan White bill is supposedly coming up next Monday. And then also we hope to have some

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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appropriations bills tomorrow and Friday. So, I just state to my colleagues, as far as we can determine at this point, there will be votes throughout the day on Friday and there will be votes on Monday. We will try to accommodate people on Monday by having votes occur later in the afternoon, but there will be votes on Monday.

So, again, I hope we can move ahead on reg reform. It seems to me, rather than to just stand in recess, we might as well move on to the Bosnia resolution, which is highly important, as noted by the Chaplain this morning. There are no easy answers when it comes to this conflict. But it seems to me the best option at this point is to lift the arms embargo, give the Bosnians a right to defend themselves. They are an independent nation. They are a member of the United Nations. And under article 51, they have the right, or should have the right, of self-defense. This is not involving American ground troops. In my view, it certainly does not Americanize the war. If anything, it moves us farther away from the conflict. I believe that would be in our interest and would satisfy the concerns of most Americans.

I reserve the remainder of my leader time.

MORNING BUSINESS

The PRESIDING OFFICER (Mrs. HUTCHISON). Under the previous order, there will now be the period for the transaction of morning business not to extend beyond the hour of 9:30 a.m, with Senators permitted to speak therein for not to exceed 5 minutes each.

Mr. DOLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REGISTRATION OF MASS MAILINGS

The filing date for 1995 second quarter mass mailings is July 25, 1995. If a Senator's office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–7116.

The Public Records Office will be open from 8 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records Office on (202) 224–0322.

AFFIRMATIVE ACTION

Mr. DOLE. Madam President, earlier this month, in homes, neighborhoods, and communities across the country, Americans celebrated our Nation's 219th birthday.

There was, of course, much to celebrate. Over two centuries after the signing of the Declaration of Independence, America remains what she has always been—the beacon of freedom, and the last best hope for all mankind on Earth.

REMEMBERING AMERICAN HISTORY

But as we celebrate these freedoms, and commemorate those who have sacrificed so much along the way, we must also remember that American history is not always a tale of progress and dreams fulfilled.

American history is a history of hope mixed with tragedy—institutionalized slavery, a Constitution which said that African-Americans were only three-fifths human, Jim Crow and ''separate but equal.''

This legacy is a source of great shame for us precisely because so many of these outrages contradicted one of the founding principles of our republic—that all men are created equal and that we are all endowed by our creator with certain inalienable rights, including the right to life, liberty and the pursuit of happiness.

Today, in the America of 1995, the evils of discrimination and racism persist. They may not be as blatant as they once were. They may not be as fashionable. But they are out there, lurking in the corners, poisoning young minds, and yes, harming real people in the process.

Over the years, Americans of goodwill have tried to make a difference. We have enacted an array of anti-discrimination laws. And in the 1960's and the early 1970's, the concept of affirmative action was born, the product of a heartfelt desire to rectify past injustices and expand opportunity for all Americans. Many Republicans, acting with the best of intentions, were directly involved in this effort. I, for one, not only supported the landmark Civil Rights Act of 1964 and the Voting Rights Act of 1965, but have also endorsed certain race- and gender-conscious steps to remedy the lingering effects of historic discrimination. That is my record, and I am proud of it.

ONLY A TEMPORARY REMEDY

Few of us, however, believed that these policies would become a seemingly permanent fixture of our society, but that is exactly what they have become today.

During the past 30 years, we have seen the policies of preference grow and grow and grow some more, pitting American against American, group against group, in a bitter competition for a piece of the Government pie.

Somehow, somewhere along the way, fighting discrimination has become an easy excuse to abandon the color-blind ideal. Too often today, the laudable goal of expanding opportunity is used by the Federal Government to justify dividing Americans. That is wrong, and it ought to stop. You do not cure the evil of discrimination with more discrimination.

THE PRESIDENT'S REVIEW: LACK OF LEADERSHIP

President Clinton had the opportunity today to stand up for principle by stating—in the clearest possible terms—that it is wrong for the Federal Government to discriminate against its citizens on the basis of race, color, ethnic background, or gender.

Without hesitation or ambiguity, he could have said ''yes'' to individual rights, and ''no'' to group rights; ''yes'' to the principle of equal opportunity and ''no'' to the perversion of this principle with the divisive policies of preference.

Instead of clarity—and I have just finished listening to the President—the President has chosen confusion. He has chosen to complicate an uncomplicated issue with an avalanche of words and fine distinctions.

This is not a difficult issue: discrimination is wrong, and preferential treatment is wrong, too. Our Government in Washington should unite the American people, not divide us. It should guarantee equal opportunity, not divide Americans through the use of quotas, set-asides, numerical objectives, and other preferences.

And that is why I will introduce legislation next week designed to get the Federal Government out of the group preference business. The President says he is against quotas. Quotas are only a small part of the entire regime of preferences. It is not enough to oppose ''quotas,'' as if the label is what might be offensive. It is the practice of dividing Americans through any form of preferential treatment that is objectionable.

The President also denounces preferences for ''unqualified''—''unqualified'' individuals, when the real issue here is not preferences for the unqualified, which virtually every American opposes—why have preferences for the unqualified?—but preferences for the ''less qualified'' over those who are ''more qualified.'' That is the debate. This distinction is critical. But it is one that the President conveniently ignores.

Madam President, leadership is about making the tough choices. It is about staking out a clear and crisp principle and holding firm to it. And, yes, leadership can sometimes mean putting a little distance between yourself and your political allies. Regrettably, the President is trying to have it both ways.

A CIVIL RIGHTS AGENDA FOR THE 1990'S

Madam President, 2 years ago, I convened a meeting in my office with a distinguished group of African-American leaders with the goal of developing a civil rights agenda for the 1990's, one that is relevant for the needs and challenges of our time. A relevant civil rights agenda means enforcing the antidiscrimination laws that are already on the books—enforcing the anti-discrimination laws that are already

on the books. It means removing regulatory barriers to economic opportunity—something we are in the throes of trying to do right now on the Senate floor—including the discriminatory Davis-Bacon Act. It means school choice for low-income, inner-city people and means meaningful welfare reform that will transform lives from ones of dependence to ones of independence. And it means making our streets safer and renewing the war on drugs. After all, our first civil right is freedom from the fear of crime.

This is the real civil rights agenda of our time. Not preferences, not set-asides, not quotas, but the dreams that are built on real opportunity.

Madam President, I would hope when I introduce my bill it will become at least a focus of dialog because I know different people have different views. But none of us believes that discrimination is appropriate. It is wrong. It has always been wrong. It should be punished. And I think that is what this debate is all about.

DANGEROUS TRENDS IN DOWNSIZING MILITARY HEALTH SERVICES

Mr. INOUYE. Madam President, I would like to bring to your attention a matter of serious concern to me regarding the future of our currently superb military forces—and the inextricable link between a quality volunteer force and an equally robust, quality, military health care system.

I have followed closely the downsizing of our military forces over the past several years. The Active Force will have come down from 2.1 million service members in 1990 to 1.45 million by 1997, a 32-percent reduction from cold war levels. The Navy will see its fleet reduced from 546 battle force ships to 346 in the same time period with only 12 aircraft carriers in commission by the end of the century. The Army will go from 18 to 10 active divisions and the Air Force from 24 to 13 active fighter wing equivalents. The Marine Corps will likewise be reduced from a force of 200,000 men and women in uniform to a force of 174,000.

We have repeatedly promised that there will be no more Task Force Smiths—a tragic result of that period of time just prior to the Korean conflict in the early 1950's when we truly had a hollow force. Yet, I see us slowly but surely moving toward this state of readiness—or should I say, unreadiness. Although it causes me great sadness to even contemplate the repeat of such a tragedy, I must tell you that in the not-too-distant future, I envision us once again being called upon to answer to our brave service members and the American people, ''Why did we let another Task Force Smith occur?''

I have been here long enough to know what is meant by a hollow military. In the 1970's, 25 percent of new recruits were category IV—the lowest recruitable mental group—and, as a result, 30 percent of our ships—brandnew ships with brandnew equipment—were not fit for combat due to a lack of sailors to man them. For although our military possesses superior technology and superior weapons systems, it is the people who really determine the readiness of our forces. And these people, the men and women in uniform, are recruited from and reflect a cross-section of the American population. Although the services met their recruiting goals last year—and keep in mind that these goals are much lower than they were a few years ago—the military has had to dramatically increase their recruiting budget as well as the number of their recruiters to do so. Even so, it now takes 1.6 times the number of recruiter contacts to achieve one recruit. The reality of our national culture today is that the propensity for young people to join our military is at a 10-year low, down 39 percent among 16- to 21-year old males just since 1991, according to the Army.

While it concerns me to watch the reduction of our forces, I understand and support the need to balance the size of our military services with the threats facing us today and in the near future. However, we must not lose sight of the reality that major armed conflicts are still a very real possibility and could come at any time in the form of aggression by regional powers such as Iraq and North Korea. In his recent testimony before the Senate Defense Appropriations Subcommittee, Vice Admiral Macke, the commander in chief of the United States Pacific Command, called North Korea the nation with the highest threat potential today. Dr. Henry Kissinger, in his testimony before the Senate Armed Services Committee in February, warned that ''more and more states are coming into being that feel no responsibility to any global international system or international stability.'' He also cited the North Korean situation, the proliferation of nuclear and other weapons of mass destruction, and the growth of Islamic fundamentalists as serious threats to our national security that could involve us once again in armed conflict.

More recently and more frequently, however, we have seen a preponderance of internal regional and national conflicts that require our armed services to respond with operations short of war. These operations not only strain our defense capabilities but drain current year defense budgets. When taken into consideration with other security threats, I become gravely concerned about the speed and direction of our force reductions.

Of particular concern to me is the downsizing of the services' medical structure—both peacetime and wartime personnel and units. While I do not wish to tie the hands of the Department or the service chiefs as they restructure their forces, I am increasingly concerned over the severity of reductions to the services' medical departments. In my opinion, the military health service system is being taken down too far, too fast.

The military leaders and decision-makers have a tendency to see military health care as less important than the men and women who fly airplanes or who drive tanks. However, I caution you that our military is essentially a team, and if one member of the team is weak, the entire team is weak. Although the medical departments might seem less crucial to the preparation for or the outcome of war, I assure you that to the men and women in combat, they are absolutely essential members of the team. To be effective fighting forces, the servicemembers must be able to concentrate on combat and keep their minds completely clear—free from worry about their own well-being and, even more importantly, free from worry about the health and well-being of their spouses and children at home. Without the knowledge and security that their families are well cared for, our military personnel will lose much of their effectiveness that they have so ably demonstrated during the past decade.

First, I will address combat medicine—caring for the soldiers, sailors, marines, and airmen who risk injury and death around the world. When I was injured in World War II, it took 9 hours for me to get to medical care—9 hours. But in 1945 that was not too bad—Americans probably did not expect any faster battlefield evacuation and care. Today, when a soldier or marine is wounded in combat, he or she can be at the hospital within 15 minutes. In fact, we learned in Korea and Vietnam that if we could get wounded soldiers to hospitals within 15 to 30 minutes—and we did that pretty regularly—we could save most of those who survived their initial wounding.

Because of our experiences in these wars, Americans now have come to expect emergency medical services [EMS] systems, 911 phone lines, paramedics with highly technical skills, and advanced EMS and air flight ambulances with sophisticated emergency medical equipment. Most of these capabilities also exist in our military combat health support systems and soon they will have more advanced combat medical technologies such as telemedicine, filmless x rays, and other new medical innovations that will further improve battlefield survival rates. Americans have come to expect this level of care and our service members and their families deserve it.

Trauma experts talk of the golden hour—the first hour after initial injury—when the greatest percentage of patient lives can be saved. Let me give you one example. In March 1994, there was a horrible training accident involving soldiers of the 82d Airborne Division on the green ramp—the area where the paratroopers wait to take off—at Pope Air Force Base, adjacent to Fort Bragg, NC. Many soldiers were saved by the expert buddy aid training that

all soldiers receive as part of their combat training. However, many more were saved by the quick response of medical and non-medical personnel who quickly evacuated their comrades to Womack Army Hospital there at Fort Bragg. Several of the most seriously burned soldiers were evacuated to the outstanding Institute of Surgical Research, frequently referred to as the Burn Unit, at Brooke Army Medical Center in San Antonio. And, of course, our world-renowned Air Force evacuation system composed of DC–9 Nightingale aircraft equipped with sophisticated medical equipment and staffed by top-notch flight nurses handled the evacuation of these critically injured soldiers.

All of this takes a lot of medical personnel—trained and experienced in emergency care, in trauma care, and in combat medicine—and a lot of medical resources such as ambulances—helicopters, wheeled and tracked ground ambulances, and, yes, even fixed wing ambulances—as we plan for even longer evacuation lines in future conflicts. It means a lot of medical facilities—especially hospitals—located throughout the evacuation pipeline—combat theater and elsewhere. This requires a robust, quality, flexible, military medical force.

During Operation Desert Shield/Storm, the military medical operations plan called for emptying almost all of the military hospitals in the continental United States as well as some of those in Europe of medical personnel to deploy with the field hospitals to the Middle East. And that was before downsizing was implemented in the medical departments. Today, the medical departments have lost more than 30 percent of their personnel, but are still expected to provide the same level of support to defense plans that call for conducting two nearly simultaneous major regional contingencies [MRC's], possibly in conjunction with one or more operations-other-than-war [OOTW] scenarios. I would like someone to tell me how this is to be accomplished with 30 percent fewer assets. I would also like to know who will provide care for the military family members in such a situation.

As a result of having such a superbly trained and equipped military medical capability, an interesting, but potentially dangerous, precedent has become evident in recent years. Whenever large numbers of people are in need of health care services, whether in this country or elsewhere in the world, the United States military medical departments are requested. You might not be aware of this, but the first U.S. military units to be placed under the command of a foreign nation were medical units. Why? Because we have the most sophisticated, comprehensive, state of the art combat medical capability in the world and other nations sending their sons and daughters off to danger want their soldiers to have the best too.

More than just providing combat health services to our deployed service members, a robust health care system is critical to maintaining our quality volunteer force. When the draft ended in 1973, many people both here in Washington and throughout the United States doubted the success of an All Volunteer Force. After all, given the history of the draft and the need to force our citizens to serve their country, how could anyone reasonably expect that there would be enough young men and women who would volunteer to serve—and at a quality that would be acceptable. A great many people were very surprised when the All Volunteer Force not only met previous recruiting standards, but actually exceeded them.

I believe we were able to do this in large part because one of the benefits promised to the potential recruits was world-class quality health care, not only for themselves but also for their family members throughout their career and even after retirement. No one said, ''unless we have to downsize.'' I doubt that very many recruiters explained or even understood themselves the fine distinction between ''entitled to'' and ''eligible for'' that separates the statutory provision for health care services for family members of active duty personnel from the retirees and their military dependents. Or that anyone explained about space available care. What the soldiers and sailors and marines and airmen heard, what they were promised, was lifetime health care for themselves and their dependent family members.

And how have the services been able to meet their recruiting goals? By continuing to promise lifetime health care for themselves and their eligible family members. Why? Because the military knows that without this benefit, the recruitment of, and particularly the retention of, quality, career service members would be nearly impossible.

Now our retirees and service members see us breaking our promises to them. Space available care in our peacetime medical facilities in some cases has already disappeared or is rapidly disappearing for our retirees and, in many places, even active duty family members are forced out on the Civilian Health and Medical Program of the Uniformed Services [CHAMPUS] because of drastically downsized or closing medical treatment facilities. If we continue to cut retirement benefits, we will have a difficult time recruiting soldiers, sailors, marines and airmen for our next war. As Maj. Gen. Jim Pennington, U.S. Army, retired, said, ''If we do not stop this constant effort to renege on the promises to those who have served and kept their part of the bargain, we will destroy the Volunteer Force and consequently our national defense.''

How important is military health care to the service member? I can tell you, it is very important. I have traveled to a great number of military bases and posts and invariably the first or second question I am asked is about health care—usually not for service members themselves so much as for their family members. Much as we would like to believe that there are millions of patriotic Americans willing to serve their country without any additional incentives, the reality is that our service members want pretty much the same thing most Americans want—including families and the ability to take care of their family members. In World War II, only 4 percent of the soldiers had dependents. In 1973, when the draft ended, 40 percent of our military force had dependents. Today, more than 60 percent of our military personnel have family members. When our troops are deployed away from home—and we are asking them to do that more frequently now—their foremost concern is their families. This is just as true, and perhaps even more so, during times of armed conflict. I cannot overemphasize the importance of the military health care system in providing peace of mind and security for our service members and their families, especially when faced with the possibility of deployments and combat as these men and women are every day.

Madam President, my concerns with the drawdown of our medical forces are in three areas: The civilian workyear reductions directed at the Department of Defense—DOD, medical readiness, and the continual erosion of retiree health care benefits.

CIVILIAN WORKYEAR REDUCTIONS

The DOD is committed to streamlining its civilian workforce in accordance with the National Performance Review [NPR] and the administration's guidance to increase its efficiency and effectiveness. The DOD seeks to do this without sacrificing quality or compromising military readiness. Between 1993 and 1999, the DOD projects a 32-percent reduction in civilian positions. In accordance with the fiscal year 1996 President's budget, the DOD has targeted headquarters, procurement, finance, and personnel staffs. Downsizing the infrastructure in this way should not affect the military services' ability to carry out their mission nor to respond quickly and effectively.

The Military Health Service System's [MHSS] share of these 272,900 civilian reductions is more than 11,000 spaces. However, these positions are predominantly in the business of delivering health care—nurses, lab technicians, and other medical technicians. Less than one-third of the MHSS civilian work force are in the targeted job series. Although the medical ward clerk or medical transcriptionist might appear to be optional, they are as critical to the health care team effort as are the health care providers.

The Congress has been concerned about the adverse impact of downsizing both the military and civilian work force for a number of years. To insure that this downsizing and civilian conversion does not cost the American

taxpayers more in contract and other costs, a number of Federal laws have been enacted in recent years.

The Federal Workforce Restructuring Act of 1994, Public Law 103–225, prohibits agencies from converting the work of employees included in the 272,900 civilian reductions to contract performance unless a cost comparison demonstrates that such a conversion would be to the financial advantage of the Government.

Section 8020 of the Defense Appropriations Act for fiscal year 1995, Public Law 103–335, provides specific guidance prohibiting the conversion to contract of any DOD activity ''until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate.''

Section 711 of the National Defense Authorization Act for fiscal year 1991, Public Law 101–510, prohibits reductions of medical personnel until the Secretary of Defense certifies to the Congress that the number of personnel being reduced is excess to current and projected needs of the services and that CHAMPUS costs will not increase.

And, finally, section 716 of the National Defense Authorization Act for fiscal year 1991 requires congressional notification before any military medical services are terminated or facilities are closed. These restrictions have all been placed on the DOD to ensure that reductions to the MHSS have been thoroughly analyzed for their impact not only on costs, but also on military readiness and preparedness.

In my own State, Tripler Army Medical Center staff can expect to pay 30 percent more for child and maternal health care contract personnel to replace existing civilians. And that is for just one medical unit in one hospital. I understand that the U.S. Army Medical Command's [MEDCOM] experience in contracting for health care services indicates that direct hire civilian employees—the same civilians that the DOD has been mandated to cut—are almost always the most cost-effective alternatives when hiring on the margin one for one.

For instance, a civilian nurse costs $40,000 per year compared to $60,000 for a contract nurse. At Fort Drum, NY, where contracting care is required because there is no inpatient medical facility on post, the per beneficiary costs are 56 percent higher than costs at similar military installations. In fact, the MEDCOM's experience with commercial activities [CA] studies has shown that it is almost always considerably less expensive for the military system to provide health services than it is to contract for them.

The inevitability of these mandated civilian cuts affecting nursing personnel is particularly worrisome, especially in the Army where civilian nurses comprise approximately 50 percent of the work force and where military nurses are being consistently cut more than any other health care profession. As the medical departments downsize, careful consideration must be given to the health professionals such as nurses who are actually providing care. The integration of health promotion, health maintenance, and wellness should be at the forefront of providing quality health care. However, the steep cuts in the endstrength of Army nurses jeopardize the ability of the Army Medical Department [AMEDD] to deliver on its promises to increase access, maintain quality and improve cost-effectiveness of the health care services provided in both peacetime and wartime facilities and settings. With the drastic losses of both military and civilian nurses, the AMEDD has few options other than massive contracting arrangements.

If these contract costs were applied across the full spectrum of the MHSS-directed civilian reductions, what would be that cost? I hope that the appropriate DOD personnel are prepared to answer that question, if indeed, we are to draw down medical civilian personnel. It just does not make good business sense to contract out services that can be provided just as well, and far less expensively, in military facilities. Yet, we continue to subject our medical departments to a civilian work force reduction that is intended largely for administrative positions.

In addition to the experience of the MEDCOM, I understand that the RAND Corp., in a study commissioned by the DOD to comply with section 733 of the National Defense Authorization Act for 1992, Public Law 102–190, concluded that medical treatment facilities' in-house care is more cost effective than their civilian counterparts by 24 percent overall and even more in some areas such as primary care. The Civilian Health and Medical Program of the Uniformed Services [CHAMPUS] has not been the preferred cost-effective alternative to either the medical departments who bear the major costs of the program or to the beneficiaries who share the cost. The simple fact is that medical inflation in the private sector has skyrocketed over the past several years.

These civilian reductions are all the more disturbing given not only the studies indicating that the MHSS is the most cost-effective alternative, but also given the great strides that the MHSS has made in reorganizing and reengineering toward a business-like culture. For example, the activation of the U.S. Army Medical Command [USAMEDCOM] in 1994 marked a major milestone in re-engineering the Army Medical Department [AMEDD]. In phase I of that re-engineering, the Army Surgeon General's staff in the Washington area has already been reduced by more than 75 percent. We are all very proud that DeWitt Army Community Hospital at nearby Fort Belvoir in northern Virginia was a recent recipient of Vice President GORE's National Performance Review Hammer Award. The DeWitt Army Hospital's Primary Care Reinvention Plan will dramatically improve the way health care is provided to the more than 140,000 beneficiaries in DeWitt's catchment area. The plan includes the establishment of six new satellite clinics, expanded clinic hours to accommodate working parents, a 24-hour nurse advice system, expanded child and adolescent psychiatric services, and the creation of a special Well-Woman clinic. These initiatives increase primary care access and decrease expensive tertiary care costs. In fact, the MHSS abounds with examples such as these cutting-edge innovations in all of the services.

Another long recognized example of the military's enormous contribution to America is the military medical research and development community which is composed of more than 50-percent civilians. These contributions have benefited military readiness, military preventive and curative care, and have impacted tremendously on the kind of civilian health care that has come to be expected by all our citizens. For example, the Army's Medical Research and Material Command [USAMRMC] has unique expertise and facilities for all phases of vaccine development. This includes a hepatitis A vaccine that was recently developed, tested, and demonstrated safe and effective by Army scientists working with SmithKline Beecham Pharmaceuticals. To health care providers, hepatitis A has proven to be a pervasive, but difficult, disease to treat with recovery taking anywhere from several weeks to several months. Hepatitis A is a serious health risk for more than 24 million U.S. citizens that will visit endemic areas this year. In the United States, there are an estimated 143,000 cases occurring each year at a cost of $200 million. This vaccine was the first licensed by the Food and Drug Administration for use in the United States.

The MHSS has long been acknowledged as a leader in research and an expert on many diseases throughout the world. Military units deploying to Somalia, the Persian Gulf, Macedonia, and Haiti received comprehensive advice books prepared by USAMRMC on avoiding local health hazards ranging from disease-carrying insects and poisonous snakes to contaminated food and water, heatstroke, and frostbite. This military unique research and expertise has made, and continues to make, massive contributions to our civilian medical capabilities. In fact, as noted in a recent edition of the television program, ''Dateline'', the U.S. military has the only capability in our Nation to deal with an invasion of potentially lethal infectious agents, such as the filoviruses, to the United States.

In the area of peacetime medical research, the Medical Research and Materiel Command has led a very successful effort in breast cancer research, HIV-AIDS research, defense women's

health research, and malaria research, to name a few. In fact, the Army's successful management of $236.5 million for breast cancer research in 1993 and 1994 has won high praise from both scientific and advocacy groups. Additionally, they have been able to apply 91 percent of the funds directly to research, thus restricting the administrative overhead to a mere 9 percent. Their success has prompted the Congress to ask the DOD to manage another $150 million for breast cancer research in fiscal year 1995.

Other MHSS treatment facilities have similar initiatives underway. Many of these initiatives serve as force multipliers by reducing attrition and enhancing soldier confidence. The U.S. Army Center for Health Promotion and Preventive Medicine [CHHPM] led the effort to develop an outside-the-boot parachute ankle brace that has significantly reduced jump-related ankle sprains common in airborne soldiers. All of these research and preventive medicine initiatives are done for the purpose of improving soldier readiness, providing quality health care for beneficiaries, and improving cost efficiencies.

These successful efforts are possible because of the blending of civilian and active duty medical personnel as a team. The active duty personnel infuse new energy and fresh ideas gleaned from their many varied experiences and provide the mobilization force; the civilians provide institutional memory, continuity, stability, and invaluable expertise gained from years of specialized concentration in highly technical fields. To lose either perspective would severely handicap the ability of the MHSS to continue to produce their outstanding results.

My final, but by no means least important concern, is of the impact on the morale of the dedicated MHSS civilian employees. Preliminary feedback from Tripler Army Medical Center and other health care facilities indicates that the civilian work force continues to see medical military personnel departing as part of the military drawdown. Yet, the workload has not diminished. The beneficiaries—active duty, retired, and family members—continue to come for the health care they were promised and expect.

At the same time, the civilian employees see their own jobs at risk for contracting, probably at greater expense. Our dedicated medical civilians at Tripler and all the MHSS facilities deserve so much better for their dedicated service to their customers—the men and women in our Armed Forces, both present and past.

READINESS

I am also deeply concerned about the medical readiness of our military units and the impact that downsizing will have upon them. The persistent reductions to the military medical structure from downsizing, civilian reductions, base closures, and bottom-liners—those faceless men and women who make decisions without having any idea of how it affects people—have resulted in the instability of the medical system. The MHSS is looking at reductions in medical personnel of more than 30 percent at a time when the beneficiary population is decreasing by about 10 percent.

Medical readiness is a service-unique responsibility with each service focusing on its mission essential requirements. I applaud joint service cooperation as a means of more efficiently utilizing scarce resources. The medical departments of the services have demonstrated that they can work together in many areas—TRICARE—the DOD's managed care program, telemedicine, research, training and more. However, I am concerned with the increasing pressure to centralize medical readiness and eliminate the individual services' autonomy and flexibility. Each service has a unique culture and specialized roles and missions that cannot be accommodated in an entirely purple suited DOD system. Each must preserve a large degree of autonomy.

There is no compelling reason to centrally manage the medical resources of each service under a DOD civilian umbrella. The structure that was created to implement the MHSS's managed care program, TRICARE, is not suited to manage the services' medical readiness assets nor their respective mobilization missions. I, and all of the Congress, will continue to hold each of the service chiefs responsible for military medical preparedness in accordance with their title 10 authority.

The military trains for its readiness mission by caring for all categories of beneficiaries in peacetime. This type of training can not be obtained exclusively in a field environment. However, the needs of both the peacetime health care system and the field health care system must be met, in many cases, by the same personnel who must be able to transition quickly and effectively from one system to the other as the mission requires.

I am also concerned about the premises upon which several ongoing studies are based for decisions on how downsizing will be accomplished. The Nation and even many of our senior policymakers seem to believe that the recent Persian Gulf war and the Somalia peacekeeping operations are evidence that any future military conflicts will be bloodless affairs—that is, wars where there will be no, or at least very few, casualties. Well, I have been in combat and I can assure you that there is no such thing as a bloodless war. We were very lucky in Desert Storm—just plain lucky. There is no reason to assume that we will be that lucky again or that any adversary will again miscalculate so badly. We must not become complacent and delude ourselves that we no longer need medical personnel, hospitals, ambulances, and other medical assets for combat health care or the resources to enhance and to practice combat medicine. That naive belief is irrational and irresponsible in an age of high-technology weapons of mass destruction and global instability.

In the Pacific rim, we need look no further than North Korea to see evidence of a potential conflict that would create thousands of casualties in the first hours of operation. Major military medical centers—like Tripler in Hawaii; the Naval Medical Center, San Diego; Madigan in the State of Washington, and Willford Hall in Texas—must be maintained if we are to be prepared for these conflicts. Any recommendation to downsize these facilities displays ignorance of the lifesaving role these facilities would play.

A recent RAND Corp. study titled, ''Casualties, Public Opinion, and U.S. Military Intervention: Implications for U.S. Regional Deterrence Strategies,'' concluded that once deterrence and diplomacy fail and war begins, public opinion demands that the conflict be escalated to bring finality to the operation. Such was the public opinion in the Persian Gulf war. Many Americans would have preferred that United States forces had continued on to Baghdad to overthrow Saddam Hussein, and many still feel that the operation was not completed when it stopped where it did.

Assuming that such a view is correct, the resulting military decisions to escalate the measures deemed necessary to win a decisive victory could well lead to more, not fewer, casualties. Our military medical facilities must be structured for such an occurrence. Therefore, other recent study recommendations to downsize or close many of our peacetime medical facilities and to greatly reduce military and civilian medical endstrengths imperil military preparedness.

Every day, the dedicated men and women of the military medical departments train in peace for their war mission. To believe that this capability can be contracted out, accomplished in civilian medical institutions, and be made ready for war given a certain amount of time is a certain recipe for disaster.

I have heard the argument that we can park our tanks in motor pools when training dollars are short, but we cannot park our eligible health care beneficiaries outside our hospitals. We have seen what happens to readiness when we do so. Not only do the beneficiaries not get the care they deserve, but medical readiness suffers as well. The Nation can no more sacrifice our medical readiness than we can our combat preparedness.

I believe the basis for a sound medical readiness posture lies in the medical centers. The medical centers function in much the same way as does a Navy battle group. A modern Navy battle group usually consists of an aircraft carrier, surface warships, support ships, and submarines. The medical centers are somewhat like an aircraft carrier. They are very large and do not

directly engage in combat. They serve as command and control and training centers for the task force and stand ready to launch their expert systems forward as needed.

Just as the expert systems of the aircraft carriers are its jets and pilots, a medical center's experts are its military personnel, who work in the medical center during peacetime but staff the field hospitals during wartime or operations short of war, and its telemedicine capabilities. The surface warships and submarines are like smaller hospitals, field hospitals, clinics, and field medical units that directly support the combat mission.

These escort ships need the carrier for command and control of its units as well as training for augmentation personnel. Much in the same way, smaller base and installation hospitals and field medical units rely upon medical centers for the establishment of medical policy and procedures—command and control, a pool of qualified and trained clinicians, and projection of its medical expertise forward via telemedicine.

The importance of medical centers cannot be overstated. Much of the success of the MHSS is due to its medical centers. They serve as a medical boot camp for health care personnel such as physicians, nurses, and corpsmen; research and development for new medical procedures, programs, and materials; reference centers for world-class medical knowledge and expertise; and the state-of-the-art inpatient care capabilities of modern medicine.

One essential type of medical boot camp is Graduate Medical Education [GME]. As with other components of the MHSS, GME has also come under attack. Although it is true that certain segments of military medical GME can be restructured and consolidated, the underlying premise of a medical center-based GME program cannot be refuted.

The MHSS benefits tremendously from in-house GME. These benefits include providing specialty and subspecialty care and increases in physician productivity due to the teaching environment. Other benefits include lower patient care expenses, the attraction of more qualified physicians to the academic environment of teaching hospitals, and a higher retention rate of physicians, especially for those trained in military facilities, that leads to lower acquisition and training costs.

Opponents of the MHSS would argue that the need for in-house GME would be removed if older, nonactive duty beneficiaries were not treated in MTF's. Again, studies have consistently shown that military in-house care is less expensive than the civilian sector. If we could get Medicare reimbursement legislation passed, the MHSS could continue to provide low-cost care to retirees and ultimately lower the cost of total Federal expenditures.

Eliminating GME in the military would force military hospitals to rely on the civilian sector for recruiting physicians—the same system that is currently overproducing specialists and underproducing primary care physicians. Current research literature indicates that only 26 percent of those completing residency training go on to primary care practice. The current mix of specialists is inappropriate for accessible and cost-effective care. We should not force the MHSS back to the high-cost U.S. national average.

Our medical centers have also been the projection platforms for telemedicine initiatives. Using commercial off-the-shelf equipment—a digital system camera and a video teleconferencing system, telemedicine enables medical personnel at remote locations to consult with physicians at a medical center and to quickly obtain expert advice on critical or unusual cases. Telemedicine puts the diagnostic firepower of Walter Reed Army Medical Center, the National Naval Medical Center in Bethesda, Maryland, or Tripler Army Medical Center into the hands of the deployed physicians in Somalia, Zagreb, Macedonia, or Haiti.

Just this past December 1994, the life of a 26-year-old soldier was saved in Macedonia. This is not so terribly unusual, except that two of the physicians contributed their diagnostic and treatment expertise while observing the patient on a television monitor at the Casualty Care Research Center in Bethesda, MD. Through Operation Primetime, the battalion surgeon with the 1/15th Infantry Battalion, part of the United Nations Observers in Macedonia, maintained telemedicine links with military medical specialists in Europe and the United States.

The military medical personnel saved that soldier's life by employing medical care forward—once again demonstrating their function as force multipliers. I am very enthusiastic about the possibilities of expanding telemedicine initiatives even further both in our military settings as well as in appropriate civilian settings.

RETIREE HEALTH BENEFITS

The last area of military medicine I will address is the continuous erosion of health care benefits for our military retirees and their eligible family members. As the services strive to improve the access and quality of health care through innovative, business-like plans, the massive civilian and military cuts combined with the decreasing health care dollars seriously threaten their future ability to provide health care services to the full spectrum of beneficiaries.

The MHSS has embarked on a new managed care plan for non-active duty beneficiaries called TRICARE. The comprehensive health care benefit under TRICARE will maintain or enhance the scope of services that eligible beneficiaries receive today. The MHSS's capability to provide everyday health care will improve with TRICARE, a plan centered around military hospitals and clinics and supplemented by networks of civilian care providers.

TRICARE presents an opportunity to clearly define military medicine as essential to force readiness, as well as to improve benefit security and choice of delivery for military beneficiaries. There are parts of this plan, however, that concern me. The TRICARE plan requires our retirees to share in the cost of care, and the greater the choice of physicians they desire, the greater the degree of cost-sharing.

This is wrong for two reasons. First, it violates the contract we made with these former servicemembers when they agreed to serve their country in our Armed Forces. We promised them access to free care in our military treatment facilities in exchange for lower wages and often a career of sacrifices during the time of their service. There was no fine print about modest enrollment fees and lower out-of-pocket costs.

Second, I pick up the Wall Street Journal and read that, ''HMOs Pile up Billions in Cash, Try to Decide What to do With it,'' as was reported on December 21, 1994. I am outraged that our military retirees, many on fixed incomes, will contribute to these organizations' dilemma. The largest of these are for-profit organizations, growing so fast that they overtook nonprofit HMOs as the dominant force in managed care, as reported by the New York Times, on December 18, 1994.

The Nation owes our military retirees and veterans what they were promised. Soldiers, sailors, airmen and marines, their families, retirees and their families, veterans, and surviving family members—these are the people who comprise the military family. Despite pressures to take a short-sighted view, we must honor our obligations to those who have served faithfully. The Congress and the citizens of this country must do so not only because it is the right thing to do, but because if we do not, we will soon be facing a far more serious crisis—another truly hollow force.

We cannot, must not, have contracts that ask more of our retirees and veterans. Any such contract today that does that must be declared null and void with the contract we made with them in years past. We cannot have contracts that restrict access, compromise care, or ask them to make more of a contribution. We placed no such restrictions on our service men and women when we sent them to foreign shores.

Lest we think that our servicemembers' tours of foreign shores are a product of days gone by, let me remind you that today we have more than 300,000 servicemembers serving overseas in 146 countries and 8 U.S. territories. In fact, deployments for the Army have increased threefold since 1990 and more than 700 Purple Hearts and two Medals of Honor have been

awarded since November 1989. The military is growing yet another generation of veterans and retirees who have served their country when their country called upon them.

I commend the MHSS for their advances in a standard benefit for all beneficiaries, for their commitment to medical advances such as telemedicine, and for the hard work in which they are engaged as they attempt to right size military health care. However, I caution them that I am watching. I will not tolerate a health care system sized on the backs of our retirees, a system that listens more to short-sighted budget analysts than to good business practices, and to any contract that violates the contract this country made with the men and women who served when called and have already paid their dues.

Madam President, the real bottom line is that the overall health of the entire voluntary military depends on the health of the Defense Health Program. A compromised military health system will rapidly lead to a compromised military capability. I greatly fear that we are heading down that course. For example, I find it truly alarming that for the first time in our Nation's history, the emergency defense supplemental bill is being offset dollar for dollar from its own defense budget. How long will it be before the Department gets wise and when the President says go to Haiti or Bosnia or wherever, the military says, ''No, thank you, we can't afford it''. I have been involved in our Nation's defense for more than 30 years as a Member of Congress and I have traveled extensively around the world during those many years and I absolutely believe that the best way to prevent war is to prepare for war. The only way to prepare for war is to maintain a healthy, robust military. And absolutely critical to that endeavor is a healthy, robust military medical health system. Let us not forget the painful lessons learned in the past; let us not have another Task Force Smith; let us not repeat the same mistakes. Let us work to ensure a safe and secure future for this great Nation of ours.

I would like to acknowledge the contribution of my Congressional Nurse Fellow, Lt. Col. Barbara Scherb, who prepared this statement. Colonel Scherb is an Army nurse who is currently assigned on a 1-year fellowship in my office.

REPRESENTATIVE RICHARDSON'S SUCCESSFUL HUMANITARIAN MISSION TO IRAQ

Mr. BINGAMAN. Madam President, on another issue, I rise to congratulate my friend and colleague from New Mexico, Representative BILL RICHARDSON, for his recent trip to Iraq that resulted in the early release from prison of two Americans, David Daliberti and William Barloon.

Madam President, we have all been affected by this story. We agonized with the families of these two Americans since their arrest in March when they inadvertently crossed the Iraqi border while trying to visit friends at the United Nations observer post in Kuwait. We recoiled when we learned that their sentence would be 8 years in prison. We watched as others tried to negotiate a solution to the crisis, including the wives of Mr. Daliberti and Mr. Barloon, who visited their husbands in a Baghdad prison. And we worried as a nation when we received reports that both men were experiencing heart trouble that required hospitalization while in the prison.

We have now learned, however, that Representative RICHARDSON has been doing more than simply listening to the news coming out of Iraq like most of the rest of us. He met eight times with the Iraqi Ambassador to the United Nations in New York, sometimes catching a flight from Washington early in the morning so that he could return before votes were cast in the House.

These visits established a feeling of trust that allowed Representative RICHARDSON to travel to Iraq, where he pressed Saddam Hussein for the release of the captive Americans on humanitarian grounds. As with any negotiation, we now know that there were moments of disagreement and misunderstanding with the Iraqi President. Representative RICHARDSON persisted in arguing that releasing these men at this time was the right thing to do.

Madam President, in a world with a seemingly endless number of intractable conflicts and troubles, from Bosnia to Rwanda to North Korea, it is with a sense of relief that as a result of Representative RICHARDSON's successful humanitarian mission to Iraq, we have one less crisis hanging over our country and over the two families that have now been reunited.

All Americans should be proud of Mr. Daliberti and Mr. Barloon for their courage and strength over the past 5 months. I am especially proud of my friend and colleague from my home State of New Mexico for his remarkable achievement in winning their release.

Madam President, I yield the floor.

COMPREHENSIVE REGULATORY REFORM ACT

Mr. KENNEDY. Madam President, on a matter that the Senate has been debating over the period of the last 9 days, regulatory reform bill, it has been temporarily laid aside for now, but I rise at this time to call the attention of my colleagues that the bill contains an unfortunate and unwarranted provision that would drastically undermine fundamental food safety standards in current law. I intended to offer this amendment yesterday prior to the time that the bill was set aside.

I want to speak briefly to this issue. I hope the issue would have been addressed by those in the process of considering the regulatory reform bill, or have an opportunity to address it when the legislation comes back. It addresses one of the very serious failings of this legislation. I want to take a few moments of the Senate time to address it.

This is a different issue than the meat inspection question we debated last week. It involves the unfortunate and unwarranted provision that would drastically undermine the fundamental food safety standards that exist in current law.

America has the safest food supply in the world. Families go to a supermarket to purchase meat or vegetables, to buy baby food or apple sauce for young children they do so, secure in the knowledge that what they buy, and any additives contained in them, meet strict safety standards enforced by the Department of Agriculture and the Food and Drug Administration.

When contaminated food inadvertently reaches the public, these agencies have the power they need to protect the public health. The basic food safety standards were enacted into law many years ago. Today, they are relied on and taken for granted by the American public. That is absolutely how it should be. No one has to give a second thought to the safety of the food that they eat today—and they should not have to start to worry about it tomorrow.

The safety of American food not only benefits consumers, it provides a competitive advantage to the U.S. food industry in the global markets. The label ''Made in the USA'' on a can or jar of food is a signal to people everywhere that the product meets the highest standards of safety and cleanliness.

Two of the cornerstones of the Federal food safety law are contained in section 409 of the Federal Food, Drug, and Cosmetic Act. The relevant language of that section reads as follows: A food additive shall not be approved ''if a fair evaluation of the data before the Secretary fails to establish that the proposed use of the food additive, under the conditions of the use to be specified in the regulation, will be safe: Provided, that no additive shall be deemed to be safe if it is found to induce cancer in man or animal * * *.''

This provision is known as the Delaney clause. This simple statement is the basis for the establishment of safety for the food supply in the United States. These two provisions together deal with food safety and also the limitation of carcinogens in pesticides, in food coloring, and in other areas as well, but food additives primarily.

What we have done in this proposal that is before the Senate is changed both of these standards. I wonder why? I wonder where the call is across the country for people that say our food is too safe? I think few would ever have had the circumstance where anyone

came up and said ''Senator, one of the overwhelming problems we are facing in our country is the food supply that is too safe. Do something about it.''

It is very interesting, Madam President, that when the regulatory reform bill was submitted, it repealed, effectively, the Delaney clause that provides restrictions on food additives primarily, into the food supply.

We commented on that in the course of the Judiciary Committee markup. Lo and behold, when that measure was reintroduced here on the Senate, the Johnston-Dole amendment, we found changes not just in the Delaney clause, but we found changes in the food safety, as well—dramatic change.

It just happened between the time it got out of the Judiciary Committee and the time it was reintroduced here, without any hearings, without any notification, without any real explanation in reviewing the record about what was the reason for the changing in our food safety laws. I think that is wrong, and we will have an opportunity in the Senate, should that legislation come back to address it.

Now, as I mentioned, the first paragraph here requires that any additive to food safety must be safe. The second proviso is the Delaney clause, first enacted into law in 1958 and expanded in 1960. The Delaney clause prohibits the use of food additives, food colorings, animal drugs, and in some circumstances pesticides if they are found to cause cancer in humans or in animals. The Delaney clause provides a zero-tolerance standard for cancer-causing substances in food.

In recent years, critics have claimed that the Delaney clause is unscientific and overbroad. Clearly, there has been a revolution in food science and biochemistry since 1958, when the Delaney class was enacted. We now have the technology to identify cancer-causing chemicals in foods, in far smaller trace amounts than possible 40 years ago. We also understand that animals may develop tumors from certain chemicals through pathways of animal biology that humans do not have.

Zero tolerance, therefore, means something different today than it did in 1958. Tiny amounts of substances that could not be detected at all in the 1950's can be detected today. In 1958, testing equipment might have considered zero risk to be a 1 in 100,000 chance of causing cancer. Today, we have scientific instruments that can detect risk levels as low as 1 in 1 billion. Clearly a modern standard of risk is warranted.

Responsible voices have argued for reform of the Delaney clause. The National Academy of Sciences first recommended Delaney reform in a 1987 report. In 1993, the Academy called for a more scientific health-based safety standard for approving pesticides.

Senator LEAHY and I and others have introduced detailed legislation in each of the last three Congresses to implement the Academy's recommendations, and we would welcome the opportunity to continue that complex sensitive task in the committees of jurisdiction.

Unfortunately, the bill before the Senate takes an irresponsible approach to a subject with such grave implications. It contains haphazardly drafted lines in a 97-page bill on regulatory reform that emerges from two Senate committees without any expertise in food safety, without any hearings, and without any public input from the scientific community.

These 10 lines would wipe out the Delaney clause, and in its place they insert a vague standard of negligible or insignificant risk. The phrase ''negligible or insignificant risk'' is not defined in the bill.

This is on page 71 of the Dole proposal, on lines 21 and 22, where they say:

> . . . shall not prohibit or refuse to approve a substance or product on the basis of safety where the substance or product presents a negligible or insignificant foreseeable risk to human health.

And, if you look at the top, at line 15, it applies not just to Delaney, but it applies to all of this provision.

What is the significance of that? Does negligible or insignificant risk mean a risk of 1 in 1 million? Or 1 in 1,000? How many additional cases of cancer are acceptable under a negligible risk standard? Perhaps a negligible risk means any level of risk that will not cause an immediate health disaster. Codification of such a vague standard would cause a major uncertainty for both consumers and industry. Its interpretation could vary from one administration to another.

In addition, the proposed language does nothing to ensure adequate protection of infants and children who are uniquely susceptible to foodborne toxins because their diets are so different from those of adults.

Madam President, this chart indicates what the current law is. Under the current law the language is, as I mentioned earlier, will be safe, which means a reasonable certainty of no harm. It is a no harm standard. Effectively that is the food standard now in the United States and effectively has been there for a period of some 40 years. How that is being changed at the present time under S. 343 is that food additives may cause negligible or insignificant risk of harm—not too much harm.

So now anyone who goes into the supermarket knows that in whatever part of the supermarket they go to, their food will be safe—the certainty of no harm. That is the current standard and that is the standard that is defined at FDA in their statute. It is defined, understood. It has been tested and it has been court tested and is being adhered to. And that is why we have the safest food in the world.

But in this proposal, in S. 343, it says, ''not too much harm,'' without defining the standard. Whose interest is that in? Is that in the public's interest? Is that in the family's interest? Is that in children's interest, or parents' interest? It is not. But it is in certain of the food industries' interest. Certain food industries want those changes.

They have not testified. They have not submitted the scientific information. They have not come on up here and debated that issue with scientists and other food experts who understand the importance of these kinds of changes. All they have done is had the political muscle to get it into the current bill without any hearings. Madam President, that is not right to think we ought to be moving ahead on that without that kind of consideration of scientists and researchers, understanding the full implications about it, and without any adequate explanation or definition of what is insignificant risk. I have been listening out here on the floor of the Senate to those supporting the Dole-Johnston proposal saying, ''We want to have this more specific. We want to really understand what your proposal would be.'' We would like to ask them to define what is the insignificant risk? It is not defined in their bill and it is not time to play Russian roulette with the health and safety of our food supply by including that into a measure that could become law.

Let us just think about this language in another way. The proposed language in the legislation, also, with the changes in the Delaney provisions which I mentioned which restrict any food additives that can have any cancer-causing products in them, the proposed language does nothing to ensure adequate protection of infants and children who are uniquely susceptible to foodborne toxins because their diets are so different from those of adults. This issue is the central conclusion of the 1993 National Academy of Sciences report. Dr. Philip Landrigan of Mount Sinai Medical Center, who chaired the committee of scientists responsible for the NAS report said, ''[i]f you're going to throw Delaney away, you're going to have to replace it with something equally protective of children.''

Perhaps Delaney has its flaws, but its zero tolerance for cancer-causing substances clearly and unequivocally protects children, and the Dole-Johnston proposal would clearly and unequivocally expose children to more hazards of cancer.

We know that cancer now kills more children under 14 than any other disease. The incidence of childhood brain cancer and childhood leukemia has increased 33 percent since 1973.

Why would anyone thoughtlessly permit industry to put more carcinogens in the food supply at a moment in time when we are already losing the war on childhood cancer, and adult cancer, too? The incidence of cancer has increased 48 percent since 1950—and that statistic excludes lung cancer, which has also increased dramatically due to smoking. Environmental toxins are already taking a heavy toll on the health

of Americans. This is no time to recklessly open the floodgates and permit cancer-causing additives to enter the food supply for the first time in 37 years—the first time in 37 years.

This legislation is irresponsible. It repeals the existing zero risk standard without providing for a clear, scientific measure of risk. It ignores the rising risk of cancer faced by infants and children. This is not a Contract With America, it is a Contract With Cancer.

Madam President, let me just put up here a chart that reflects what the National Academy of Sciences has pointed out that is something that ought to be obvious to all parents. That is, very small children's immune systems, respiratory systems, and nervous systems are all in the early development through childhood and through their teens, and these systems are much more sensitive, as a result of body weight and growth, to the various kinds of environmental toxins in our society. That is understood by any cancer researcher and has been documented by the National Academy of Sciences.

Understanding that, the National Academy of Sciences reviewed the food consumption of infants and into their early teens. What they found out is that there is 21 times the amount of apple juice consumed by small children than adults, 11 times the grape juice, and right down the list—bananas, 7 times as much consumption by small children than adults, all the way down, with milk, and continuing along.

Then over here it gives the percent of diet. Apple juice is 10 percent of the diet for children; milk, 12 percent; orange juice, some 10 percent for the diets of small children. What the National Academy of Sciences said is, since children are the most vulnerable and since they consume these kinds of products, should we not look, for example, at the number of carcinogens that they intake, particularly in the areas of pesticides, so we might be able to prevent the incidence of cancer increasing in the children? They did a thorough study on that, sensitive to the developmental problems of small children and also the types of pesticides that are being used on these products.

Some of their examples: Apples have 123 different pesticides on them. We have to look at this from a scientific point of view. The bottom line on this is the Academy of Sciences says if we are serious about trying to develop a process concerning the use of various pesticides, we ought to determine what are the foods which small children eat primarily and look at the tolerance level for those children and develop a policy that is going to be sensitive to the incidence of carcinogens, cancer forming agents, and the risks that they have. It makes common sense. It can make a difference, particularly when we are seeing the number of child cancers which have been escalating. Do you think that has been included in this regulatory reform? Absolutely not.

Do you think there was any willingness to consider that kind of recommendation of the Academy of Sciences? Absolutely not.

Has there been any willingness on the other side to review or accept or incorporate this kind of concept? Absolutely not, because they have the votes. They have the votes to put at greater risk our food supply and to basically say we are not going to pay any attention to the best science that we have in this country at the Academy of Sciences as it relates to children.

I heard out here during those earlier debates that what we want to do is eliminate bureaucracy and bring in the best science. This is the best science. But the supporters of that program are quite unwilling to address it or to be responsive to it.

Finally, as we know, the Delaney clause currently applies to four different categories of products—food additives, certain pesticides, animal drugs, and food colorings. Different considerations apply to reform in each of these areas.

In the case of pesticides, it may be appropriate to weigh the risks of the chemicals against the importance of a stable food supply. But there is no justification for allowing cancer-causing food colorings. There is no benefit to the public from an M&M colored with red dye-No. 3 versus Red dye-No. 40. If food colorings cause cancer in laboratory rats, they should simply be banned from our food supply.

That would make pretty good common sense—but not the regulatory reform legislation; no willingness to try to give that any kind of consideration.

Thirty-five years ago, in 1960, Congress held hearings to consider legislation to expand the Delaney clause. An industry witness testified that any such expansion would be foolish hysteria. He gave the committee an example of a chemical that caused cancer in animals but that he said posed no risk to human health. That chemical was DES. The tragedy that ensued for thousands of women who took DES should be enough alone to stop the Senate in 1995 from capitulating to the food industry's efforts to weaken public health. We can reform the Delaney clause without destroying it.

At the appropriate time, I will offer an amendment to strike the ill-considered provision in S. 343, and replace it with a sense-of-the-Senate resolution which, if adopted, will put the Senate firmly on record in favor of prompt and responsible Delaney reform.

The amendment states unequivocally that ''the Delaney clause in the Food, Drug and Cosmetic Act governing carcinogens in foods must be reformed,'' and that the current Delaney clause should be replaced by a scientific standard that takes account of the right of the American people to safe food; the conclusions of the National Academy of Sciences concerning the diets of infants and children; the importance of a stable food supply and a sound farm economy; and the interests of consumers, farmers, food manufacturers, and other interested parties.

In addition, the amendment establishes a timetable for responsible legislative action. It states that the Senate should enact Delaney reform, based on this work, by the end of the first session of this Congress—in other words, by the end of this year. It seeks careful, but expedited, consideration of the matter by the committee of jurisdiction, where the scientific experts as well as the food industry will have an opportunity to be heard.

In fact, the Labor and Human Resources Committee is currently considering a comprehensive FDA reform bill. That bill would be an appropriate vehicle for Delaney reform. The views of the Agriculture Committee are also essential to consider legislation of concern to farmers.

Food safety is a complex, technical subject. A substantial body of scientific research exists on this subject that should inform our work in this area through hearings and consultation with the experts. That's what committees are for. Let us do this right.

This bill does not represent a rational, responsible reform of the Delaney clause. Instead, it represents a surrender to business greed for higher profits and to the most irresponsible elements of the food processing industry. Its philosophy on food safety is simple and sinister—let the buyer beware, the public be damned.

And that is only half the problem with this provision. In its zeal to uproot the Delaney clause and assist the food industry, the Dole-Johnston alternative drastically weakens the general food standard in current law.

There is legitimate serious debate about Delaney reform. But there is no serious debate, legitimate or illegitimate, about a wholesale weakening of the general standard that protects food from other harmful additives.

I repeat that, Madam President. As we pointed out, there may be reason—and I believe that there is reason—for debate about the Delaney clause here. But I do not see, and I wait to hear, what the justification is for changing the safe food standard that we have at the present time that has been in place for 40 years. Who is asking us to do this? Who is requesting it? Where is the mail that is coming in to our colleagues? Who are going to be the beneficiaries of it? Who are going to be put in greater risk because of it?

I think the answers to those questions are quite clear. It is an aspect of the food production industry that is favoring their position, but it certainly is not the families in this country that deserve it.

The Federal Food, Drug and Cosmetic Act now requires that for a noncancer-causing food additive to be approved, its sponsor must demonstrate that it will be safe. Under that standard, FDA approves additives today if

they present a reasonable certainty of no harm. But under the Dole-Johnston proposal, the language of the Delaney reform is carried over to the general standard for food safety. FDA would be required to approve additives that caused only a negligible or insignificant risk of harm—in other words, instead of the current law standard of no harm, the proposal would establish a weaker standard of not too much harm.

Perhaps this change is inadvertent. It certainly is unjustified and unneeded. Perhaps, in aiming at the Delaney clause on cancer-causing substances, the sponsors mistakenly hit the general food safety standard too. Or perhaps the food industry lobbyists saw their chance and took it—to get out from under the Delaney clause, and get out from under the general food safety standards too.

It is a long way from no harm to not-too-much harm, and before we travel down that road we had better be very sure we know the consequences.

The amendment I will offer when we return to the bill, in addition to dealing with the Delaney clause, will also delete the provision weakening the general food safety standard. The provision seems to be a gratuitous weakening of a standard that is working well in current law and does not need reform. If a change in this important law is not necessary, it is necessary not to change it.

The bedrock food safety standard in current law should not be discarded lightly. Any legislation in this area must reflect the care an deliberation due a subject as important as whether the citizens of this country, especially infants and children, are now to be exposed to a higher risk of cancer and other diseases in the food they consume.

Madam President, toward the conclusion of my remarks I remind the Senate once again what has been happening to cancer incidence in the American population. It has increased by 48 percent since 1950. This is excluding cancers of the lung and the stomach.

Here we see what has been happening. We have seen the treatment of a number of these, particularly childhood cancers, have gotten much better. So the burden among the children in this country in many instances has been increasingly hopefully beneficial in terms of the treatment.

But when we see the continued increase in the incidence of cancer, and the danger that brings, why should we be out here flying in the face of a National Academy of Sciences' study which has recommended how we can protect children, and throwing that recommendation, which represents the best in terms of scientific information, over our shoulder and throwing it to the winds? I fail to understand the logic of that position.

Everyone knows what is going on here. Food industry lobbyists are trying to stampede Congress into hasty action on the Delaney clause that will have drastic long-term consequences for the safety of the food supply of 250 million Americans. I have never heard any consumer say that they think food is too safe.

Those who vote for this amendment go on the record in support of prompt but responsible Delaney reform and against any tampering with the general food safety standard.

The Delaney clause may have outlived its usefulness, but it deserves a decent burial. It deserves to be replaced by a modern safety standard that strikes the right balance between the needs of industry and the health of our children. And the general food safety standard deserves to remain intact.

REGULATORY REFORM AND FOOD SAFETY STANDARDS

Mr. HATCH. Mr. President, contrary to what opponents of S. 343 allege, enactment of our bill would neither undermine the existing standard for food safety nor needlessly expose our citizens—man, woman, or child—to carcinogenic substances.

Although we are today considering the Bosnian arms embargo issue, since the issue of the Delaney clause has arisen, I wanted to take this brief opportunity to respond to some inaccuracies that were propounded in this Chamber today.

I will limit my remarks now to two criticisms raised today: that S. 343 lessens the safety standard for all foods; and that the bill is defective in that it lacks a definition of negligible or insignificant risk.

I plan to defer the rest of my remarks on Delaney clause issues for our continued consideration of S. 343.

As my colleagues are aware, the three Delaney clauses contained within the Federal Food, Drug and Cosmetic Act to ban a limited group of substances—food additives, color additives, and animal drugs—if they are found in whatever quantity to produce cancer in laboratory animals.

This inflexible zero risk standard in the law is outdated scientifically, as my colleague, Senator KENNEDY, noted earlier.

Some have alleged that the Delaney clause modification language of S. 343 somehow fundamentally undermines our Nation's food safety laws. That simply is not the case. It is unfortunate that some of my colleagues are relying on the interpretation of lawyers at the Food and Drug Administration who apparently cannot read the law—and this is not the first time those in this Chamber have had that experience.

So that this is perfectly clear to my colleagues, I want to walk through this issue so that you can see how the language contained in S. 343 continues to protect the public health.

The Delaney clause modification language in S. 343 states:

> The Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency shall not prohibit or refuse to approve a substance or product on the basis of safety, where the substance or product presents a negligible or insignificant foreseeable risk to human health resulting from its intended use.

This provision of S. 343 harmonizes the safety standard of the three Delaney clause provisions with the safety standard long applied by FDA under the other safety provisions contained within the Food, Drug and Cosmetic Act.

In other words, there are substances which could be present in food, or added to food, or indeed, used on or in the human body, which are not subject to the Delaney clause language. To single out these three Delaney clause substances for treatment other than that accorded a broader group of substances used for virtually identical purposes is senseless, especially in view of the fact that FDA has a well-established safety standard for those substances which does incorporate the negligible risk standard.

For the edification of my colleagues, I will list these substances: pesticide residues that do not concentrate in processed food; food substances that are not classified as additives because they are generally recognized as safe or were approved by FDA or USDA during the period 1938 to 1958; dietary supplement ingredients; constituents of food additives; constituents of color additives; environmental contaminants in the food supply; cosmetic ingredients; undetectable animal drug residues; and ingredients in nonprescription and prescription drugs, biologics, and medical devices.

To make a distinction in the safety standard for these substances versus food additives, color additives, or animal drugs, is, at best, irrational.

My colleague from Massachusetts has expressed the concern that in amending section 409(c)(3) of the Food, Drug and Cosmetic Act, the language of S. 343 eliminates the safety standard for all foods from the law.

Specifically, 409(c)(3) says:

> No regulation [food additive approval] shall issue if a fair evaluation of the data before the Secretary—
>
> (A) fails to establish that the proposed use of the food additive, under the conditions of use to be specified in the regulation, will be safe: *Provided*, that no additive shall be deemed to be safe if it is found to induce cancer when ingested by man or animal. . .[Delaney language].

It is my understanding that my colleague is concerned that the way in which S. 343 was drafted, that is, modifying all of 409(c)(3) instead of just the proviso containing the Delaney language, eliminates entirely the existing safety standard.

I believe the implication is that the modification should be made to the proviso only.

I simply do not believe that is an accurate reading of the law, when the totality of the Food, Drug and Cosmetic Act provisions with respect to food safety are read together.

I want to assure my colleagues that that was not our intent. In fact, I do

not recall ever hearing any one suggest that that should be the case, in any discussions I have had on the Delaney clause.

There exist a number of safety standards which apply to food under the Federal Food, Drug and Cosmetic Act. Some of these standards overlap—that is, more than one standard may apply to a food or food ingredient or constituent, depending on the particular circumstances.

First, there is the general adulteration standard under section 402(a)(1) of the FD&C Act. This section, which applies to food generally, says that a food is deemed to be adulterated (that is, unsafe) if:

> It bears or contains any poisonous or deleterious substance which may render it [the food] injurious to health; but in case the substance is not an added substance such food shall not be considered adulterated under this clause if the quantity of such substance does not ordinarily render it injurious to health.

This safety standard has two parts. For poisonous or deleterious substances added to food, the food is adulterated if the substances may render the food injurious to health. For substances which are not added, that is, they are inherent or not the result of human activity, the adulteration standard is ordinarily injurious to health.

These two principal adulteration standards have been bulwarks in the legislative and regulatory scheme to ensure the safety of food for decades. Indeed, numerous courts have had occasion to interpret these provisions, for example, in *U.S.* v. *Boston Farm Center, Inc.* (590 F.2d 149 (4th Cir. 1979) and *United States* vs. *Anderson Seafoods, Inc.*, 622 F.2d 157, (5th Cir. 1980).

These standards remain unamended in S. 343 and would continue to guarantee the safety of our food supply.

Second, it is important to note that the adulteration standards found in section 402(a)(1) are independent of the requirement that such food ingredients as food or color additives be shown to be safe. Or put more simply, any legislative change to section 409 dealing with food additives, for example, would not affect the adulteration standards in section 402(a)(1).

In fact, FDA has used the 402(a)(1) standard to permit quantities of substances, including recognized carcinogens such as aflatoxin—a naturally occurring toxicant from mold which particularly affects peanuts—to be in food. In such a case, FDA has typically employed risk assessment to determine the level of the carcinogenic poisonous or deleterious substance that presents only an insignificant risk.

Third, numerous other safety standards are set forth in section 402 of the FD&C act. One of the principal additional standards provides that a food is adulterated if it contains a poisonous or deleterious substance which is unsafe within the meaning of section 346.

Section 346 provides that a food containing a poisonous or deleterious substance is unsafe for purposes of section 402, and thus is adulterated unless the substance is required in the production of the food or cannot be avoided by good manufacturing practice.

It is under the principals of section 346 that FDA has regulated environmental contaminants, including such substances as PCBs, a particularly toxic group of chemicals once widely used in industrial production, and PBBs, a flame retardant that was mistakenly applied to food in Michigan.

FDA has implemented this section through the use of action levels and tolerances, which are announced levels of the toxic substance that will be permitted in food.

As Professor Richard Merrill observed in ''Regulating Carcinogens in Food: A Legislator's Guide to the Food Safety Provisions of the Federal Food, Drug and Cosmetic Act,'' (77 Mich L.Rev. 171 (1978), ''Most notably section 406 . . . does not unequivocally preclude the marketing of food that contains an added carcinogenic substance.'' Professor Merrill adds that ''FDA has taken the position that it may establish a tolerance for a contaminant shown to be carcinogenic—and thus 'approve' its presence in food in quantities below the tolerance.''

As is the case with respect to section 402(a)(1), the legislative language contained in S. 343 has no effect on the important safety standard found in the interplay between sections 402(a)(2)(A) and section 406.

Fourth, section 402 contains numerous other standards related to the safety of food, including those that pertain to food that contains filthy, putrid or decomposed substance, that has been prepared under unsanitary conditions, that contains unlawful pesticide residues, or if the package of the food contains a poisonous or deleterious substance that may render the food injurious to health, (the same standard as set for in section 402(a).

The second point on which I would like to comment is the contention that not defining insignificant or negligible risk in legislation language is a bad idea.

I take vigorous exception to the idea that the Congress should define these terms in law. Imposition of the zero risk standard by legislative fiat is what led to the Delaney dilemma in the first place.

When Congress first enacted a Delaney amendment in 1958, scientists were not able to detect potentially carcinogenic substances at the parts per million, or parts per billion, levels as they are today. Does this mean that we should lock into the law a one in a million lifetime risk of cancer standard? I think not. What our bill does is allow the agencies to make these definitions. This will allow the law to grow with the science.

In closing, Mr. President, let me reiterate my continued commitment to Delaney reform which both protects the public health and is consistent with sound scientific and regulatory principles. This is long overdue.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT OF 1995

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 21, which the clerk will report.

The assistant legislative clerk read as follows:

> A bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina.

Mr. LIEBERMAN. Madam President, I rise to speak in favor of the proposal which I am privileged to cosponsor with the distinguished majority leader and many others of both parties, which would finally lift the arms embargo and do some justice in the former Yugoslavia, by replacing a policy of inaction or half actions that has failed to stem the conflict, has failed to stop aggression, and has failed to protect the victims of that aggression, whose pain we see each night on our television sets.

Madam President, this is a genuinely bipartisan or nonpartisan effort, as it should be, as American foreign policy has traditionally been at its best—above party consideration.

Senator DOLE and I began this effort in 1992 when the incumbent in the White House happened to be a Republican, President Bush. We have continued in 1993, 1994, and 1995, with President Clinton in the White House.

Sadly, each time that we have raised this question of lifting the arms embargo and using allied air power selectively, we have been met with different excuses. A defense, not even really so much a defense of the existing policy, but criticisms, complications, unintended results, that might occur if the arms embargo was lifted.

In that, I think, and I will get to that in a moment or two, we have failed not only to see what was happening on the ground, but to listen to the victims of the aggression. The Bosnians have said repeatedly, over and over again, ''We don't want American soldiers on Bosnian soil. We don't need American soldiers on Bosnian soil. We have troops on Bosnian soil, they are Bosnians—in excess of 100,000. They are motivated, understandably, to fight to defend their country, their communities, their families, themselves. Just give us the weapons with which to defend ourselves.''

Madam President, we rise again, a bipartisan group. Several tries at lifting the arms embargo having failed, this time we act with some sense of hope that we will be able to achieve, perhaps

later today, a strong bipartisan statement that it is time to change our policy. Give the Bosnians the weapons they deserve. Stop denying them their inherent right to defend themselves, a right we have as individuals, the right Bosnians have as a nation, under international law, under the charter of the United Nations.

This is a bipartisan call. Let me read the names of some of the others who are cosponsoring S. 21: Senator HELMS, Senator THURMOND, Senator BIDEN, Senator D'AMATO, Senator MCCAIN, Senator FEINGOLD, Senator WARNER, Senator HATCH, Senator KYL, Senator MOYNIHAN, Senator STEVENS, Senator COCHRAN, the distinguished occupant of the chair, Senator HUTCHISON, Senator MACK, Senator COVERDELL, Senator PACKWOOD, Senator MURKOWSKI, Senator SPECTER. And I am pleased now, Madam President, to ask unanimous consent that Senator CRAIG of Idaho be added as a cosponsor to amendment No. 1801, a substitute to S. 21.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Yesterday, Secretary Perry, the Secretary of Defense, and Secretary of State Christopher, visited with both Republican and Democratic Senators, to report on events that are going on in former Yugoslavia, to discuss some new options, for it sounds like a more vigorous policy, particularly the employment, more aggressively, of NATO air power, and to ask the Senate to delay taking this measure up and lifting the arms embargo, saying it is the wrong time to do it, with the discussions going on now.

Madam President, I have the greatest respect for Secretary Perry and Secretary Christopher. They are distinguished public servants. They have served with extraordinary skill, I think, in their respective positions, but I respectfully disagree with them. I hope that my colleagues will reject this call, this latest call, to delay action on lifting the arms embargo.

I particularly appeal to my democratic colleagues who may have some understandable reluctance to oppose the President. I strongly support the President in general. I just respectfully and sincerely and deeply disagree with the policy the administration has followed in regard to Bosnia.

Madam President, President Clinton, in the campaign in 1992, advocated the policy that I thought then held the best hope of a reasonable solution in Bosnia, and I still think does, which is to lift the arms embargo and strike from the air at Serbian targets, on the basic premise that there is an aggressor here and a victim. The aggressor is Serbia, led by President Milosevic.

As I recounted last night, history will show and the record shows that beginning in 1988, President Milosevic of Serbia took a series of steps—clear, concerted, intentional—to create a greater Serbia by taking advantage of the instability that existed in Europe as a result of the end of the cold war, the coming collapse that could be seen as the years went on. The entity of Yugoslavia began this concerted effort through aggression and other means, to move into Srebrenica, Croatia, to be more aggressive, and control the Albanian majority in Kosovo—aggressive is a tame word; abusive is a correct word—and to move into Bosnia, using Serbian agents, as it were, that is to say Serbs who lived in Bosnia and Croatia, as a fighting force, augmented, supplied, and in some cases actually supported right there by members of the Serbian armed forces—a clear stream of aggression.

President Clinton saw that, I think, in 1992, and brought the policy of lift and strike into office with him, understanding, making the point that if aggression is allowed to go unresponded to, there will be more aggression. History shows us that. Common sense shows us that. If you let common criminals on the streets of any city or town in America continue to hold people up, abuse them, commit acts of assault and battery, larceny, and murder against them without the law taking any stand against that, without threatening them, without forcing them to have any fear, they will continue to do it. And that is exactly what has happened in the last 3½ to 4 years in Bosnia.

In the spring of 1993, Secretary Christopher went over to Europe to speak to our allies in Britain and France, advocating the policy of lift and strike. They refused to go along. And that was the end of that policy for this administration.

So I say to my colleagues, as we listen to the appeals that will be made today by our friends and our leaders in this administration, that, really, what we are asking in putting forward S. 21 today is that the administration be given a chance to implement the policy that it brought into office with it and that was essentially blocked in implementation by some of our good friends and allies in Western Europe who had a different point of view.

At every step, when we have raised the idea of lifting the arms embargo, there has been another reason why it was the wrong time. Earlier it was the wrong time because the United Nations had to be given an opportunity to work its will, or the Owens-Vance peace mission had to be given an opportunity to work its will, or the Serbs had to be given a chance with the Bosnians to accept the peace proposal. It was very detailed, very fair—not so good for the Bosnians, because it left them with about 20 percent of the land that they had before the Serbian aggression began—but give them a chance to accept it. The Bosnians accepted it. The Serbs did not. It was the wrong time to lift the arms embargo because if it was lifted, people said to us, U.N. personnel who are there will be seized as hostages.

The arms embargo was not lifted. The Bosnians continue to be victims of aggression, torture, ethnic cleansing, rape, murder—and yet, as we have seen, tragically, the U.N. personnel were seized as hostages.

Then it was said last year, when we brought up this proposal to lift the arms embargo, you cannot lift the arms embargo, this will anger the Serbs. They will have no reason not to go into the safe areas that the United Nations has created for a humanitarian purpose, to protect the Bosnian victims. We did not lift the arms embargo and what has happened in the last couple of weeks? The Serbs moved into these undefended safe areas like Srebrenica, forcing out thousands—older people. I hate to see those pictures of those old women and men, forced marches, dropped off in the middle of the night in a no-man's land between the Serb and Bosnian forces, forced to walk their way across difficult terrain to find their way to Bosnian territory to get some food and shelter. The harrowing stories of young women taken away by Serbian soldiers from their families for God knows what reason. Young men of military age removed on trumped up charges that they were going to be investigated as criminals or terrorists.

We have seen it before in this conflict. We saw—most notably in 1992 when British television crews found their way to what I would call concentration camps—what happens to these Bosnian men when they were taken away by Serbian forces: the emaciated bodies, the horrible echoes of the Second World War.

They said, if we lifted the arms embargo, we would see this again, what we saw in 1992. We have not lifted the arms embargo, and the Serbs carried all of this out, all these atrocities again.

Did you read the story of the 20-year-old woman, a Bosnian woman, found hanging from a tree at her own hand, blouse and skirt blowing in the wind? People could not really explain what had happened, except there were allegations that she had been taken away by the Serbs, perhaps raped, perhaps abused, perhaps separated. There was no family. No one knew who she belonged to. There were only rumors. Had her parents been separated from her? Did a husband get taken away as a person of military age? These are the consequences of Serbian aggression and the consequences of leaving a people undefended.

Wrong time? Now the argument is that it is the wrong time to lift the arms embargo because of the horrific events in Bosnia in the last couple of weeks—the fall, the conquest of an undefended city. It was no act of bravery by the Serbian forces. There were 40,000 people there with an army whose weapons had been put into the U.N. compound, and U.N. soldiers, Dutch soldiers, brave Dutch soldiers, put into an impossible position with light arms

to defend themselves against a Serbian invasion with heavy weapons—tanks, armored personnel carriers, sophisticated weapons. This was no brave military conquest.

As a result of the horrors we are seeing, we are now seeing a pickup in the pace of Western concern, responding to the Western public, who are obviously, all of us, outraged by these atrocities being committed against the Bosnian people. President Chirac proposes that the United Nations should become more aggressive in defending the safe areas, or get out. He is right. The United Nations has become a cover for Serb aggression. Every time the Serbs strike, in fear of reprisal they grab some U.N. soldiers as hostages and frustrate, emasculate, nullify any Western will to take action against them.

And what is the response from Britain and the United States to Chirac's proposal? Uncertain, although now there seems to be a genuine interest in the more aggressive use of NATO air power, at least to protect the safe havens, but also to put the Serbs on notice that other Serbian targets in Bosnia and beyond may be vulnerable.

So we are now asked not to take action on lifting the arms embargo because it somehow may affect the pace of these negotiations about the use of air power. I do not get it. I do not understand that argument. First, I think it is wrong. I think it is wrong to give us yet another argument why we should not be lifting the arms embargo, particularly as every passing day brings more powerful, painful evidence of the failure of the current policy. But it does not make sense. If the United States now, our Government, wants to be part of a more aggressive use of NATO air power to protect and give some meaning to the safe havens, it seems to me if this Senate, in a strong bipartisan majority, rises up and adopts S. 21, we are saying not just to lift the arms embargo, we are crying out. We are saying, united as Americans, as leaders, representatives of the people of the greatest power in the world, a power that has built its strength not just on military might but on the might of its morality, that this policy that the West has been following in Bosnia is a failure.

I think for that message to be in the air, if we can pass this overwhelmingly today on a bipartisan basis, that message in the air as the allies gather again in London on Friday to discuss what course to follow can only help. It can only strengthen the hand of our representatives there, Secretary Perry, Secretary Christopher, to say, look what the Senate of the United States has said now by an overwhelming majority, perhaps even a veto-proof majority: We must strengthen the U.N. posture or we must get out and lift the arms embargo.

So, Mr. President, the time has come. It is long past due. The hour is late in Bosnia. The suffering has gone on there. There is no perfect, no guaranteed solution. But what we clearly know is that the current policy has failed. It has failed for the Bosnian people, it has failed for NATO, for the United Nations, and for the United States. It is time to try the alternative, and this is the alternative.

I thank the Chair.

I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, thank you.

Mr. President, I want to commend the Senator from Connecticut for his leadership in this area and for being the cosponsor with our majority leader on this very important resolution in a bipartisan effort. The Senator from Connecticut has been consistent. He has been there from the beginning, when we started talking about this issue over a year ago. I thank him once again, after what has happened in the last week, for coming forward and saying ''enough is enough.''

Mr. President, it is time for the United States to end this failed policy of leaving the Bosnian Moslems defenseless. Time after time, Mr. President, we have returned to this debate, and we have watched more people ravaged in Bosnia as we ponder the issue. We cannot continue to wring our hands and withhold from the Bosnian people the means to fight for their own freedom. The time has come for us to end this debate and lift the arms embargo. If we have to do it unilaterally, we must, or in concert with our allies, if we can.

An old adage says it is preferable to die fighting on your feet than to live begging on your knees. I doubt there is a Senator in this body who disagrees with that statement. But it is clear that the Bosnians have made their choice, and it is to fight on their feet.

The Bosnians are not asking us to arm them. They are not asking for American troops to defend them. They are simply asking to be allowed to fight their own fight. It is unconscionable for us to continue to deny them that basic right for survival and liberty. What we have now is a bloodstained policy which denies them the means of defending themselves. And it is one that we should no longer countenance.

Two months ago, Mr. President, I returned from visiting our forces in Macedonia and Croatia more concerned than ever that we are perilously close to direct involvement in this Eastern European conflict. Today, the administration is considering a request from our allies which will only draw the United States deeper and deeper into an implacable situation. The French Defense Minister recently called for the United Nations to expand its mission in Bosnia and to assume a more aggressive stance against the Bosnian Serbs, including more airstrikes and a larger U.N. ground force.

I believe for us to participate in such a plan would be a grave mistake. I have been totally opposed to sending United States ground troops into Bosnia, and in the light of recent developments, my resolve is even stronger. Any decision to involve U.S. forces in additional air support roles would move us two steps closer to a United States ground presence in Bosnia.

The shootdown of Capt. Scott O'Grady served to remind us that providing air support is not without cost. It has the real potential of mission creep—involving us deeper and deeper in this conflict. And make no mistake, we are on the brink.

I have heard the discussions evolve about what is help for extraction of our troops. Is it reconfiguration of our troops anywhere within Bosnia? Is it an emergency? Now we are talking about using American helicopters. American helicopters are the beginning of ground involvement, and we cannot let this happen.

It is clear that the United Nations is conducting a peacekeeping mission in a region where there is no peace. There is no peace in sight. The United Nations is paralyzed and unable to respond and unwilling to retreat.

Last week the Bosnian Serbs attacked a U.N.-designated safe area of Srebrenica. They routed Dutch U.N. forces. They took U.N. forces hostage and drove the inhabitants of the so-called safe area out of their homes—the same inhabitants we have denied the ability to fight for their homes. Even as we debate this matter right this minute, the Serbs are overrunning U.N. outposts and assaulting another supposed safe area, Zepa, with artillery and armored vehicles.

According to the administration, its reluctance to lift the arms embargo stems from the fear that if the embargo should be lifted, the Bosnian Serbs would only be encouraged to go on the offensive and press their attack on the Bosnian Moslems. Encouraged? What is happening now this very minute? I do not think you could say by any stretch of the imagination that anything we would do would change the encouragement that they are now receiving to do the atrocities that they are doing.

This seems to me to be an empty excuse when they are already clearly on the attack. The refugees fleeing Srebrenica and Zepa provide ample evidence of the failure of this embargo where only one side of the conflict is disarmed.

Secretary Christopher said yesterday that lifting the arms embargo unilaterally would force the withdrawal of U.N. troops. I am sorry to say, Mr. President, that would be a positive development. It is the status quo that represents failure. This resolution that we are debating is an acknowledgment that the U.N. can no longer function in Bosnia until both sides are ready to sit down at a table and negotiate peace.

The United Nations is an effective peacekeeper when both sides are seeking peace. This is not the case in

Bosnia today. As Bosnian Foreign Minister Muhamed Sacribey said so eloquently just this week, ''The U.N. troops have become a hindrance * * * a clumsy reminder of the U.N.'s failure.''

The Bosnians need more than bread flown in on a U.N. airlift. The Bosnians need to be able to defend themselves, to get their country back in order. The United Nations has shown that it cannot and will not perform that vital role. So it is time for the U.N. to step aside. Fleeing Bosnian Moslems reportedly have seized weapons from the Ukrainian U.N. forces. Ironically, those seized weapons may represent the most concrete peacekeeping effort yet provided by the U.N. forces to the Bosnians.

I urge the President to turn away from this most recent in a long series of shifts in our American policy. Instead, he should be encouraging the United Nations and our allies to withdraw as swiftly as possible and then lift the arms embargo so the Bosnian Moslems can defend themselves.

Last year when I met with Bosnian Vice President Ganic in the Senate Armed Services Committee, where the distinguished Presiding Officer also was present, he made a poignant appeal. And then he said apologetically, ''I realize I am emotional about this issue.''

I thought to myself, this man is apologizing for being emotional when his people are unarmed and under assault, his families are being brutalized and murdered, and we in the West are the ones who should be apologizing for denying those people a basic right that we all acknowledge, the right to defend their country.

We have a moral obligation to uphold a U.S. doctrine articulated by Presidents from John F. Kennedy to George Bush: We will lend our support to oppressed people who are willing to fight for their freedom.

It is not always our responsibility to fight for those people, but we certainly ought to be willing to support them in the other ways that we can, and we certainly should not deny them the right to fight for themselves. This is an American principle that we must uphold.

During his compelling testimony before the Armed Services Committee, Vice President Ganic talked of our sacrifices on D-day, but he warned us that 50 years after the defeat of fascism in Europe, it is once again there on the rise in the form of genocide and oppression against the non-Serbian populations of Bosnia.

When a few of us visited with the Prime Minister of Bosnia just 3 weeks ago, he said, ''I am puzzled by the U.N. which keeps saying there are two sides to this issue.'' He said, ''There are two sides. One side is shooting and the other side is dying.'' Not exactly, Mr. President, a level playing field.

Bosnia's Foreign Minister told reporters yesterday, ''We are not waiting for anyone anymore. We are not asking for troops to be sent to Bosnia. We are only prepared to count on ourselves and no one else.''

Mr. President, we can no longer continue to leave Bosnia defenseless against a well-armed Serbian aggression. The United States has acted unilaterally before, and we will again. We are the leader of the free world. We must lift the arms embargo. Vice President Ganic said, ''We are dying anyway. Let us die fighting, fighting for our country.''

Mr. President, the time has come for the Senate to heed their pleas and set a date certain for lifting this arms embargo.

I thank the leaders of this effort, Senator DOLE, Senator LIEBERMAN, and the other cosponsors of this very important resolution.

We have talked about this enough. The time has come for us to act decisively as the leader of the free world.

I thank the Chair. I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER (Mr. KEMPTHORNE). The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, first, I thank my distinguished colleague and friend from Texas not only for her support of this call for lifting of the arms embargo but for a powerful and eloquent statement of moral principle as well as strategic interest and just good common sense.

Mr. President, I am very pleased at this time to ask unanimous consent that the distinguished occupant of the chair, the Senator from Idaho [Mr. KEMPTHORNE], be added as an original cosponsor of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I say to my colleagues or any staff who are following the proceedings in the Chamber, that I am going to continue for a while to deal with some of the issues which I think are involved in this debate, but I am more than happy to yield the floor to any colleagues who wish to speak on this proposal as they come to the floor.

Mr. President, let me focus for a few more moments on the appeal that will be made today again that this is the wrong time to lift the embargo, the wrong time for the Senate to speak out because of the increased pace of discussions between the United States and our allies in Europe about a more robust policy to follow against Serbian aggression or for implementation of the U.N. policy.

I have said a short while ago here that on every occasion when we have proposed lifting the arms embargo, there has always been another reason why people have said to us this is the wrong time. I truly hope and pray that my colleagues will not listen to these entreaties and will join in the strong, bipartisan, nonpartisan outcry against the current policy and plea for implementation of the right of self-defense of the Bosnian people, to which Senator HUTCHISON has so eloquently spoken.

The other fact, in addition to the one I cited earlier, about why I believe passing this proposal will in fact strengthen the administration's hand in discussions with our allies for a robust policy is that it shows not just the impatience but the growing opposition, the strong opposition, the nonpartisan opposition to the current policy. It cannot be sustained anymore. It is not being sustained on the ground in Bosnia, and it cannot be sustained in the political representative community that we are for the American people.

It is in that sense simply unfair of the Europeans to continue to press this administration to follow a policy that is not the one of lift and strike that it brought into office.

The other thing to say about the timing may be a sad fact, but it is true that there is a temporal discontinuity between what may happen in this Chamber today, hopefully, perhaps tomorrow, in adopting this proposal and what is happening on the ground and the suffering of the Bosnian people and continued aggression of the Bosnian Serbs, as Zepa, effectively undefended, is about to fall; which is to say that even if we adopt this proposal, hopefully by a strong, overwhelming majority, that does not mean it becomes law. Something has to be done by the House. Either this will go to the House or the House will take up a separate proposal. I gather the latter is the more likely course. Then, as this Government of ours works, it will go to a conference committee. That will take some time. And then it will go to the President, and he has some period of time to decide in the normal course whether to sign or veto the proposal.

So do not worry. If I were a Bosnian on the ground suffering, watching my country being taken away from me, watching tens of thousands of my country men and women being forced out of their homes, watching people being raped and murdered, I would worry about the timing, but for those who counsel against action today because of what may happen in London on Friday, do not worry about it. Do not worry about it. Unfortunately, there will be plenty of time, even if we adopt this proposal today or tomorrow, before the arms embargo is actually lifted.

Mr. President, let me now go on to talk about some of what happens on the ground today in Bosnia and what I think is the attitude we have allowed to develop among the leadership of the Serbs and the Bosnian Serbs, which is a wanton disrespect of international order and morality and law.

A story on the radio today that I heard coming in is that as these discussions of a more aggressive Western NATO policy in Bosnia—not to try to turn back Serbian aggression, which has already taken well over 70 percent of the country—but discussions are

going on about a more aggressive NATO policy to protect the safe areas, to give some meaning to the word ''safe'' to make it other than ludicrous, which is truly what it was, ludicrous and horrific for the 30,000 or 40,000 in Srebrenica who did not find that town to be a safe area. In other words, we are talking now about using Western air power and stronger defense forces to give some meaning to a resolution of the United Nations to create six safe areas in Bosnia, one of which has fallen, another of which is about to go, a resolution that I must say has the same source as the arms embargo, which we have painfully respected for so long and at such cost for everyone.

And what is the response of the Serbs to even the discussion of more forcefully enforcing an act of international law, of the international community, of the United Nations? Mr. Karadzic, the President of the Bosnian Serb nation, operating out of Pale, says he warns the Western Powers that Bosnian Serb forces will shoot down any Western planes or helicopters that come in to defend the safe areas. Can you imagine the outrage here, the outrage that we have created? If you again let an aggressor go on and do not make them pay for their aggression, if they are rewarded for their aggression, if they essentially laugh at the United Nations, NATO, the Western World, what is the hope for order, for morality in an international society, in the post-cold war? What is the next step?

Basically the Chirac proposal to protect the safe zones is really like a local police force saying it is going to carry out the law in a local area, and the criminals saying, ''If you bring police cars into this area to carry out the law, we are going to throw hand grenades at the police cars.'' What would our reaction to that be? But that is what we have invited here by our inaction.

We have allowed not a great army, we have allowed a second-rate army, to put it mildly, to hold at bay, to take aggressive action, to punish, not just the Bosnian people, but the greatest military alliance in the history of the world; namely, the North Atlantic Treaty Organization. We have sent in these courageous soldiers wearing the blue helmets of the United Nations saying they are not combatants, giving them light arms, refusing repeatedly under this bizarre, ridiculous dual-key approval approach where NATO troops under fire wearing the U.N. uniform have to get the approval of the U.N. political authorities; namely, Mr. Akashi, to fight back, to call in air power. Efforts to call for strikes have been repeatedly frustrated and turned down. So we send in the United Nations and basically give these heroic soldiers wearing the blue helmets a mission impossible. And what we have done is diminish the credibility of this great allied force, this NATO force which held the Soviet armies at bay for the duration of the cold war and now is being made a fool of by a second-rate military in Serbia, such that the political leader of those Serbs says this morning, has the nerve to warn the West, that his forces will shoot down Western helicopters if they dare to enforce the law, which is to say to protect civilians in safe areas. That is what we have come to.

Uncertainty, irresoluteness, weakness in the face of aggression will always draw more aggression. There is no reason to stop.

Others say that if we lift the arms embargo we will Americanize the war. My first answer to that is the answer that Prime Minister Silajdzic respectfully gave when he was here a while ago. The Prime Minister of Bosnia said in one sense the war has already been Americanized. It is a tragic sense. It is a painful sense, which is to say that the continued American support of the arms embargo, the continued refusal to allow not just that we supply the Bosnians with weapons to defend themselves but that we make it difficult for others to do so, we continue to support this policy in the world community that effectively is America taking a position in this war. Certainly it is so on a moral basis that we have by our continued support of the arms embargo had an effect. We have Americanized the conflict by denying weapons to one side. And of all the bizarre and crazy results, we are denying weapons to the victims of aggression.

Mr. President, as I said last night and I repeat here briefly, there is a tragic history and story to be told here about the origins of this embargo. It began in 1991 when Yugoslavia had not quite broken apart. And it was requested by the Government in Belgrade, the same government of Milosevic that has carried out this policy of aggression for the purpose of creating a greater Serbia.

Why was it requested? Well, with some naivete let me say why I think a lot of people voted for it. The theory that was being presented was that if we closed the flow of arms into the Balkans, we would stop the outbreak of war there. And in 1991 it was possible for people of good faith to accept this argument, which looking back today is preposterous.

But what is even more infuriating is that this arms embargo was requested by the Government in Serbia. And why did they request it? Because they had all the arms they needed. History and fate made it such that the warmaking capacity, the munitions, the military equipment of the former Yugoslavia were almost totally in what became Serbia, operating out of Belgrade.

So I have viewed the arms embargo and certainly the request to support for it by the Government in Belgrade in 1991 as a cynical act which was done with full knowledge of their own intentions, the intention of the Government in Belgrade to begin aggression to extend their domain as a way to prevent their soon-to-be victims from obtaining weapons.

That is the sad and twisted history of this embargo, which some have now raised to the level of great international law. It was an act of politics, an act of policy for some, a well-intended attempt to stop war from breaking out once again in the Balkans.

But how can we have sustained that policy when on the ground it was clear that war had broken out, and the impact of the embargo was to deny one side, the Bosnians, the means with which to defend themselves while the other had plenty? So in response to this argument that lifting the arms embargo Americanizes the war, I offer the statement of the premise that unfortunately America's enforcement of the arms embargo Americanizes the war. There is an extent to which we have blood on our hands here by our inaction, if you will, although it is action. And insofar as we have continued to support the arms embargo, second, in a more direct sense, the war has already been Americanized.

As I have said here before, weakness in the face of aggression encourages more outrageous aggression. And the most powerful testimony to that could be offered by Captain O'Grady in his F–16, taking off on a flight as part of Operation Deny Flight which was the United Nation's effort to enforce the no-fly zone which also was an act of the U.N. Security Council.

What is the no-fly zone? The no-fly zone was the attempt after the initial mistakes of the United Nations to try to tone down the conflict acknowledging that most of the planes in the region were from Serbia. To keep them on the ground or at least not give them that brutal advantage from the air. So Captain O'Grady leaves on this mission flying this American plane, this F–16. As I indicated last night—I will say this again briefly—I pursued this with some intensity and detail because I wanted to understand from a military point of view what did the Serbs on the ground who fired that missile at Captain O'Grady know about that plane he was flying? What was their knowledge and intention as they did that?

And the answers I have received from sources that I trust and have high regard for are, one, that the Serbs in Bosnia on the ground were operating as part of a very sophisticated integrated air defense radar system which actually had been used before the conflict as an air traffic control system for commercial air traffic by the former Yugoslavia. It extends back to Belgrade, although its parts can stand on their own, now being used primarily for military purposes.

The Bosnian Serbs on the ground saw that plane in the air, one of several sorties flown. A large number of sorties are flown everyday as part of Operation Deny Flight. They had the capacity. They knew that that was an American plane. They could identify it. That is how sophisticated their air defense system is and, by the nature of its flight

pattern, they also knew, because I asked, that it was part of Operation Deny Flight and not part of an airstrike mission. There have been airstrikes carried out by NATO. They have been very limited. They have been described as pin-prick airstrikes. They have had some partial success. But we never have, in any way, pulled the throttle on the air power capacity we have in that region.

I asked those who know, ''Was it possible for the Serbs on the ground, seeing what they had identified as an American plane, an F–16, above to know whether that plane was on an aggressive mission to strike from the air or whether it was part of what I would call a nonaggressive patrol mission to see that Serbian planes had not left the airspace?''

The clear response I received was that because of the patterns the F–16 was flying, it was absolutely clear that this American plane was flying as part of Operation Deny Flight, not on an aggressive mission, on a patrol mission. Again, if I may use a domestic metaphor here, it is as if the police car was going through an area of a town enforcing the curfew and was not on an aggressive mission.

Mr. President, I am very pleased to see the Senator from Delaware [Mr. ROTH], here. I will finish this line of argument and yield to him.

So the Serbs on the ground, with their fingers on the missiles, missiles that they received from the Russians, that the Serbs from Belgrade brought into Bosnia to be at the disposal of the Bosnian Serbs, they knew that that F–16 was not on a mission to do them any harm. It was patroling, and they intentionally shot that American plane down. It is only by the grace of God and, of course, his own extraordinary courage that Captain O'Grady is alive today, through his heroism and bravery and the extraordinary capacity of American equipment that we have supported in this Chamber—global positioning systems to locate a distress signal at critical moments—picked up by American planes, we send in the CH–53 Super Stallion helicopters to pick him up. They are noticed by Bosnian Serbs and they too are fired on. Again, an intentional attack on American planes, in this case helicopters.

What did we do about it? We did not do anything. We did not do anything, I suppose, because the Serbian forces were holding U.N. personnel. I think we should have done something in spite of those hostages that were being held, because it seems to me when you allow people to take hostages and hold them and they render you impotent, then they will simply act more outrageously. But an American plane on a nonaggressive patrol mission was intentionally shot down by the Serbs.

So I offer that as evidence that the war, indeed, has been Americanized. Our soldiers, our pilots flying those missions, the NATO soldiers in U.N. uniforms may think they are noncombatants, but the Serbs do not think they are noncombatants. The soldiers have paid the price.

Lastly, let me talk about Americanizing the conflict. Let me say, it is up to us. We are not going to be drawn into a conflict we do not want to be drawn into. Lift and strike that President Clinton brought into office with him is just that. We have a strategic interest in stemming the conflict in Europe. We have a moral mission of protecting the victims from genocide, but we do not really have enough of an interest, nor does the strategic situation demand it or call for it, to send American troops on the ground.

We do have enough of an interest in stopping this conflict by using allied air power to stem aggression and by giving these people, the Bosnians, the victims, the opportunity to defend themselves.

We are not putting ourselves, if we adopt this, on a slippery slope. It is up to us to make policy. Nothing irretrievably Americanizes this conflict. In my opinion, it is a lame excuse and an insult to our capacity to control the course of our behavior to be in opposition to S. 21, as amended by amendment No. 1801.

Mr. President, I am pleased to see three other distinguished colleagues on the floor. I welcome their entrance into this debate. I yield the floor at this time.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. ROTH. Mr. President, I rise to express my support of S. 21, the Bosnia and Herzegovina Self-Defense Act of 1995. I do so because I regard it as a first step in a more effective strategy to enable the Bosnian people to exercise the right of self-defense to bring this horrible war and its atrocities to an end and to do so in a way that will, in the long term, reinforce the cohesion of the alliance.

Those who argue against this legislation fear that it risks a crisis within the alliance. They fear it will escalate the conflict and its atrocities, as well as expand the war into the surrounding regions. The truth is, Mr. President, current policy has already made these fears today's realities, and with each passing hour, the situation only gets worse.

First, because of the war, the alliance is already well into its worst crisis of cohesion. The current course of events in the Balkan war is only making this acrimony even sharper.

Second, the war in Bosnia is escalating. The Serbs have initiated the largest offensive since the beginning of the conflict. Croatian Serbs and Serbian regulars have crossed over into Bosnia to support the Bosnia Serbs. They have declared the United Nation and NATO to be enemies. They continue to humiliate and attack U.N. and allied forces that are trying to bring peace and humanitarian assistance to that region.

They have shot down an American F–16. We are all witnesses to the Serbs' attacks against the safe havens in Bosnia. We are all witnesses to the ethnic cleansing now underway, and we cannot dismiss new concentration camps the Serbs are establishing and the new waves of rapes and other crimes. Our fears have become reality, and it is now necessary for a new strategy to end this conflict.

The emphasis of a new strategy should be to establish a military balance in former Yugoslavia that will induce and sustain a negotiated settlement. Toward this end, I believe the United States should take the following steps:

First, the United States Government should notify the United Nation and our allies that it favors the withdrawal of the UNPROFOR from Bosnia, and if the Western alliance is to remain cohesive, we must honor the President's commitment to provide United States forces to facilitate the withdrawal of the UNPROFOR.

Second, the United States should help the Bosnia Government attain the military equipment and supplies necessary to defend itself. The Serbian Army inherited from the former Yugoslavia a vast superiority in military equipment and infrastructure, including large numbers of tanks, armored personnel carriers, artillery, and aircraft. These advantages have been preserved by the current arms embargo against Bosnia, and the Serbs are brutally exploiting these advantages. Even with a more disciplined and larger army in terms of personnel, Sarajevo has not been able to overcome their weakness in equipment and supplies. Considering the Bosnian fighters' demonstrated courage and their will to fight, Sarajevo's access to modern arms will help significantly offset the Serb advantages in weaponry and logistical support.

Third, the United States should declare that it will exercise the right to utilize its air power in a sustained and strategic manner against any Serb effort to exploit the UNPROFOR withdrawal and to assist the Bosnian military in defending against any Serb offensives. The commitment to employ air power is necessary to prevent further Serb aggression and massacres. However, the application of American air power is not to win the war for the Bosnians, nor should it be construed as a step toward a commitment of United States ground forces. The war must be fought and won by the Bosnians. The purpose of United States air power would be only to deter further Serb offenses and deny them the advantages they now exploit from their superiority in heavy tanks, artillery, and military equipment and infrastructure.

These steps will help the Bosnian people to more effectively defend themselves on a strategic level. They would contribute to a more even distribution of military power in the region. That would help deny aggressors in the war

opportunities and incentives to continue their offenses. Indeed, it would help prompt them to recognize the imperative of achieving a negotiated and peaceful solution to the war.

Mr. President, strong congressional support behind S. 21 is absolutely essential. Strong support will communicate to the world America's determination not to tolerate the aggression now underway in Bosnia. It will demonstrate to our European friends and allies that America is always ready to live up to its commitments, and that America is always prepared and willing to undertake what is necessary to establish and ensure enduring peace and stability in post-cold-war Europe.

I yield the floor.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. SIMON. Mr. President, I rise in support of the Dole-Lieberman legislation. It is an unhappy situation, and there are no good answers. Whatever course we take is going to be criticized. What we can do is learn from our mistakes.

In 1991, when the aggression first took place, President Bush and the administration should have responded. When Bill Clinton took office, he, after criticizing George Bush during the campaign, should have responded. That is easy for us to say. But what we know is that the situation is deteriorating. If some action is not taken now, it is going to be worse in a month. And if some action is not taken in a month, it is going to be worse in 3 months.

The great threat to the world today is not nuclear annihilation, as it was a decade ago; it is instability, and it is that tyrants somewhere in the world will get the message out of Bosnia that they can move against their neighbors and the community of nations will do nothing. The danger in Bosnia, if appropriate action is not taken, is that it is going to spread. It will spread to Macedonia, Bulgaria, Greece, and Turkey, and we will have a major problem on our hands. And here what the United States has to do is to show some backbone, some muscle.

The community of nations do not question our technical competence. You know, we are increasing defense appropriations as a way to send a message to the world. That is not going to send a message to the world. What the world questions right now is our will, our muscle, our backbone. And when I say ''our,'' I am not talking about the members of the Armed Forces; I am talking about the administration, I am talking about the Senate, I am talking about the House.

Let me just give an illustration. Suppose in the Chicago Police Department, or the Los Angeles Police Department, or the New Haven Police Department, people would enlist. But, tragically, as happens in every major city police department, there is a casualty. Would the city of Chicago, or Los Angeles, or New Haven announce: Sorry, we have some drug dealers here who killed a Chicago policeman, we are going to abandon that portion of Chicago, or Los Angeles, or New Haven because of a casualty. We would recognize that to do that invites more trouble, tragic as the casualty is.

Yet, that is what we did in Somalia. I read in editorials about the disaster of Somalia. Real candidly, George Bush's finest hour was when he had the courage to send our troops there, and we saved hundreds of thousands of lives. And then a decision was made by a retired American admiral to go after General Aideed—frankly, a decision that should have been made—after consultation with Ambassador Oakley and others. But a mistake was made. Nineteen Americans lost their lives, including one who we saw on television being dragged around the streets, and that shocked and stunned all of us. Immediately, there were calls for the United States to get out of Somalia. And we understand that. We do not like casualties. But we have to recognize that if we are going to have stability in the world, those who enlist in armed forces, like those who enlist in the Chicago Police Department, are taking additional risks. And the risk we cannot take is having a world of instability.

After the uproar here in Congress on Somalia, there was a meeting at the White House, about a 2-hour meeting, with about 20 of us, as I recall. A decision was made that by the following March 31, we would pull out all American troops. It was not an agreement I liked, but it was better than pulling out American troops immediately. And that was the sense of this body at that point. Shortly after that decision was made and announced, President Mubarak of Egypt visited the United States. He was in the Blair House. I, at that point, chaired the Subcommittee on Africa. I went down to visit President Mubarak, who was chairman of the Organization for African Unity at that point. Just before I went down, I received a call from someone in the White House—not the President—saying, ''Could you ask President Mubarak to keep his troops there longer than March 31?'' I made the request—without disclosing a private conversation—and it would not surprise any of you to learn that President Mubarak was not impressed that the most powerful nation in the world and the richest nation in the world said we were getting out of Somalia, but we would like their troops to stay. We did not show determination or fortitude.

Senator NUNN is going to have an amendment which will make clear, if it is adopted, that the U.S. Senate backs, if this amendment is adopted and troops are withdrawn, we have pledged we will use up to 25,000 troops to pull the U.N. forces out.

Frankly, I think if that happens and arms are supplied, there will have to be air cover for the Bosnian Government. This is not going to be a risk-free operation. There will be calls on this floor, once there are casualties, to pull out, to stop.

I think here we have to show the determination and the muscle and the will that recognizes the great threat to the world through today's instability. Bosnia can be a spreading disease. We have to get a hold of this thing.

I think the Dole-Lieberman proposal is a sensible proposal. It is not risk-free. There are no good answers. There are only two answers right here: One is to go in with substantial military muscle; or follow the Dole-Lieberman proposal and let the people of Bosnia defend themselves.

I do not believe there is the will—not just on the part of the United States, but on the part of other governments—to take the first alternative. I do not know whether that would be a realistic alternative also.

No one can guarantee that this is going to work, that this will preserve the Bosnian Government. We have to send a message to tyrants in Asia, Latin America, Europe, everywhere in the world, you cannot move against your neighbors and bring about world instability. The community of nations will respond. We have to respond.

I think this is a well-crafted proposal. I intend to support it. I yield the floor.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the Chair. I thank the Senator from Illinois for some very thoughtful, and I believe, sound comments. I find myself in agreement, Senator, with virtually everything that the Senator said.

I also thank the Senator from Connecticut for what has not been easy for someone on our side of the aisle, to take this level of leadership on the issue. I heard the Senator last night so eloquently put forward these facts.

Perhaps, in 1878, Benjamin Disraeli said it best when he offered these words in the British House of Lords:

> No language can describe adequately the condition of that large portion of the Balkan peninsula—Serbia, Bosnia and Herzegovina and other provinces—[the] political intrigues, constant rivalries, a total absence of all public spirit . . . hatred of all races, animosities of rival religions and absence of any controlling power . . . nothing short of an army of 50,000 of the best troops would produce anything like order in these parts.

And that was said 117 years ago.

We know that when Marshal Tito governed what was known as Yugoslavia, the strong central control kept down these 100-year-old animosities. Today, they have boiled to the point of no return.

Many have characterized UNPROFOR as a complete failure. I believe that exaggerates the case. After all, there has been a dramatic decrease in civilian casualties in Bosnia—from 130,000 in 1992 down to 3,000 in 1994. UNPROFOR deserves much of the credit for this decrease. However, it is undeniable that UNPROFOR has major shortcomings that have been exposed with increasing regularity.

We saw it on May 25, in Tuzla, a so-called U.N. safe-area, when 71 young people, all under age 28, were killed by a single Serb shell—one of many instances when Serb forces have eroded safe areas with attacks—without any retaliation, despite a U.N. Security Council resolution authorizing such responses.

We saw it when 377 U.N. troops were taken hostage in June after a NATO airstrike on a Serb ammunition dump.

We saw it when Capt. Scott O'Grady's F–16 was shot down without a response, as scores of U.N. hostages were still held captive.

We see it every day, as U.N. peacekeepers attempt to protect innocent civilians, sometimes successfully, but often not.

And we saw it on June 10, when the U.N. mission in Sarajevo announced it would not respond to protect Moslem enclaves from attack without the consent of the Bosnian Serbs—the attackers.

I believe it is fair to say that U.N. forces have neither the mandate, the training, the equipment, nor the rules of engagement, to allow them to respond sufficiently to attacks against them or against civilian populations. They are meant to be observers to keep corridors for humanitarian aid open—not fighters.

These problems have taken their toll on public and congressional support for the present course. And they have taken their toll, I think unfairly, on support for UNPROFOR troops.

In Congress, there has been continuing debate over whether a unilateral or a multilateral lifting of the arms embargo against Bosnia, or the withdrawal of UNPROFOR troops altogether is the humane or the inhumane action to take. And because the United States has no troops on the ground in Bosnia, we have less leverage in influencing nations that do have troops on the ground.

But during the past week, events have reached a terrible watershed, and we have seen a startling and devastating turn: The three Eastern enclaves, Srebrenica, Zepa, and Gorazde, are falling to Serb aggression. Ethnic cleansing has taken a giant step forward.

Mr. President, 42,000 civilians from this area of Srebrenica have been separated from their families, and many of them are at this moment still being held hostage in a stadium in nearby Bratunac up here. Literally, thousands of refugees from Srebrenica remain unaccounted for, perhaps up to 20,000. We have heard ominous stories of women being taken hostage and raped, of summary executions, and of bodies lining the nearby roads.

A second safe area, Zepa, with some 16,000 Bosnian residents, is in the process of being overrun. Today, it is reported in the Los Angeles Times that Bosnian Government soldiers have said, they would use the 65 Ukrainian peacekeepers in Zepa as human shields against Serb attacks unless the United Nations called in NATO air power. What we see is that now the Bosnian forces are beginning to use the Serb tactics of taking hostages.

It has been shocking to see the ease with which these areas have and are falling. Dozens of U.N. observation posts have been abandoned, leaving unarmed Bosnian Moslems to try to defend themselves.

The third area, Gorazde, will be next, unless there is a will to use major airstrikes. Airstrikes were successfully employed in April 1994, to prevent a Serb invasion of Gorazde. However, such airstrikes are now made unlikely by the fear that Bosnian Serb forces will retaliate by taking more U.N. troops hostage. UNPROFOR weapons and equipment in the safe areas are being taken by Bosnians and used to fight the Serbs since the world has decided that the Bosnians cannot arm themselves.

This past weekend, I opened the New York Times, and saw photographs of elderly refugees in wheelbarrows, being wheeled over rough roads. I saw sobbing mothers and children. I also saw this picture. To me, it was a call for change.

I do not know this 20-year-old woman's name. She was a refugee from Srebrenica, and as she neared Tuzla, where the first camp was set up, this young woman decided she could not go on. She climbed a tree, tied a rope around her neck, and jumped. A photographer captured the image of her lifeless body hanging from the tree.

It is an image that haunts us. We do not know what humiliations and deprivations this woman suffered. Perhaps she saw a loved one killed. Perhaps she had been raped. Perhaps she simply could not bear the pain of being forced out of her home.

We only know that she could take no more. We only know that finally, the pain was too great. We only know that she could not endure any more suffering, any more indignity, any more barbarism. This was the act of a defenseless, vulnerable, beaten person. It was not the act of someone who had the ability to fight in self-defense.

Just as the anonymous white-shirted young man facing down a column of tanks in Tiananmen Square a few years ago conveyed the unspeakable message of oppression to the world, so did this photograph point eloquently to the world's failure in Bosnia.

The conscience of Europe and America must examine and reverse this terrible downhill slide now.

As the distinguished majority leader said yesterday at the beginning of this debate:

> This debate is not just about Bosnia. This is not just about a small European country under attack. This debate is about American leadership and American principles, about NATO strength and credibility, and about our place in history.

I have been a supporter of this administration's policy to this point, but recently certain things have been made clear:

First, the involved allied powers have stood against ethnic cleansing, and yet ethnic cleansing is taking place unabated on a continuing basis, as an unrelenting Serb military is allowed to rape, maim, and kill innocent people who cannot defend themselves, and whose military the world's powers are preventing from gaining access to sufficient arms.

Although the Bosnian Government forces have a significant manpower advantage over the Serbs, they face more than a 3-to-1 disadvantage in tanks, more than a 2-to-1 disadvantage in artillery, and a nearly 3-to-1 disadvantage in fixed-wing aircraft and helicopters.

Second, UNPROFOR's well-intentioned—and in some parts of the country successful—efforts have been shattered by a mandate that does not let them fight back, but has allowed them to be taken hostage, and allows their weaponry and equipment to be taken from them.

Third, beginning this past weekend, we have seen the fall of one of so-called safe areas; this week—the likely fall of a second; and shortly—the probable loss of third. With 70 percent of Bosnia in Serb hands, we must conclude that the present course needs to be changed.

I agree with those who have argued that the Dole-Lieberman resolution is not perfect. It probably will offend allies we do not want to, and should not, offend. It may contribute to an escalation of the war, and it may increase the likelihood that U.S. troops will be deployed to help UNPROFOR withdraw.

But I believe this resolution, in the absence of any other viable course of action, has one overriding redeeming value: It will establish unequivocally that the U.S. Senate believes that an afflicted and decimated people should be able to defend themselves.

Let me just give an example of the effects of the arms embargo. Earlier this week, I met with the Bosnian Foreign Minister in my office. He explained to me that despite their lack of heavy weapons, the Bosnian Government forces, who outnumber Bosnian Serb forces, have improved their battlefield performance in recent months. But, according to the Foreign Minister, the Bosnian troops still suffer a lot of casualties, the vast majority of which are fatal shrapnel wounds to the head.

Why is this significant? Because the arms embargo prevents the Bosnian Government from buying helmets for its forces. Helmets—one of the most essential pieces of equipment a soldier can have. And without them, many Bosnian soldiers are dying from shrapnel wounds to the head.

As a member of the Foreign Relations Committee, I have tried to learn as much as possible, to listen to and be advised by the experts. But I have not yet seen any viable plan to deal with and prevent the imminent taking of Gorazde.

This weekend, the United States will confer with its NATO allies in Europe

on this situation. This meeting, in my view, is key and critical, and I hope that a course of action and a change of mandate will be presented. It is my hope that those attending these meetings will think about a scenario which could create an incentive for the parties to agree to a last cease-fire and cooling off period for a specific period of time, perhaps 3 to 6 months. The cease-fire would be enforced by three powers, using NATO troops under NATO command, employing aggressive air strikes to deter violations. The three powers would obviously be France, Britain, and the United States.

During the cease-fire, UNPROFOR troops and Moslem civilians would be allowed to safely evacuate the remaining indefensible—termed by the experts, everyone I have talked to, as indefensible—eastern enclave without interference, and be relocated to safe areas of Bosnian Government territory in central Bosnia or elsewhere.

At the same time, UNPROFOR troops could be reconfigured to only those areas where they can protect themselves and others, and carry out their mission of keeping open humanitarian aid corridors and facilitating the distribution of aid.

But one thing is clear. If UNPROFOR is to remain in Bosnia at all, their mandate and their mission must be changed. They must be able to defend themselves and fight back under a clear, decisive and expedited field command.

In return, during the cessation of hostilities, the Bosnian Government, the Bosnian Serbs, and the Croats must agree to one last effort to negotiate a fair apportionment of disputed lands.

If an agreement on land apportionment is not reached by the end of the cease-fire period, Britain, France, and the United States would agree to lift the arms embargo multilaterally.

Throughout this period, economic sanctions would be maintained and strengthened where possible against Serbia, with the understanding that they will not be lifted until a settlement in Bosnia is reached.

Perhaps—I say ''perhaps''—a scenario like this could have merit. I presented it last Thursday night to the Secretary of State, I presented it to the minority leader, and I have discussed it with the majority leader. I do not know whether it has merit. But I do know that in the absence of any other course of action, people must be able to defend themselves. And in the absence of any other constructive, precise, and well-defined effort, it will be my intention to vote for the Lieberman-Dole resolution.

I thank the Chair. I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I want to respond to the very eloquent, very moving, and very strong remarks of my colleague and friend from California, Senator FEINSTEIN. I appreciate very much the history that she told, the obvious concern and frustration that she expressed for the failure of the current policy, the haunting picture of a 20-year-old woman hanging from a tree, a victim of suicide for reasons that we do not know. But speaking for all of us of what happens when you leave a people defenseless, women defenseless, perhaps she was raped, perhaps she was separated from her family, or perhaps her husband or loved one was carted off with other young Bosnian males, young men; whatever. It is that picture, and so many others, that will haunt us as the indication and evidence and proof of the failure of the current policy and the effect of the current policy.

I heard somebody speaking on one of the television programs today against lifting the arms embargo, a spokesperson for the administration, saying something that has been said over and over again, which is that, if we lift the arms embargo, it will lead to more bloodshed. How much more bloodshed could there be? Over 200,000 killed, 2 million-plus refugees, and the conflict goes on; one side with arms willing to take whatever action is necessary, violating all rules of international morality, with its leaders today the subject of an international inquiry at The Hague as to whether they are war criminals—Milosevic, Karadzic, Mladic, the whole crew.

So will lifting the arms embargo lead to more bloodshed? None of us can say it will not. It may lead to more bloodshed. It may lead to the shedding for the first time in any significant degree of Serbian blood. And until that happens, the Serbs, in by opinion, will not accept the peace at the peace table that the Bosnians could possibly accept. They will only seek unconditional surrender and the continuing death and torture of the Bosnian Moslems.

I appreciate the sincerity of my colleague from California in suggesting the possibility of an alternate course here, a last chance, a 3- to 6-month period in which both sides, the Bosnian Serbs, Bosnia and Serbia, be given a chance to negotiate a peace, after which, if there is failure, the arms embargo will be lifted multilaterally.

I appreciate the sincerity. I wish that such a policy had any chance of working. But I will offer this response to it. In the first place, insofar as part of it involves the movement of the remaining Bosnians who are in the east of Bosnia into the central area of Bosnia around Sarajevo, which is the relatively secure area, although Sarajevo continues to be shelled, unfortunately, it yields ground to the Serbians, which is exactly what they want. They want the greater Serbia, and eastern Bosnia.

But more to the point, every peace offer that has been made by any credible authority, including most significantly the contact group, the international five-nation group that made the peace offer of 51 percent to the Serbs, the remainder to the Bosnians, 20 percent less than the Bosnians had at the beginning of the war before they were defenseless victims of aggression, the Bosnians accepted it; the Serbs did not. That has been the course of every peace offer made.

The Serbs are not accepting terms of peace because they are running willfully, wantonly, brutally throughout the country and nobody is making them suffer. When outlaws are allowed to commit illegal acts, the worst illegal acts—theft of land, eviction of people, rape, murder, slaughter, separation of families—they will continue to do it because nobody stops them. We know that here in our own country. That is why we are all supportive of stronger law enforcement.

So they continue to do that. They are not going to accept the peace. They have not accepted any peace. If I had one shred of hope that they would, I would say it was worth trying to pursue some opportunity to give them that.

Let me add this, that any terms they would accept are unacceptable to the Bosnians, and none of us in the exercise of fairness would ask the Bosnians to accept. They have taken enough abuse. They have suffered enough. It is not for the international community at the point of a Serbian gun to force the Bosnians to accept the decimation of their country. They have already accepted every reasonable or not so reasonable peace plan they have been given.

So I wish I could have some hope for the prospects of yet another cease-fire and a chance for negotiation. But at every turn the Serbs have not only rejected the suggestions; they have deceived us. They have tricked us. They have talked while preparing to attack. And the Bosnians and the United Nations and NATO and the United States have been the victims.

And finally, so far as the suggestion made—and again I respect it and I know it is made in good faith and with a sense of hope—that at the end of the 6-month period Britain and France and the United States would multilaterally lift the arms embargo, I see no indication that our allies and friends in Europe are prepared to commit to that.

So, Mr. President, again I note the presence in the Chamber of colleagues, and I yield the floor.

Mr. KERRY. Mr. President, I ask my colleague if he would be interested in entering into a little bit of a colloquy maybe simply because we all come to the floor and the debate seems to pass by itself in a way. I think it would be helpful if we could talk through it a little bit.

I ask my colleague if it is his judgment that withdrawing UNPROFOR and lifting the embargo, which is essentially the heart of what is in the Senator's amendment, constitutes the policy of choice? Is that what we as a country and we as Senators want to put forward as our first choice policy here, to simply say that if the President of Bosnia says UNPROFOR get out, we lift the embargo, or if UNPROFOR is out, we lift the embargo?

My question is, is there not really a precursor to that, which is in effect a policy that wants to prevent the safe areas from being overtaken, a policy that wants to prevent women from being raped as a matter of war strategy, a policy that wants to guarantee the delivery of humanitarian assistance? Is that not rather the policy of choice for a great nation and a Western civilization, a free people?

Mr. LIEBERMAN. Mr. President, in responding to my friend and colleague from Massachusetts, this is not the first choice, but it is the choice that is offered in the context of the failure of the other choices that have been made, the other choices that have done damage and been inconsistent with the policy of a free people and a great nation and have done extraordinary damage not only to the Bosnian people but to the rule of law.

The policy that this proposal advocates, lifting the embargo and striking from the air, is the policy that President Clinton brought into office with him in 1993, that our allies in Europe opposed, and then the policy was changed.

So, of course, if the United Nations had played any role other than passing resolutions—and I say to my friend, it is my personal judgment that the United Nations has suffered terribly in this conflict because it has been misused and its soldiers, brave soldiers, have been misused.

When did the United Nations go in? It went in after the aggression of the Serbs became clear and the first wave of terrible atrocities became visible to the world, when the concentration camps were seen by British television and sent around the world. Camps that were operated by the Serbs with the Moslems: the haunting pictures, the echoes of the Second World War, emaciated bodies, stories of mass slaughter, rape, all the rest.

The Western Powers could not sit by when that happened, but instead of being forceful, lifting the arms embargo, striking from the air at minimal risk to Western personnel, they threw in the United Nations, on a presumably humanitarian mission, and gave them no weapons with which to defend themselves, and were not willing to stand by the resolutions that were adopted subsequently by the United Nations to deny flight, to protect safe areas.

And what have we had? Sadly, we have had the United Nations serving not as a guarantor of peace and security for the Bosnian people but now, not for a day, not for a month, but for 3 years being a cover for Serbian aggression. And every time we have begun to get up some backbone here to strike back at the Serbs for killing people, for shooting down American planes, for taking U.N. personnel hostage, they have just taken more hostages and said if you strike back at us, we will kill your personnel, and we have walked away. We have moved to the back.

So I say to my friend from Massachusetts, policy of choice? We are late in the game. We are late in the day in Bosnia. If in 1991 and 1992, when the Serbs moved into Slovenia and then Croatia and Bosnia, the world had drawn a line and said: end of the cold war instability or not, do not think you can march now and not pay a price for it. We did not and as a result we have paid a price.

I say to my friend, policy of choice? Let us listen to the victims. Let us listen to the people of Bosnia who have said through us, through their elected representatives over and over again, the United Nations is not helping us; it is hurting us. Get them out of here. Give us the weapons with which to defend ourselves. Please, help us from the air to strike at Serbian targets until we can make this a fair fight.

Mr. KERRY. There is nothing in this amendment about strike.

Mr. LIEBERMAN. No, there is not.

Mr. KERRY. There is nothing in here about strike. This amendment is exclusively what you do if you withdraw. I respectfully suggest to my friend from Connecticut, I agree with everything he just said. Everything he just said is a wonderful statement of what is wrong with our current policy. The question is, is this a replacement for that policy? And I respectfully suggest to my friend this is not a policy. This is the last step. This is the last step. If the President of Bosnia says UNPROFOR out, under the law UNPROFOR has to get out. So absolutely, unequivocally, I suppose you have no choice morally but to lift the embargo then because you cannot keep an embargo against some people while the others have weapons to kill them.

Mr. LIEBERMAN. That is just what we have done for 3 years.

Mr. KERRY. But that does not mean we ought to continue to do that today. If the policy of choice as the Senator has acknowledged is to stand up, then I ask the question, why do we not stand up today? Sarajevo has not yet fallen. Gorazde has not yet fallen. Zepa may fall. It is in the process. Are we so weak, are we so without guts and policy that we are going to come in here and ratify an amendment that effectively says if the Bosnian President says, ''Get out,'' or UNPROFOR is out, is that all we have to offer in the United States Senate, an epitaph rather than a policy?

Mr. LIEBERMAN. I answer my friend from Massachusetts, he asks, are we so weak? Do we so lack guts? Do we have no policy that this is the alternative? And I say to my friend, look at the history of the last 3 years. And all you will see is weakness, lack of policy, and no guts. And who has paid for it?

Mr. KERRY. I say to my friend, I am not the prisoner of the history of the last 3 years. I hope he is not. I do not think the U.S. Senate——

Mr. LIEBERMAN. I must take into account the history of the last 3 years. At every moment we have brought this proposal up again—Is this the first step? It was the first step that President Clinton brought into office with him and our allies with Europe frustrated with its implementation.

So I say to my friend, obviously we have to look at the history. I say this with respect to my friend from Massachusetts. I know he speaks with sincerity. At every point that the option was given to the Senate, to the House, to the administration, to the Western allies to lift the embargo, stop this immoral refusal to let these people defend themselves, use air power to help them resist aggression, there has always been another excuse for delay.

And so, respectfully, when my friend comes in today and says, is this the replacement for policy—this is what we have been crying out for for more than 3 years. And it is time to stop finding excuses for not at least giving these people the opportunity to defend themselves. If I had any confidence that there would be a stronger Western policy, I would listen—although I would still push forward—but, respectfully, the voices that I hear are not the voices telling me to delay. The voices I hear are the voices of the Bosnian people who have suffered as a result of just what you have used, the words you have used: weakness, lack of guts, and lack of policy.

Mr. KERRY. Let me say to my friend——

Mr. LIEBERMAN. Right now, all right in the newspapers, the British, the French, and our administration are not agreeing on an alternative policy.

Mr. KERRY. I agree. But therein lies the question of leadership and of resolution, not, it seems to me, in a sort of final statement of what you do if nothing else can happen. It seems to me my friend—I think we are talking the same language but coming at it from a different point. My sense is that the problem has not been the defined goal of UNPROFOR. The problem has been the implementation of that goal, the dual-key requirements for airstrikes, the absolute ineffectiveness of the troops on the ground who are armed not to fight back or to enforce most anything but are really so lightly armed as to be invitations to be taken hostage.

The question I think the U.S. Senate ought to be asking itself more appropriately is not what do we do to wash our hands of this situation, which, incidentally, is more complicated than that. And I think the Senator from Connecticut knows that. He is one of

the clearest thinkers in the U.S. Senate. If the Bosnian President can effectively say, OK, I want UNPROFOR out, and the Senate now passes a resolution saying one of the circumstances under which we will lift the embargo will be if the President of Bosnia says, UNPROFOR, get out, well, the President is pledged to put 25,000 American troops on the ground in order to help UNPROFOR get out. If I were the President of Bosnia, and I were kind of backed up against the wall, I might just think of saying to myself, ''Boy, how do I get the United States over here?''

So, he says, ''UNPROFOR get out.'' All of a sudden there are 25,000 troops in Bosnia. And then you might just want to—I can remember, you know, from the days of being in Vietnam, when the North Vietnamese would dress up like South Vietnamese and attack other people. I can well imagine Moslems putting on the uniforms of the Serbs and attacking Americans and drawing the United States into retaliation against the Serbs, or making it extremely difficult for America to get out in a way that then entangles us. I mean, why give the President of Bosnia the choice of putting 25,000 American troops on the ground in Bosnia-Herzegovina?

Mr. LIEBERMAN. I ask——

Mr. KERRY. Let me finish. It seems to me the Senator from Connecticut and all of us ought to be defining for the country and the world what is at stake here. Pope John Paul said it the other day, that the world is watching, you know, that civilization is standing by and experiencing a great defeat. To the best of my historical recollection, most of what World War II and World War I were about are principles that are fundamentally involved here.

Now, I am not suggesting that they rise to the level of threat that we ought to put American troops on the ground. I have never said that. I believe this is fundamentally the backyard of Europe, with respect to a localized kind of action, and they have got to bear the brunt on the ground. And the French have indicated a willingness to do that. The British seem to be dragging. But one of the reasons they are dragging is that we are not indicating our willingness to be sufficiently supportive with respect to air power and other things.

Now, I will tell you something. I think we ought to say that the United States of America is prepared to run the risk of putting American air people at risk, in harm's way, in the effort to back up our allies on the ground sufficiently to be guaranteeing only one thing—a minimalist capacity to deliver humanitarian assistance and guarantee safe areas.

Now, if the Western World and civilization cannot come together around the notion that a safe area is a safe area and we ought to stand up for it, and if we cannot come up around the notion that the basic laws of warfare ought to be adhered to, and if we are going to walk away in the face of thugism, we will ignore the lessons of history and invite future confrontation and future questions about our leadership and so forth.

I think the Senator agrees with that. So the issue here is, why not change the rules of engagement? Why not pull this away from the dual-key of the United Nations? Why not create a structure where the United States can control its destiny with its allies and not be subject to the politics of Mr. Akashi and Mr. Boutros-Ghali? Why not do what we effectively did in Desert Storm, where we ran the show or undertook that responsibility, and stand up for something before we turn around and say that all we can do is wash our hands and allow people to get weapons several months from now, when in the intervening months the Serbs will very clearly use the time? And if you think you have seen bloodshed and refugees on CNN in the last few days, wait until you see what happens on that course of policy.

Mr. LIEBERMAN. Mr. President, if there had been any indication over the last 3 years that there was the kind of resolve and willingness to stand up against aggression that the Senator from Massachusetts describes, my response would be more open than it is. The fact is that we have gone through more than 3 years in which the United Nations has acted with weakness and has been a cover for Serbian aggression against the Moslem people. We have acted for 3 years pursuant to a policy that has lacked purpose and force in such a way that we have demeaned the greatest military alliance in the history of the world, NATO, and raised questions about its continued viability. And we have diminished ourselves, the United States, the greatest power in the world.

Mr. President, if I had any hope—and I would like to still have hope—that the United Nations' mission in the specific areas that the Senator from Massachusetts refers to, protecting the safe areas, getting the humanitarian assistance in, would be fortified, I would be glad to see that happen. I would be glad to see that happen. But it would not be for me an excuse not to end this immoral embargo.

How can we justify that for more than 3 years now we have imposed an embargo that, incidentally, is Milosevic's embargo? He called for it in 1991. Why? Because he knew he had plenty of tanks and personnel carriers and planes and weapons. And we went along in naive good faith that was somehow to stop the conflict from breaking out, and with every passing week and month as the conflict went on and the Serbs took more land and kicked more people out of their homes and killed and raped and tortured more people and put them in concentration camps, we continued to enforce that embargo.

May I say, after those 3 years of history, it ill behooves us to raise any questions about the motivation of the leaders of Bosnia, to suggest that we not lift the arms embargo or not give them the right to have some say in determining when they think the U.N. mission has ended all purpose for them and impute that somehow this is their intent to trap us into this——

Mr. KERRY. Why——

Mr. LIEBERMAN. Excuse me. They have been asking for 3½ years that we give them weapons to defend themselves, long before there was ever any talk of American troops. As a matter of fact, at every point, the Bosnians have said, ''We don't want American soldiers on the ground. We have plenty of soldiers. We just don't have weapons.''

So I say to the Senator from Massachusetts, respectfully, this is not the hour to speak against this proposal on the basis of either what the United Nations might do, after its sorry record of the last 3½ years, or to speak against it, because it finally gives one ear to the victims of this aggression, the direct victims, the Bosnians, or to impute cynical motives to them in this.

Mr. KERRY. Let me say to my friend, if this is not the moment to talk about why this is an incomplete policy, then what is? I mean, the fact is that the President has not to this day asked UNPROFOR to leave. The President of Bosnia has not said, ''Get out of here.''

So, of course, they are asking to lift the embargo. The best of all worlds is to keep UNPROFOR and have no embargo. I understand that, and so does the Senator. But the Senator also understands why he has not asked UNPROFOR to get out, because UNPROFOR has reduced the number of deaths, because UNPROFOR has provided some safety and succor. And the question is not whether we ought to now trigger the absolute certainty of UNPROFOR being withdrawn, the question is whether or not we ought to make it work.

I totally agree with the Senator's complaints about the weakness and the unfairness and the total inconsistency of this equation of the last years. It has been horrendous.

Mr. LIEBERMAN. Then why does the Senator not support the lifting of the arms embargo? How can the Senator justify that?

Mr. KERRY. I say to my friend, because it is a half solution.

Mr. LIEBERMAN. It has always been a half solution, but we have given them no hope, no solution.

Mr. KERRY. I am prepared to suggest there is hope, and we should offer it. I am prepared to suggest there is a precursor policy to what the Senator is offering. The Senator is offering something I would vote for if it was the final step. I do not believe we have reached the final step, because I have not given up on the notion that Sarajevo and Gorazde and safe areas could

be preserved. I think that is a two-bit tinhorn bunch of thugs that make up an army, and the reason they have been able to kick people around that country is because the blue helmets have been lightly armed and have, basically, been targets for hostage taking and because we—we—have been consistently trying to have a no-risk policy.

There is no such thing as a no-risk policy in Bosnia or anywhere. When you put on the uniform of the United States military, you assume the possibility of going to fight. Ever since Vietnam, we have been a country that has been unwilling to understand that risk and scared to take it in certain situations. President Bush went through extraordinary hoops with the Joint Chiefs of Staff in a remarkable series of steps, and with great leadership, I will add, to put together a capacity for this country to recognize its interests and send people into harm's way.

President Reagan did it in Grenada. President Bush did it again in Somalia. President Clinton did it in Haiti. You put on the uniform, there is a risk. I hate to say it, it is a tragedy, but we lose young people for merely the putting on of the uniform. Every month, every week in a training accident, in a catapult that does not work correctly on an aircraft. That is a risk.

I believe that the defense of NATO, I believe that the principles that are at stake here have been, for the whole 3 years that the Senator has said, rightfully on the table and it has been too long in properly coming to this Chamber to be articulated.

But my sense is that I think the Senator has a correct statement. If the President did say get out, of course you would lift the embargo. If UNPROFOR is out, of course you would lift the embargo, but that is not a policy. That is truly a final statement of where you are when all else is exhausted, and this Senator does not believe all else is exhausted, because UNPROFOR is still there, because we are still here, because the French are prepared to fight and because we should all stand up and offer the leadership that suggests that Pope John Paul is not going to be proven correct, that civilization is just going to stand aside and accept a defeat.

I do not think we need to do that, I say to the Senator from Connecticut, and I think we ought to stand up and assert the rights—look, if we cannot assert the notion that humanitarian aid is going to be delivered, and if we cannot assert the notion that women and children are not going to be blown up when they go to a water fountain to drink, and that men and women are not going to be blown away like clay pipes in a shooting gallery, if we cannot assert those notions, what are we doing? What are the millions of dollars of NATO for? Who are we? If we cannot remember the lessons of World War II only 45 years later, then something is wrong.

I suggest, respectfully, that we have the ability to say to the Serbs, ''We're not here to mix in your war. If you want to go out there in the fields and fight, you go do it, and we're not going to get in your way. But you're not going to rape women and you're not going to break the laws of warfare and you're not going to kill innocent women and children and pick off people in areas that the United Nations and the world has called a safe area.''

I agree with the Senator. There is ignominy in the last years. But the admission of that should not bring you to simply say we are going to go away and let you guys duke it out in the worst of circumstances.

I believe there is a first policy, and the first policy is to try one last time to make this mission work. If it means take it away from the United Nations, take it away from the United Nations. If it means those countries willing to stand up do it together, then do it that way. But we cannot any longer—I agree with the Senator—we cannot any longer remain the prisoners of this extraordinary political, weak, haphazard, damaging policy that is destroying our capacity to control our own destiny and, most important, the destiny of innocent people.

Mr. LIEBERMAN. Mr. President, this has been an important colloquy. I note that the Senator from Maine has been on the floor for some period of time. I want to yield to him in a moment—both Senators from Maine, as a matter of fact.

I just want to say finally, in response to the Senator from Massachusetts, is this a policy, the lift and strike? You bet your life it is.

Mr. KERRY. There is no strike. There is no strike.

Mr. LIEBERMAN. Excuse me. We do not need in this resolution to order a strike. It is unfortunate enough we have to go to a point in a congressional action to try to urge the administration to lift this embargo which has put blood on our hands. We can determine—and these discussions are apparently finally going on with our allies to strike—this is a policy. This is the best policy. In fact, if we had followed this policy of lifting the arms embargo and striking from the air, I am confident that the war would be over today. I am confident that the war would be over today, because the Serbs would have felt some pain, had some fear about what would happen if they continued their aggression, and that would have brought them to the peace table and we would have had an agreement.

So I say to the Senator from Massachusetts, good luck in your attempt to fortify the United Nations and NATO. Good luck in your attempt—finally, after 3 years of temporizing and irresoluteness and mixed messages and consequent suffering by people in Bosnia and for the rest of the world, good luck in trying to do that.

But that is no excuse for voting against this policy of finally lifting the arms embargo, because regardless of what the effect or intention of the United Nations is, or NATO, this arms embargo is immoral. It strikes at the most fundamental right that we, as individuals, have, to defend ourselves and our families, as countries have under international law in the charter of the United Nations. It is an outrage. So, good luck in strengthening the U.N. mission, if there is any hope in doing that. But it is no excuse for not supporting this proposal, and, unfortunately, because I believe that, I must say this. I do not impugn the motives or the sincerity of the Senator from Massachusetts. It is just the latest in a line of arguments and excuses for not lifting the arms embargo.

Mr. President, I thank my friends from Maine for their patience.

I yield the floor.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine [Mr. COHEN] is recognized.

Mr. COHEN. Mr. President, earlier this year, I had a chance to address a conference in Munich, Germany, and it dealt principally with the issue that we are still struggling with here today. I will repeat some of the comments that I made during that conference because they bear repeating here.

I said:

> We have entered a new world of disorder and our inability to formulate coherent policies and strategies to deal with ethnic conflicts and the expansion of NATO membership has led to cross-Atlantic fear, confusion, incoherence and recrimination—a state of affairs not unprecedented for the NATO alliance.

With respect to Bosnia itself, I observed:

> NATO cannot act unless America leads.
>
> America will not lead unless it can persuade the American people that it is imperative for us to do so.
>
> The conflict in Bosnia is not perceived to involve American interests that are vital. Rather, it is a quagmire where its inhabitants would rather dig fresh graves than bury old hatreds.
>
> The European members of NATO were not willing to wade into the quicksand of ancient rivalries and engage in peacemaking operations so the responsibility was passed to the United Nations, which has fewer divisions than the Pope and none of his moral authority.
>
> As a result, we are all bearing witness to the decimation of a nation that was guaranteed protection under the U.N. Charter while the best we can offer is to seek to minimize the bloodshed by denying arms to the victims of aggression.

So we have a situation where our collective acquiescence to aggression may be the lesser of two evils. But it is nonetheless the participation in the evil of ethnic cleansing that we hoped would never again touch the European continent.

Well, we are still hesitant to take more aggressive action even today. I spoke these words in February because the consequences of our actions cannot

be predicted. None of us can predict the full implications of what we are to do and not to do here today. But it was the absence of this predictability that prevented the development of a consensus.

I suggested at that conference that a number of things had to be done—that new leadership is required at the United Nations, and that Mr. Akashi should be asked to resign immediately. I issued that statement in February. I believe it to be the case, even more so, today. I also suggested that when a no-fly zone or weapons-exclusion zone had been declared, it should be enforced and not allowed to be violated with impunity; no tribute or tolls should be paid by UNPROFOR forces to gain passage to help the victims of war; no tolerance should be granted for taking hostages or using them as human shields.

If any harm were to come to UNPROFOR forces, we should take out every major target that allows the Serbs to continue to wage war. That power should be disproportionate to the transgression, and no area in Serbia ruled out of our bombsight.

UNPROFOR should be given the heavy armor necessary to protect its forces and achieve its humanitarian mission.

That is what I suggested at the time in early February. If we were unable to give UNPROFOR—whose troops were trapped in the layers of a disastrous dual-command structure—the authority and firepower to achieve these ends, then we should remove the forces before the United Nations political impotence is allowed to corrode any further the integrity and credibility of NATO.

I think the time has long since passed for us to try to strengthen UNPROFOR. I might take issue with the statement that UNPROFOR has been responsible for significantly reducing the numbers of casualties. I think the UNPROFOR forces should be celebrated and heralded as the heroes that they are for wading into this quicksand, this quagmire of conflict—not a peacekeeping mission. There is no peace there. So they are truly courageous men and women who have sacrificed their lives in order to bring humanitarian relief to those suffering from war.

But, Mr. President, it is too late at this point to say that UNPROFOR should be beefed up, should be given a military role that it has yet to be provided with. I think that time has long since passed.

I was at the briefing yesterday, when Secretary Warren Christopher came before the Republican conference policy lunch, along with General Shalikashvili. I listened with care, because I have also had doubts in terms of the consequences of any action we might take. I listened to what they criticized would be the result of the Dole-Lieberman resolution. They said, First, it would cause the immediate withdrawal of UNPROFOR, with a huge flood of refugees; second, it would Americanize the war; third, the United States obviously has a lot at stake in U.N. resolutions; fourth, it would increase the expansion of the war. General Shalikashvili indicated that the passage of the Dole resolution would make life more difficult for UNPROFOR, and the withdrawal operation would also be made more difficult. I think those are fair observations.

I asked the questions: What would the administration's policy now do? Who would be in control of this beefed-up UNPROFOR mission? Would it be General Boutros Boutros-Ghali? Would it be Mr. Akashi, whose leadership, I think, has been in doubt? Who would order the airstrikes? Who would pick the targets? Who would decide whether the sites were too dangerous to hit, and that it might provoke Serbian response? Who would transport the French troops to the regions they now seek to reinforce?

What is the Russian role in all of this? We know that the Russians historically have been supportive of the Serbs. What has been their role to date? What would be their role in the future? What is the state of negotiations that have taken place behind closed doors at diplomatic levels between Russian negotiators or representatives and our own State Department?

Frankly, Mr. President, I did not hear a satisfactory response. I heard statements of ambiguity, of doubt—no real clear direction of whether or not we would be in charge. I heard statements made like: Well, no longer will we have the disastrous dual-structure arrangement; that is something that would be under the control of the United States. I have not seen evidence of that before. When the forces on the ground have requested military assistance, they have been overruled. Each time we have promised to provide airstrikes, we have done so in the most minimalist of ways—creating a large 20-foot crater at an airstrip which could then be filled in within a matter of 20 or 30 minutes. The option of destroying aircraft on the ground was precluded because that might be too provocative.

So I have yet to hear a clearly enunciated strategy coming from the administration on exactly what the proposal is. The administration has warned that Senator DOLE's proposal would Americanize the war in Bosnia. This is the greatest fear of the administration, and the greatest hope on the part of some in Europe who are looking to shift the blame to the United States for failed policies.

At the same time, I might point out that the administration is considering using U.S. forces to reinforce Gorazde—using helicopters to ferry French troops and provide air cover with attack helicopters and AC–130 gunships. This is a proposal that would immediately Americanize the war.

The administration has also made it clear that it will move French troops to Gorazde only if the United States has a free hand to attack Bosnian Serb—and possibly the Serbian Serb—air defenses that could threaten United States aircraft. The United States would also, I am told—I have not seen it spelled out—insist on a free hand to bomb any other Serb forces that could possibly pose a threat to United States forces or that threaten the success of the mission.

Now, the administration, I think, is absolutely right to insist on eliminating the dual-key arrangement with the United Nations if we are involved with reinforcing Gorazde. But it would make us responsible for the outcome. It would, in fact, Americanize the war.

I believe we have to think very carefully before we decide to try to reinforce Gorazde, as the French have proposed. This would require significant American involvement, and I think the charge would be we are thereby contributing to the Americanization of the war itself.

I think there is a very serious reason to question whether Gorazde can be saved from a determined Serb assault. Gen. John Galvin, who served as both the Supreme Allied Commander in Europe and as a military adviser to the Bosnian Government, came before the Senate Armed Services Committee and testified that the eastern enclaves in Bosnia are militarily indefensible. I think the events of the past 2 weeks only reinforce that assessment.

I know that many American military officers have questioned the French proposal to reinforce Gorazde because of the great difficulty, not only in transporting the troops and equipment there, but also of resupplying them once they are deployed. Agreeing to the French proposal would mean that we are committing our forces to an ongoing mission in which the United States Army aviation troops would be operating in the midst of the Bosnian war.

Even assuming the French proposal is completely successful in deterring a Serb attack on Gorazde, this very success would free up Serb forces who are now focused on the eastern enclaves to move to new targets: Tuzla, Sarajevo or the narrow swath of Moslem-held territory connecting these cities.

If we are seriously going to consider the French proposal, we should not be naive about the implications. It would Americanize the conflict. It would result in ongoing United States Army combat missions in Bosnia. There should be no doubt about that.

I also want to point out, Mr. President, that I believe the administration is refusing to engage in debate on this proposal in a serious way. The administration officials seem to be deliberately mischaracterizing—I was going to say ''misrepresenting''; perhaps that is too harsh a word—mischaracterizing

what the Dole-Lieberman proposal says, because the administration really does not have a credible argument against it.

During the daily press briefings yesterday, both the White House and the Defense Department spokesmen framed their case against this proposal by saying that by lifting the arms embargo, it would force UNPROFOR to leave Bosnia.

I am going to quote here statements coming out of the administration:

. . . lifting that arms embargo unilaterally as proposed . . . would lead to an Americanization of the war . . . and drive out UNPROFOR . . .

Kenneth Bacon, a DOD spokesman.

. . . that decision by the U.S. Congress (to lift the arms embargo) would trigger a decision by UNPROFOR to withdraw from Bosnia and then we would be in the position of having to commit ground troops to extract U.N. personnel from Bosnia . . .

Michael McCurry, White House spokesman.

[The Dole-Lieberman proposal] as we've said over and over again . . . would draw the United Nations out of Bosnia.

Again, Michael McCurry.

These arguments really have very little to do with the legislation before the Senate. The Dole-Lieberman proposal would lift the arms embargo only if—let me repeat, only if—UNPROFOR withdraws and only after UNPROFOR withdraws.

So it seems to me that the administration's core objection that it would force UNPROFOR to leave Bosnia is not, really, quite relevant.

The administration's argument may be applicable to the original bill that Senators DOLE and LIEBERMAN introduced in January calling for the arms embargo to be lifted in May, even if UNPROFOR were still in place. I think that the sponsors of this resolution have recognized the legitimacy of the administration's argument, and they modified the proposal so it would not take effect unless and until UNPROFOR departs.

I must say, the administration is still refusing to acknowledge the changes that we have in front of us, a different proposal, even though it has been circulating throughout Washington and, indeed, the world, for the past several weeks.

I also think the administration is trying to confuse the issue of unilateral versus multilateral lifting of the arms embargo.

There is a common misperception, spread by those who do not support the resolution, that the United States alone desires to lift the arms embargo in the Government of Bosnia.

That is not the case, Mr. President. In fact, the U.N. General Assembly has called for the lifting of the embargo on Bosnia a number of times, most recently November 1994, in Resolution 49/10. This resolution was passed by the General Assembly without dissent. Close to 100 nations voted in favor of the resolution. Not one voted in opposition.

A similar resolution, No. 48/88, passed the assembly a year before, with 110 nations voting in favor and none voting against.

I think it is simply inaccurate to assert that a lifting of the arms embargo by the United States would be unilateral. There are many other nations who would be eager to join the United States should that prove to be necessary.

I would ask to have printed in the RECORD relevant portions of the two U.N. resolutions I mentioned, as well as a list of the many nations that have voted for them.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RESOLUTION 49/10 ADOPTED BY THE GENERAL ASSEMBLY, NOVEMBER 8, 1994

THE SITUATION IN BOSNIA AND HERZEGOVINA

The General Assembly,

22. *Encourages* the Security Council to give all due consideration and exempt the Governments of the Republic and of Federation of Bosnia and Herzegovina from the embargo on deliveries of weapons and military equipment originally imposed by the Council in resolution 713 (1991) of 25 September 1991 and as further outlined in the eighth preambular paragraph of the present resolution;

23. *Urges* Member States as well as other members of the international community, from all regions, to extend their cooperation to the Republic of Bosnia and Herzegovina in exercise of its inherent right of individual and collective self-defense in accordance with Article 51 of the Charter;

RECORDED VOTE ON RESOLUTION 49/10

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Croatia, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Federated States of Micronesia, Fiji, Gabon, Guatemala, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran, Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyz Republic, Latvia, Lebanon, Lesotho, Libya, Lithuania, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Republic of Moldova, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Slovenia, Solomon Islands, Sri Lanka, Sudan, Suriname, Syria, The former Yugoslavia Republic of Macedonia, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, United States, Uruguay, Vanuatu, Yemen.

Against: None.

RESOLUTION 48/88 ADOPTED BY THE GENERAL ASSEMBLY, DECEMBER 29, 1993

THE SITUATION IN BOSNIA AND HERZEGOVINA

The General Assembly,

17. *Also urges* the Security Council to give all due consideration, on an urgent basis, to exempt the Republic of Bosnia and Herzegovina from the arms embargo as imposed on the former Yugoslavia under Security Council resolution 713 (1991) of 25 September 1991;

18. *Urges* Member States, as well as other members of the international community, from all regions to extend their cooperation to the Republic of Bosnia and Herzegovina in exercise of its inherent right of individual and collective self-defense in accordance with Article 51 of Chapter VII of the Charter;

RECORDED VOTE ON RESOLUTION 48/88:

In favor: Afghanistan, Albania, Algeria, Antigua and Barbuda, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Columbia, Comoros, Costa Rica, Croatia, Cyprus, Djibouti Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Federated States of Micronesia, Fiji, Gambia, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyz Republic, Latvia, Lebanon, Lesotho, Libya, Lituania, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Moldova, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Solomon Islands, Sri Lanka, Sudan, Suriname, Syria, Tajikistan, The former Yugoslav Republic of Macedonia, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, United States, Uruguay, Yemen, Zambia.

Against: None.

Mr. COHEN. Mr. President, let me conclude my remarks by saying that no Member here can stand on the Senate floor with complete assurance that we know what the outcome of our deliberations and ultimately our vote will be.

That is something we cannot predict. There is no foreknowledge of the finality of things in this body or elsewhere. There are great risks involved in whatever decision we choose.

I might point out that the Dole resolution of several months ago has already been taken over by events. Perhaps we could have beefed up the forces several months ago and prevented the Serbs from overrunning the so-called safe haven areas. That is no longer the case. They have been and are being overrun. One or two more remain.

The difficulty, of course, now, is that assuming the Dole resolution were to pass, I think the administration makes a valid point that there is going to be more bloodshed. The Serbs are on the offensive. They are in high gear now. They are moving, there is no doubt about it. If they think that the U.N. forces are coming out with the aid and assistance of the United States, they will move as expeditiously as possible to exact even a greater blood toll. That is something I think that we can anticipate, reasonably, will take place.

I must say that as we have delayed and delayed and delayed and exercised this sort of Hamlet-like irresoluteness, we have witnessed safe area after safe area falling, more atrocities being committed, more rapes, more plunder, more pillage, more arrogance. The notion that the Serbs can flaunt their military power in the face of the United States, or indeed the entire Western

world, strikes everyone as simply unacceptable.

We should make no mistake about it. We do not have any real conclusive answers as to what will flow from our action. That is why we have hesitated today.

Perhaps if we had followed Lady Margaret Thatcher's leadership several years ago, we would not find ourselves in the place we are today. Perhaps if we had taken collective action 3 years ago—we can go back and retrace our mistakes. We can go back and say perhaps if we had never recognized Bosnia as a separate state—all the ''perhapses'' that we can engage in right now—but we are where we are, and what we are witnessing is an ethnic cleansing on a horrific scale.

So we cannot turn away from what is taking place. We are trying not to become engaged in that effort. But I think we have to be very careful on the proposals coming out of our European allies. I give them great credit for their willingness to commit ground forces in an effort to preserve lives. And they have preserved lives. I want to make this point again. They have helped to sustain life in that war-torn country. But I take issue with the notion that UNPROFOR is responsible for cutting down on the numbers, the vast number of casualties. Secretary Perry testified to that in open session of the Senate Armed Services Committee.

I pointed out, at that time, the reason the casualties have fallen is because the Serbs have largely accomplished their objectives. They have cleansed those areas. They have murdered those people, so they achieved most of their objectives, so the casualties have come down. It is not in any way to diminish or denigrate the heroic effort on the part of UNPROFOR, but UNPROFOR really has not been there in order to defend against Serb aggression. They have been trying to deliver food and medicines and carry out a humanitarian mission—against all odds, I might add.

So I think there is danger in whichever direction we go. If we are to follow the French proposal, if we are to be asked to provide the helicopters and gunships necessary to transport French troops to certain regions, I can imagine what the Serb reaction will be. Let us not go at Gorazde, let us go over here to Tuzla. Let us pick a different location. Then we are into ferrying troops here and there with the risk, obviously, of losing our gunships, our transport helicopters, our men and women. That obviously will involve us in a very significant way.

So there is no easy solution. There is no happy ending to this tragic story. And whatever route we take is going to involve risk for the United States.

I listened with great interest to my colleague from Massachusetts saying there are no risk-free options. There are not. Every option we consider has great risks. But we have been standing by, year after year, and we have watched the decimation of a people take place. And we have foundered because we have not had a consensus, we have not had a sense of obligation, we have not had a moral commitment to do much about it, other than to talk.

So I think the time for talking has reached an end. I believe we have to take action. Whether ultimately the Senate will go on record as supporting the Dole resolution remains to be seen. For the first time, I have heard my colleague from Massachusetts suggest an option, something akin to what President Bush put together for the Persian Gulf war. It will be interesting to find out what our allies think about such a proposal. I have not heard such a proposal offered on this floor before, or indeed in any of the international circles. Perhaps there is support for having a Persian Gulf-like armada go off into the hills of Bosnia and Herzegovina. I am not satisfied that is the case.

Nonetheless, I believe the time has come for us to take action, knowing full well there are risks involved. There are risks to the men and women who are in our armed services. There are risks involved that this will be seen as an effort to Americanize the war. There is also the risk that, indeed, the U.S. Senate, by its action, could be blamed for the failure which has preceded any action we might take. Those are risks we have to assume with full knowledge before we finally cast a vote, either today or sometime during the course of the week.

I yield the floor.

Mr. MOYNIHAN. Will the distinguished Senator from Maine yield for a question?

Mr. COHEN. Certainly.

Mr. MOYNIHAN. I know my colleague from Maine has been patiently waiting to address the Senate. I just want to first thank the senior Senator from Maine for what he has said; the very tone, the clarity, and the openness to the complexity that we face.

In November 1992 I made my way into Sarajevo and met, at UNPROFOR headquarters, with General Morillon, who was then the commander. Even as the evening mortars were beginning to descend on the neighborhood and he was heading off for a roadblock, I asked him what would be the possibility of lifting the arms embargo on Bosnia. And he made no comment as such, but said, ''By all means, if that is what you want to do, but give me 48 hours to get my people out of here.''

It was already clear that, had we enforced the sanctions on Serbia that were voted on May 30, 1992, had we cut off the oil—three-quarters of the oil used in Serbia is imported—if we just stopped it on the Danube, and had we just bombed every bridge in Belgrade, and more, we might have made our point.

We did not. And the UNPROFOR forces were hostages then; they are hostages now. But the Senator is aware that the same General Morillon is now part of the chiefs of staff in the French Government, in Paris. He said just a week ago, ''We have to declare war on General Mladic''—that is the commander of the Bosnian Serb forces—''or get out.''

It is possible the French now are of that view. It may be that this is a real option. But it seems to me—I will ask the Senator if he does not agree—that it in no way precludes our responsibility under the U.N. Charter, under article 51. It reads so very clearly. It is unambiguous. It is emphatic:

> Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations.

That is the Charter. If we cannot abide by that and allow the Bosnian Government to defend itself, then what has the last half-century been for? Would he not agree?

Mr. COHEN. I agree with my friend from New York. One of the great tragedies in all of this is that the United Nations has been deeply—not fatally perhaps—but deeply humiliated. Day after day after day, we have seen the Serbs flaunt their arrogance to the United Nations. To send blue-helmeted peacekeepers into that region, declare no-fly zones that go unenforced—in fact we see a reversal, an inversion, where the Serbs threaten the United Nations that they will shoot down any aircraft that they see in the no-fly zone. That is a complete inversion.

Mr. MOYNIHAN. Or on first sight of a NATO plane, they will cut the throats of eight Dutch hostages.

Mr. COHEN. Exactly. We have seen them use U.N. forces as hostages, make them pay tribute, demand that they give up 50 percent of their fuel or food or medicines in order to gain passage to the areas for which they were headed. It has been one humiliation after another.

Again, this is not to diminish in any way, to undercut the tremendous heroism being demonstrated by those who are there. But when the ground forces call in and say, ''Please send us air cover,'' and someone sitting in Zagreb, or perhaps back in New York, says, ''No, that might be too provocative,'' there has to be a level of exasperation among those who are now held hostage with the threat of their throats being severed in response to any action taken by the United States.

It seems to me that we have really very few choices here. We can say there is going to be an all-out war declared against the Bosnian Serbs, and mean it; saying we are going to wage holy hell, in terms of your country, for what you have done and continue to do, unless you are willing to sit down and negotiate a peace and not only to say it but to mean it. I am not sure—that means coming, sort of, I call it a Shaquille O'Neal: You come big or you do not come at all. That type of strategy. You come with power, overwhelming power, and you have a united front. It is not the United States, it is not Britain, it is not France; it is the United Nations represented by its members'

military forces, meaning you are going to wage war in order to help make a peace.

I have not seen such resolve offered or indeed generated by our European allies to date. It has been, more or less, these half-step, half measures. ''Let's see if we cannot contain. Let's see if we cannot work out something.'' With no real threat that can be made, a legitimate threat, backed up by power. Each time we made a threat the threat has been empty. It has been idle. So each time there has been an idle threat made we have invited the arrogant display on the part of the Serbs.

So I say to my friend, we have some choices here. They are very clear, in terms of either go in, in a very big way, in a united way, in order to help make a peaceful solution—say it and mean it and do it, meaning that nothing is off base. It could be carried all the way to Belgrade if necessary. That runs a risk of running into a controversy with our Russian friends. That is why I raised the question yesterday. What is the role of the Russians in all of this? What have been the state of negotiations between the Russian diplomats and our own? Are they prepared to act, as a member of the United Nations, to really see that a peace is arrived at? Or has it been one of covert support, be it military or moral assistance, to those who continue to snub and to violate the U.N. sanctions? We do not know the answer to this. I do not know the answer to this. They obviously will be a major player. They can have a major impact on what is to take place. Obviously, if the arms embargo were to be lifted, we could foresee more arms going in to the Serbs as well as to the Bosnian Moslems.

Mr. MOYNIHAN. Surely the Senator would agree that it is time the U.S. Senate made its views known.

Mr. COHEN. We have come to that point. We have delayed and been irresolute too long.

Mr. MOYNIHAN. I thank my colleague.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, thank you.

Mr. President, I certainly want to commend the distinguished majority leader and the distinguished Senator from Connecticut [Mr. LIEBERMAN] for their bipartisan leadership on this matter. The moral question of whether to lift the arms embargo on Bosnia is a bipartisan issue.

The original cosponsors of this bill represent a distinguished cross-section of the Senate. And the legislation to lift the arms embargo passed the House by an overwhelming vote of 318 to 99. It received broad support from both sides of the aisle. It was sponsored by the Democrats. I believe that the U.S. Senate deserves to take a similar action on the Dole-Lieberman bill.

The Bosnia and Herzegovina Self-Defense Act is not a panacea. It will not bring back to life the Bosnian women who have been raped, mutilated, and torn from their homes by advancing Serbian forces.

It will not return the thousands of Bosnian men who have disappeared into Serbian concentration camps never to be heard from again.

It will not erase 3 years of Serb genocidal atrocities in this war, which the Serbs call ethnic cleansing.

What this bill would do, however, is to return to a country and a people under siege their God-given right to defend themselves against naked aggression. This principle is enshrined in article 51 of the United Nations Charter, which states:

> Nothing in the present Charter shall impair the inherent right of individual or collective self-defense.

Today, Bosnia faces perhaps its gravest threat from Serb forces that have already conquered 70 percent of the country's territory. These are the same forces that on July 11 overran the U.N.-designated safe area of Srebrenica, in blatant violation of the U.N. Security Council and their own earlier agreements.

These are the same forces that promised not to take any future U.N. personnel as hostages, yet captured Dutch peacekeepers as they advanced on the town and used them as human shields against NATO airstrikes.

And these are the same forces that murdered, raped, and disappeared the people of Srebrenica and today they are poised to overrun Zepa, another U.N. safe area, with inevitable similar results.

Mr. President, the Bosnian Government is not asking for United States troops to come to their aid. They are not asking Americans to fight and to die to turn back the aggression of the Bosnian Serbs. They are, however, asking for us to stop impeding their own ability to fight—and, if necessary, to die—to defend their own homes and families from Serbian aggression.

I would like to take a moment to respond to the two main arguments the administration has made against this legislation. No. 1 is that the United States should take this action, but should do so only multilaterally, not unilaterally. I have two responses to this. First, this is an argument that says no matter how bad things may get in Bosnia, we must allow any single permanent member of the Security Council to prevent us from doing what we know to be moral and right.

But there is an equally strong legal argument. I challenge any of my colleagues to find a Security Council resolution that places an arms embargo on the sovereign nation of Bosnia and Herzegovina. In 1991, the Security Council placed an arms embargo on the country of Yugoslavia in a failed effort to prevent the outbreak of violence in the Balkans.

A year later, in 1992, Bosnia, Croatia, and Slovenia gained their independence from Yugoslavia. These countries quickly received diplomatic recognition from the United States and Western Europe, and they were admitted to the United Nations as sovereign states.

At that time, the United States should have simultaneously recognized the legal status of these countries as not being the Federal Republic of Yugoslavia—which today encompasses only Serbia and Montenegro. At that time, we should have had the political courage to do what was right. We did not—and I recognize that this error was made in the waning months of the Bush administration.

Mr. President, I voted for the Hyde amendment to lift the arms embargo 2 years ago in the House. I believe that the Bush administration got this issue wrong, and the Clinton administration continued that error, despite Clinton's campaigning against President Bush's policy in Bosnia. But it is never too late to do what is morally right and legally correct. That is what this bill is intended to do.

The administration's second argument against this bill is curious, because it is logically incompatible with the first, which argues that we should lift the embargo but should do so multilaterally.

The second argument is if we were to lift the embargo at all, it would only encourage more bloodshed, or that the Bosnian Serbs would immediately launch an offensive against remaining Bosnian Government territory to take advantage of their military superiority while they still have it.

I have a simple response to this. Just look at what is happening today—even as we talk—in Bosnia. Do we have any right to determine for the Bosnian people whether they should choose to fight for their lives and their independence against aggression? Must we tell them that their duty to the international community is to die quietly and submissively, to avoid provoking the Serbs even further?

Mr. President, the Dole-Lieberman substitute adds an important element to the original version of S. 21. It delays its effective date to 12 weeks after enactment to permit time for the withdrawal of the U.N. protection force in Bosnia. The President may extend this another 30 days, if necessary, for the safe withdrawal of UNPROFOR.

I think it is also important to mention, especially in response to the Senator from Massachusetts, who earlier said that the Bosnians want both—they want to lift the embargo as well as keep UNPROFOR in place—but that is not what this resolution says. It requires that, prior to the termination of the arms embargo, the United States Government has to receive a request from the Bosnian Government for a termination of the arms embargo. In addition, they have to request the U.N. Security Council for departure of UNPROFOR, and there has to be a decision by the U.N. Security Council, or decisions by countries contributing forces to UNPROFOR, to withdraw

UNPROFOR. So the point is that has to occur before we lift the embargo.

I think this resolution, in the final analysis, is perhaps an overdue recognition, unfortunately, that UNPROFOR, as constituted, has no viable mission.

UNPROFOR is incapable of protecting the victims of this war. It is incapable of keeping open humanitarian supply routes. And it has become the pawn of the Serb forces who now routinely using U.N. forces as hostages to protect their own military advances.

In Bosnia, the United States and other Western nations have supported policies that have put NATO and U.N. forces into the midst of a raging civil war with a complicated line of command that weaves and snakes its way through the United Nations through NATO, and through the labyrinth of bureaucracies in various national governments.

This U.N. Protection Force in Bosnia is not a humanitarian mission, because it is not perceived of as neutral. It is not a traditional peacekeeping force, because there is no peace to keep.

And it cannot be merely a fighting force, because it does not have a military mission and does not have adequate rules of engagement required for combat.

Call it the ''no-name'' defense. No one knows exactly what it is—or what it should become.

But this confusion and timidity has had consequences. It has had consequences for those Bosnians who apparently believed that the United Nations designation of so-called safe areas actually meant anything. And it has had consequences for NATO personnel who struggled to defend themselves under the United Nations mandated rules of engagement.

Last month, Lt. Gen. Wesley Clerk, Director of Plans and Policy of the Joint Chiefs of Staff, revealed in an open session before the Foreign Relations Committee that the NATO flights over Bosnian Serb areas under Operation Deny Flight have been hampered by the U.N. refusal to grant our forces the right to defend themselves. The United Nations has expressly denied past NATO requests for authority to take out Bosnian Serb surface-to-air missile batteries that have fired at our planes enforcing the no-flight zone over Bosnia, the very same missiles that shot down Scott O'Grady during a mission over Bosnia not long ago.

As we all know, NATO made a request to take out the surface-to-air missiles last year when a British plane was shot down, and they were denied. They were denied then and they are denied now because such an action could provoke the Bosnian Serbs—could provoke the Bosnian Serbs. Exactly what are the Serbs doing today?

The key question is whether the status quo is something that makes sense for the long term and whether it is leading to any acceptable solution in Bosnia. I believe that the current situation makes no sense precisely because UNPROFOR has no coherent goal, and it certainly cannot function for the purposes for which it was originally designed and intended. As the loss of innocent human life increases, our options to stem the tide of the bloodbath decrease conversely.

I have long supported the lifting of the United States arms embargo in Bosnia, and that is why I think this resolution is so critically important. Unfortunately, it comes late, is long overdue, knowing the thousands and thousands of casualties in Bosnia, but the fact remains that we have to do what is right now.

I support this measure because I think it clearly gives the Bosnians the understanding that lifting the arms embargo is out of respect for their inherent right of self-defense, and I think we can do no less under these very circumstances. And considering the fact that we look at the safe haven issue and what has already happened—we have lost one, perhaps we will lose another—the fact remains these people, these refugees going to these safe havens think they are protected, and they are not. So the time has come to do something different, to introduce a different dynamic.

I do not support the authorization of ground troops, and again this resolution stipulates very clearly that there will be no authorization of ground troops but for the purposes of training and support of military equipment. I do think we should give the Bosnian Serbs a right to defend themselves.

Mr. President, I ask unanimous consent to have printed in the RECORD an article that appeared in the Washington Post today that was written by Richard Perle, the headline of which says, ''Will We Finally Recognize the Right to Self-Defense?''

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 19, 1995]

WILL WE FINALLY RECOGNIZE THE RIGHT TO SELF-DEFENSE?

Today the majority leader of the U.S. Senate, Robert Dole, and Democratic Sen. Joe Lieberman will once again propose legislation that would require President Clinton to end U.S. participation in the U.N. embargo barring the supply of arms to the government of Bosnia.

This time, unlike the previous occasions on which similar legislation was defeated, Dole and Lieberman have more than enough votes to win. Administration arguments on Bosnia, steadily undermined by events, are no longer convincing. Indeed, among the growing majority of senators and congressmen who believe the embargo is wrong and should be lifted are many who have, until now, accepted Clinton administration arguments that lifting the embargo would damage NATO, widen and ''Americanize'' the war and lead to increased casualties among the Bosnians.

The deterioration of the administration's case was inevitable. After all, it was the president himself who argued the invalidity of the embargo during the 1992 campaign and who promised to end it immediately upon taking office. It was the president who dispatched Warren Christopher to Europe in May 1993 with a reasoned, prudent proposal to lift the embargo on Bosnia and provide air strikes to support the Bosnian government.

Sadly, dangerously, Clinton lacks the courage of his convictions. And every member of Congress knows that a weak and indecisive president, acquiescing to allied demands, has been singing Europe's tune since *his* policy—now Dole's—ran into opposition from weak governments in Britain and France.

Many members—but fewer with each diplomatic failure, each humiliation of NATO at Serb hands, each ghastly shelling of women and children—opposed unilateral lifting of the embargo, until now. They believed that diplomacy would soon achieve results, that our European allies, who had sent their sons to create safe havens in Bosnia and keep peace between warring parties, would eventually succeed, that lifting the embargo would weaken or even destroy the North Atlantic Alliance.

Hardly anyone in Washington now believes that diplomacy will succeed or that America's NATO allies have either a serious policy or the will to implement one. Few now agree that the way to save NATO is for the United States to abandon its leadership of the alliance and cave in to weak European policies. And most members of Congress have grown weary of hearing from London and Paris that the U.S. Congress has no right to insist on a new policy because we did not follow British and French folly in sending ground troops to Bosnia. For an increasing number of Americans, those troops were unwisely sent in harm's way with no clear mission under paralytic U.N. guidelines that render them hostages and prevent them from defending themselves, much less the Bosnians they are there to help.

With television images of unbearable brutality and suffering, most members of Congress have found it increasingly difficult to put aside the central truth about the war in Bosnia: that it is a war of territorial aggrandizement carried out by well-armed Serbs, largely against unarmed civilians, a war in which the shelling of towns and villages, rape, pillage and massacre are the instruments of ''ethnic cleansing.''

They deplore the failure of the United Nations to distinguish between the perpetrators and the victims of aggression. They are angry that NATO forces, including U.S. air forces, have been subordinated to the United Nations. In increasing numbers they believe, as Clinton once did, that the government of Bosnia has an inalienable, inherent right to self-defense of such primacy that it can no longer be abridged in the interests of ''NATO unity'' or theories about how to contain the war and keep it from spreading. They accept that participation in an embargo that keeps the Bosnian Muslims hopelessly outgunned creates a moral obligation to defend them. Yet they know it is an obligation the West, has cynically failed to honor.

For a while, many members accepted the administration's argument that lifting the embargo would merely prolong the war and increase the suffering. Now they are appalled to hear this argument, from British officials especially. They remember that the same argument could have been made in 1940 when Lend Lease ''prolonged'' a war that might have been ended quickly by British surrender or Nazi victory.

As they look for an end to the fighting, they now see that with their monopoly of heavy weapons protected by the embargo, the Serbs have no intention of bringing the war to an end. They are placing new credence in Sen. Dole's argument that the surest way to end the fighting in Bosnia is to enable the Bosnians to defend themselves.

Dole's legislation recognizes that the U.N. mission in Bosnia is bankrupt and that the

U.N. forces there must be withdrawn as the Bosnians are armed. It contemplates their withdrawal by allowing time for the British, French and other governments that have troops on the ground to bring them home.

Time to get home safely. That is a great deal more than the Western powers have so far given the people of Bosnia.

Ms. SNOWE. I yield the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. May I congratulate the Senator from Maine on a carefully balanced, reasoned, and documented statement. I particularly appreciate the reference to Richard Perle's article this morning. The right of self-defense is an innate right under international law. It was what the U.N. Charter was all about. Fifty years ago this June the charter was adopted, with a very specific decision by President Roosevelt and the United Kingdom, after much debate, that article 51 would be included.

She is so right, I believe. Had we only understood that when the original embargo was placed on Yugoslavia, the Yugoslavian Government in Belgrade—the Serbian Government, in effect—in Belgrade asked for it, knowing it controlled the armaments of Yugoslavia itself and not wishing to have any weapons go to successor states. But when Bosnia and Herzegovina, as with Croatia, as with Slovania, became independent Members of the United Nations, they had a right to arms, a right to defend themselves.

You can make the clearest case, in my view—the Senator may not agree—that the present embargo is illegal and contrary to the charter.

So I thank her, and I hope she is widely attended.

Ms. SNOWE. I appreciate the words of the Senator from New York and his leadership on this issue as well. He is absolutely correct with respect to the arms embargo. Regrettably, it did not happen before. They do have the inherent right of self-defense, and that is what we should give them now.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, I wish to thank my colleagues for the excellent debate. I have been listening to the debate all morning on the pending matter. I appreciate the fact that we have underscored again this is not partisan at all. It is nonpartisan, bipartisan. It is not an attack on this administration. As I have said, many of us were just as critical of the previous administration, the Bush administration. But I think the debate is good. I know that the Democratic leader indicates we may not be able to vote today, but hopefully we can tomorrow, or there may be amendments.

Mr. MOYNIHAN. Mr. President, the Senate continues consideration today of the Bosnian arms embargo with the Dole-Lieberman substitute, of which I am a cosponsor and which I rise to support. I rise, sir, in the context of the ceremonies that took place in San Francisco on June 26 where our revered senior Senator from Rhode Island was present, having been present at the creation of the San Francisco Conference, in 1945. He was there 50 years later. And he was then carrying, as he invariably does, his U.N. Charter. And to say, sir, that the issue that confronts us in the Balkans and in Bosnia and Herzegovina, Croatia, and in surrounding areas is the elemental issue which the charter of the United Nations was designed to address. The charter is above all a treaty about the use of force in international affairs. It arose out of the Second World War, which in so many ways was a continuation of the First World War, which began in the setting of territorial aggression, the armed forces of one nation crossing the borders of another for purposes of annexation.

It is a great irony that the First World War began on a street corner in Sarajevo, with the assassination of the Archduke by a young Serb nationalist named Princip. I stood on that street corner Thanksgiving 1992 with bullets from an AK–47 coming across the Princip Bridge. I thought, ''My God, this is where the 20th century began and now it is going to end, here.'' After all we have been through.

The idea of collective security was put in place in San Francisco. We had hoped to do so in the League of Nations, which had failed partly because the United States had not joined but partly because the lessons had not yet been learned and had not yet been absorbed. Here we are 50 years later and it turns out they still have not been absorbed.

The charter provides first of all under article 24 that the Security Council will be responsible for the maintenance of international peace and security.

In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree in carrying out its duties under this responsibility the Security Council acts on their behalf.

Mr. President, I served as our representative at the United Nations under President Ford. I have been President of the Security Council. And I cannot express how painful it is to see this first test of the charter following the end of the cold war, which paralyzed the United Nations for reasons we understood for so long, but now, in this first test, this clear bright line test, to see us failing. Failing in a manner that history will judge contemptible. We have not yet failed. But we are failing.

Security Council Resolution 836 of June 4, 1993, declared that acting under chapter 7 of the charter, the Security Council decides ''To deter attacks against the safe areas.'' It goes on to authorize UNPROFOR ''to take the necessary measures, including the use of force, in reply to bombardments against the safe areas by any of the parties or to an armed incursion into them or in the event of any deliberate obstruction in or around those areas to the freedom of movement of UNPROFOR or of protected humanitarian convoys.''

That has been the Security Council proposition for the last 2 years. And we are seeing it being shredded, being treated with contempt, and being made a nullity.

We do so, sir, at the risk not just of the independence and the integrity of the state of Bosnia and Herzegovina, but of the whole world order we had hoped to put in place in San Francisco, with the Second World War still under way in Asia—Japan was to surrender almost 2 months later.

As I remarked earlier to the Senator from Maine, in November 1992 I traveled to Sarajevo and I reported back a long memorandum to the President-elect saying that this would be the central foreign policy issue that would be awaiting him on his inauguration. The trip into Sarajevo was not what it should have been. I was then a member of the Foreign Relations Committee. I was traveling on official business. We informed the NATO command and the United States Air Force that we would be coming, myself and now-Ambassador Galbraith, the Ambassador in Zagreb; that we would be in Frankfurt and hoped to go to Sarajevo. This was sent by cable. It was fully understood we were coming and meant to go down in that part of the world.

We arrived and the base commander knew nothing of our trip. I said I would like to go to Sarajevo, and he piled us into a station wagon and roared across the tarmac and there was a C–130 manned by the West Virginia Air National Guard, propellers just beginning to turn, with a cargo of meals ready to eat for Sarajevo. We got on board, and off we went.

Halfway across Austrian airspace, because countries were opening up their airspace for this purpose, we received a message that said ''Members of Congress are not allowed into Sarajevo.'' I simply said, ''Signal back that if the West Virginia Air National Guard could take the risk, so could I and that I had no intention of being diverted.'' Silence. Then a half hour later a signal came that the airport at Sarajevo had closed, which certainly could have been the case. Sarajevo is in a bowl. The lid of fog goes up and down, up and down.

We landed, diverted to Zagreb, and got off. The American Chargé d'Affaires was there at the airport, which was not far from downtown. I apologized for parachuting in thus, explaining that the airport was closed. He said, ''What do you mean it is closed? Two C–130's just took off.'' The airport was indeed open. Which it is not always, and when it is one knows.

I was lied to, which is not a good practice. It took me a year to get the Air Force to sort out what happened. The word came from Washington. They did not want us to know what was

going on in Sarajevo. As the junior Senator from Maine has said, this is a matter that has crossed two administrations. We are not here on a partisan issue. We are here in response to an international emergency which we have helped create.

The Canadians got me in to Sarajevo the next day. The British got me out the day after that. We arrived in Sarajevo and went through hellish small arms fire in a Ukrainian armored personnel carrier. If you have ever been in a Ukrainian armored personnel carrier, you would have a better understanding how they prevailed over the Wehrmacht. If you can live in those, you can live in anything. We went directly to the UNPROFOR headquarters and met with General Morillon. He was very open. When asked should we not lift the embargo on Bosnia—clearly an illegal embargo as Article 51 gives the absolute right to self-defense—Morillon said, ''Do so if you want, but give me 2 days to get my people out.'' They were already hostages. We allowed that to happen by injecting them into a situation where there was no peace to keep. There was just the aggressor and the member state aggressed against.

That is the fundamental fact that Senator DOLE and Senator LIEBERMAN bring before us today. You cannot have seen those UNPROFOR forces without admiring them. I will cite Anthony Lewis in this matter when he referred to General Morillon's recent statement that we have to declare war on General Mladic, commander of the Bosnian Serb forces, or get out. Anthony Lewis went on to say:

> General Morillon's words pithily summed up one lesson of Bosnia for the Western alliance: To intervene in a conflict and pretend there is no difference between the aggressors and the victims is not only dishonorable but ineffective.

He say further that the UNPROFOR forces deserve the greatest admiration, but they have been given an impossible task.

A year ago on this floor, I put the same proposition. I said the forces ''deserve our utmost support. But if we are to refrain from helping the Bosnians out of concern for their welfare, let us at least be candid and call the members of UNPROFOR what they have become: hostages.''

This was a year ago on this floor. I said, if we are going to refrain from helping the Bosnians out of concern for the welfare of those troops, ''let us at least be candid and call the members of UNPROFOR what they have become: hostages.''

Now this has taken on a miserable, contemptible mode. We are told that—as I read this morning—if Bosnian Serbs see one NATO plane in the sky, they will cut the throats of the Dutch soldiers they have taken hostage. That is what we are dealing with.

At the very minimum, we can understand that the grotesque fact of this whole horror has been our denial to the Bosnian Government of its innate right of self-defense. We have put an embargo on the capacity of the member country aggressed against to defend themselves. Remember that one of the central purposes of the original embargo against Yugoslavia itself was the fact that Belgrade had control of all of the armed forces and the material of the Yugoslav Government. It did not want any successor states to get it, and the Bosnians had none. That they are still there 2½ years later is hard to contemplate. But they are still there. They have begun to arm themselves. They have begun to train, and they have not been overrun.

Now all we are asking is to grant them what is their right at law, which is the right of self-defense.

The issue has been raised, if we act in what we are doing and the United States proceeds unilaterally, will this put in jeopardy the authority of U.N. sanctions in other areas of the world? When we debated this last year, I addressed the question as follows:

> First, we are asked, if we lift this embargo how will we resist other nations lifting embargoes on Iraq, Serbia and Libya? How, that is, shall we distinguish between lambs and lions, between victims and aggressors? By looking at the facts. Iraq was an aggressor, not the victim of ''an armed attack'' giving rise to Article 51 rights. Serbia is not subject to an armed attack. Nor is Libya. Each of these states is as clearly an aggressor or violator of international law as Bosnia is clearly a victim.
>
> To be clear: lifting the embargo on Bosnia creates no legal or factual precedent for ignoring valid enforcement action taken against an aggressor state. Article 51 applies solely to the victim of an act of aggression.

This right to self defense was so obvious and fundamental that the United States delegation to the San Francisco Conference at first opposed including language on the right of self defense in the charter for fear that such a provision might be used to limit the right of self defense. In a dispatch to the New York Times from the San Francisco Conference, James Reston described the breakthrough which produced article 51:

> San Francisco, May 15 [1945].—President Truman broke the deadlock today between the Big Five and the Latin American nations over the relations between the American and world security systems.
>
> After over a week of negotiating, during which American foreign policy was being made and remade by a bi-partisan conference delegation, the President gave to the Latin American nations the reassurance which they wanted before accepting the supremacy of the World Security Council in dealing with disputes in the Western Hemisphere. . . .
>
> This assurance was announced late tonight by Secretary Stettinius, who said that an amendment to the Dumbarton Oaks proposals would be proposed reading substantially as follows:
>
> ''Nothing in this charter impairs the inherent right of self defense, either individual, or collective, in the event that the Security Council does not maintain international peace and security and an armed attack against a member state occurs. . . .''

Mr. President, we have been here before. That charter was in so many ways written in response to the failure of the collective security arrangements of the League of Nations, of which the most conspicuous was the civil war, so-called, in Spain. A group was put together, called the Lyon Conference, where representatives of Britain, France, Germany, and Italy agreed in 1936 to stem the flow of supplies to both sides. France and Britain complied with the agreement. Germany and Italy ignored it, and in a very little while, the world was at war at large.

I would like to end these remarks by quoting two citations from the New Republic. Both are addressed to the President of the United States:

> [We] urge you to act at once in raising the unneutral embargo which is helping to turn Spain over to the friend of Hitler and Mussolini . . . Is the course of this country determined by the wishes of . . . Great Britain? . . . Perhaps you believe that it is too late to do anything. But you probably believed that last spring . . . Mr. President, we urge you not to hesitate or delay. We can imagine no valid reason for you to do so. You have spoken bravely—in some cases, we believe, so bravely as to be foolhardy. But here is something that you can safely do—and do now. Why not make your acts correspond with your words?

This Telegram to the President was dated February 1, 1939. We did nothing. In no time at all, we were attacked and the war became a world war.

And now, more recently, Mr. President, from the New Republic of May 9, 1994:

> The administration does not grasp that moral principles are also analytically useful. Consider its most frequently stated explanation for its timidity in the Balkans. It is reluctant, it says to ''take sides'' in the conflict. It aspires to neutrality, in other words, between the Serbs and the Bosnians, between the conqueror and the conquered, between the raper and the raped. This is a kind of blindness, alas, that no major diplomatic initiative will cure.

I think we have all been impressed with the candor of the Assistant Secretary of State for European Affairs, Richard Holbrooke, who called the situation in Bosnia and Herzegovina ''the greatest collective failure of the west since the 1930's.'' That a U.N. declared safe area could be allowed to be taken is shameful. That one week later no measurable response from the United Nations has been recorded is potentially fatal. The analogies to the confusion of the 1930's—the undoing of the League of Nations—are not idle. Our actions, or lack of action, in Bosnia will be defining. It will indicate whether or not we are committed to abiding by the legal structures put in place at San Francisco a half century ago in the wake of two world wars, and now, at long last, tested in a clearest possible setting—a setting in which those wars began, Sarajevo, 1914.

If what we constructed in the wake of two world wars in an effort to prevent the third is not adhered to, the alternative is chaos. It will spread much more rapidly than we think. We will

have lost the central legal, moral principle of world order we undertook to set in place—which we defended at enormous costs through 50 years of cold war. Now to see it trivialized and lost in the Balkans is an act for which we will no more be forgiven than were the leaders of Europe that let the war in Spain lead on to their own—the Second World War, from which they have never yet recovered.

Mr. President, it is not too late, although it is very late indeed. The Republican leader and Senator LIEBERMAN are very much to be congratulated. I very much hope the Senate will support them and that the administration will get the message, as well as the rest of the world. They have been listening to us with great care and attention, as well they ought, after the contributions we have made to the rest of the world these past 75 years.

Thank you, Mr. President. I yield the floor.

(Mr. COATS assumed the chair.)

Mr. MCCAIN. Mr. President, yesterday the President's spokesman labeled the proposal to lift the arms embargo against Bosnia a nutty idea. Given the quality of invective in what passes for political debate today, Mr. McCurry's remark seems to me a rather light censure.

However, it is fair to observe that to make such a charge, Mr. McCurry had to exceed the already Olympic standards of hypocrisy that the administration has established throughout the many twists and turns of the catastrophe that is its Bosnia policy. Let us consider two truly nutty ideas, offered by the Governments of France and the United States which will be considered at the ministerial level by NATO governments this Friday.

Let us consider what the administration is reportedly proposing to do about the rapidly deteriorating situation in Bosnia.

As I understand it, the administration has rejected French President Chirac's proposal to reinforce peacekeepers in Gorazde. Instead, administration officials have proposed more aggressive NATO air strikes against Bosnian Serb forces currently besieging Gorazde.

Before commenting on the two proposals, Mr. President, I must caution that they are only the proposals of the moment. As France's and the United States positions on Bosnia have experienced for many months now dizzying and frequent metamorphoses, no one can be certain that today's proposals will resemble tomorrow's.

Neither idea has been conceived in anything approaching a historical review of the failure of the United Nations and the West's efforts to resolve the Bosnian conflict or even, apparently, a rational analysis of the present circumstances in Bosnia. Both ideas are certainly unsound as deterrents to Bosnian Serb aggression and as remedies to the decline of the Atlantic Alliance.

Let us first consider President Chirac's call for reinforcing U.N. peacekeepers in Gorazde with an additional force of up to 1,000 French and British troops who would arrive in Gorazde aboard American helicopters, accompanied by American gunships, and after Serbian air defenses had been suppressed by NATO warplanes.

President Chirac has threatened to remove existing French peacekeepers if his plan is not adopted by NATO. I have no idea if his threat is serious or imminent. Nor do I particularly care.

We can be certain, however, that France will withdraw it peacekeepers from Bosnia, as will all other countries who have contributed troops to UNPROFOR, and that the United States will conduct the withdrawal. All that remains uncertain is whether the withdrawal will occur in a few days or a few weeks or a few months. All that will be accomplished by deploying more French or British or Dutch troops to Gorazde is to complicate our contingency planning and to make more dangerous our eventual evacuation of UNPROFOR.

At one point last week, both Presidents Clinton and Chirac indicated their preference that UNPROFOR retake Srebrenica from the Serbs. They wisely re-thought that suggestion moments after making it. However, the difference in degree of foolishness between their previous suggestion and the idea that we can somehow prevent Serbian advances and retain a peacekeeping function by reenforcing UNPROFOR's failure in the eastern safe areas is, quite obviously, only marginal.

Again, the deployment of a few hundred or a thousand or 10 thousand additional forces to UNPROFOR will only increase the number of hostages to fortune currently at risk in Bosnia, exacerbate the confusion in Bosnia about the West's commitment to peace in Bosnia, worsen the burden on the United States when we extract UNPROFOR, and get a lot of Americans and our European comrades-in-arms killed in the bargain.

Only marginally less ridiculous is the administration's proposal to use NATO air power more aggressively to defend Gorazde. What constitutes more aggressive air strikes is, of course, unknown. Since the use of NATO air power in this conflict to date has been so inconsequential, so utterly futile, its more aggressive use could mean little more than an intention to actually harm a single Serbian soldier.

Interestingly, the administration proposes this option to counter President Chirac's proposal because they fear the latter would make NATO a belligerent in this war. What, pray tell, does bombing the Serbs make us—a disinterested third party?

Mr. President, I do not believe in the occasional, or the incremental, or the half-hearted, or the uncertain, or the timid use of American force. History has shown its contempt for doubt and vacillation in the decision making process which sends Americans into harm's way. If we commit force it must be with confidence that we can affect a substantial improvement in the situation on the ground in Bosnia. Can anyone—anyone—be even fairly certain that bombing a little more artillery, or a few more tanks will really deter Serb aggression?

I have never believed airstrikes alone could make difference in the course of the conflict in Bosnia. Winning wars, as I have often observed in our many debates on Bosnia, is about seizing and holding ground. You cannot do that from the air.

I have been strongly opposed to the almost comical pinprick airstrikes authorized by the United Nations. against Serb military targets following Serb attacks on civilians and UNPROFOR forces. I have little faith that the more aggressive use of NATO air power—whatever that entails—will accomplish anything more than to momentarily make the West feel a little better about its manifest failure in Bosnia. My opposition to air strikes today rests in the same argument I made a year ago.

When the United States commits its prestige and the lives of our young to resolving a conflict militarily then we must be prepared to see the thing through to the end. If you start from the premise—and I have heard no voice in Congress oppose this premise—that American ground forces will not be deployed to Bosnia for any purpose other than to help evacuate UNPROFOR, then you identify to the enemy the circumstances under which you can be defeated. You have indicated the conditionality, the half-heartedness of our commitment. And you have told the Serbs: We may bomb you, but if you can withstand that, Bosnia is yours.

NATO's ineffectual use of air power to date has clearly indicated to the Serbs that they can withstand the limit of the West's commitment to Bosnia. No one, no one in Congress, no one in the administration, no one in the Pentagon can tell me with any degree of confidence that even more aggressive air strikes will determine or change in any way the outcome of this war.

The American people and their representatives in Congress have already made the most important decision governing United States involvement in Bosnia. As a nation, we have decided that the tragedy in Bosnia—as terrible as it is, as unjust as it is, as brutal as it is—the tragedy in Bosnia does not directly affect the vital national security interests of the United States. We made that decision when we decided not to send American infantry to fight in Bosnia.

Some in Congress and elsewhere have argued the opposite, that the war in Bosnia does threaten our most vital security interests to the extent that it has the potential to spread throughout the Balkans, and even to provoke open

hostilities between two NATO allies. I believe that we can contain the conflict. But for the sake of argument, let us consider the conflict as a direct threat to our security.

If the U.S. Government feels our national interests so threatened then they should—they must—take all action necessary to defend those interests. If our vital interests are at risk then we must say to the Serbs and to Serbia: You have threatened the security of the United States, the most powerful nation on Earth. We intend to defend our interests by all means necessary, and you can expect the invasion of Bosnia by American ground forces supported by all available air and sea power.

But the fact is, Mr. President, that neither Congress nor the President would support such a grave undertaking. Why? Because we cannot make a plausible argument to the American people that our security is so gravely threatened in Bosnia that it requires the sacrifice, in great numbers, of our sons and daughters to defend.

So let us dissemble no longer about how the war in Bosnia threatens the security of the United States. It does not, and we all know it. What the President will apparently decide is to try by the incremental escalation of air power to bluff the Serbs into ceasing their aggression.

As I already argued, the previous use of NATO air power has done little more than aggravate the bleeding of American and NATO credibility. Additional air power, especially the levels contemplated by the President and our allies, will be no more decisive in Bosnia than our previous attempts to bluff the Serbs from the air.

A committed foe—and I have no doubt that the Serbs are committed—can and will resist enormous levels of carnage wrought by air power. In Vietnam, we bombed the Than Hoa bridge over a hundred times, We unleashed the awesome destructive power of the B–52's on Hanoi, a devastation I witnessed personally, and still we did not destroy their will to fight.

I fear the Serbs will endure whatever air strikes NATO next undertakes, and will continue their conquest of Bosnia. I fear this, Mr. President, because the Serbs know in advance the limit of our commitment to Bosnia. They know we will not send troops to fight on the ground. They know there are limits to the escalation of any bombing campaign we are prepared to undertake, because of the extreme tactical difficulties posed by the climate and terrain, and because of the certainty that such strikes will do terrible collateral damage.

Mr. President, I fear that both the Governments of France and the United States, are asking us to increase our involvement in an undefined military adventure in Bosnia where the limits of our force are known to our enemy in advance of its use; where out of concern for our prestige we will be drawn deeper into war or compelled to sacrifice further that prestige and many lives to a cause we were not prepared to win; and where the aggrieved party has been prevented by us from fighting in their own defense even as we decline to fight for them.

There is but one honorable option remaining to us, Mr. President, that is to terminate the failed UNPROFOR mission, remove all U.N. officials from any further responsibility to preside over the destruction of Bosnia; assist in the evacuation of UNPROFOR, and lift the unjust arms embargo against Bosnia. That is what the majority leader and Senator LIEBERMAN's resolution proposes to do, and all the arguments arrayed against it are, in the words of Mr. McCurry, ''nutty.''

Lifting the arms embargo against Bosnia is the only action which the United States and the U.N. can take that might help the Bosnians achieve a more equitable settlement of this conflict without deploying massive levels of NATO troops to roll back Serb territorial gains.

Better armed and better able to defend themselves, the Bosnians might be able to present a more credible, long term threat to Serb conquests, and by so doing, convince the Serbs to rethink their refusal to relinquish any substantial part of their territorial gains.

But even if lifting the embargo only exacerbates the violence and hastens Serbian advances, it has an advantage that our current Bosnia policies lack—it is just. It is just.

We have all heard the arguments that if the West wants to economize the violence in Bosnia and contain its spread then we will not lift the embargo, but sustain UNPROFOR.

Shall we sustain the policy which allowed the Serbs to block delivery of humanitarian relief; that allowed Srebrenica to fall and that has already stipulated its assent to the imminent fall of Zepa; which tolerates ethnic cleansing and reported war crimes that if even half true should shame us for a generation? Shall we sustain this policy? For what another few days, weeks? Until Gorazde falls? Sarajevo?

Mr. President, if we will not fight for Bosnia, than we are morally—morally—in the wrong to prevent Bosnians from fighting for themselves.

We cannot continue to falsely raise the hopes of the Bosnian people that the West will somehow stop Serb aggression by maintaining unarmed U.N. forces in Bosnia where they serve as likely hostages rather than a deterrent to Serb aggression. We cannot tell Bosnians any longer that it is better to attenuate their destruction rather than to resist it. We cannot any longer refuse the defense of Bosnia while denying Bosnians their right to self-defense. We have come to the end of that injustice, Mr. President.

I cannot predict that Bosnians will prevail over the Serb aggressors if we lift—at this late date—the arms embargo. I cannot predict that Bosnians will even recover enough territory to make an eventual settlement of the conflict more equitable. I cannot predict that Bosnians will mount anything more than a brief impediment to Serbian conquest of all of Bosnia. But they have the right to try, Mr. President. They have the right to try. And we are obliged by all the principles of justice and liberty which we hold so dear to get out of their way.

Mr. President, I yield the floor and, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HEFLIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEFLIN. Mr. President, I am not going to really make a speech on the issue of the arms embargo on the Government of Bosnia and Herzegovina, but rather attempt to raise some issues and some questions.

There have been a number of questions about what would happen in the event that the United States unilaterally lifts the arms embargo. Some of the questions that have come to my mind—and for which I do not have the answers—I think are important, and I think we ought to ask a number of questions and attempt to at least analyze those questions, and, of course, hopefully to come up with answers.

Some of my questions are, first, how close to winning the war are the Serbs? Second, if we arm the Bosnians, what are their chances of winning the war? Third, if we arm the Bosnians, and they cannot win the war, then there seems to be a number of questions that ought to be considered, such as the following:

What are the consequences in terms of death and other casualties?

What will be the likelihood of the enlargement of the conflict to other areas and countries?

What period of time will it take to train the Bosnians and assemble arms sufficiently to make the Bosnians into a credible fighting force?

During the period of time that it would take to train the Bosnians and assemble the arms, can the Serbs intensify their fighting sufficiently to make victory for the Serbs inevitable?

What type of victories must the Bosnians win, and how many such victories will be necessary in order to bring about a negotiated peace?

Then, I think one of the ultimate questions we have to ask is what are the prospects of a lasting peace without a complete, unconditional surrender by one side or the other?

I do not know the answer to these questions. But I think these questions ought to enter the thought processes of each Senator in making his decision on this issue.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I rise in support of the Dole-Lieberman substitute amendment to S. 21, the Bosnia and Herzegovina Self Defense Act of 1995.

The events of the last week in Bosnia are appalling. Not only does the tragedy continue, but the latest attack on so-called safe areas has resulted in a new level of violence aimed at civilians, a new wave of ethnic cleansing and the creation of a whole new refugee population.

The position of the United Nations in Bosnia is increasingly untenable: its role in delivering humanitarian aid is marginal, its role in protecting ''safe areas'' is dominated by spectacular and deadly failures. The fact that the United Nations chief role in Bosnia increasingly is offering hostage targets to the Bosnian Serbs would be laughable if it were not so sad. Not only are our allies' brave and dedicated soldiers being put at risk, but their role as hostage targets has virtually guaranteed inaction by NATO air power no matter how brutal and blatant Bosnian Serb aggression becomes—whether it is aimed at Bosnian Government forces, at civilians, or even at the U.N. peacekeepers themselves.

The United Nations must strengthen its position in Bosnia or get out. At a minimum, it must reconfigure its troops into stronger and more easily defended units. I am inclined to support efforts by the administration and our European allies to do this, if it can contribute to offering real protection to the currently misnamed ''safe areas.'' In the end, however, if the resulting UN forces have no viable mission to carry out they should be withdrawn. U.S. and NATO assistance in this effort would be appropriate.

I do not support the use of U.S. ground troops to take sides in this war, or simply to assist a feckless U.N. force. But NATO air power can contribute to protection of Bosnian ''safe areas'' or at least deter further Bosnian Serb aggression. It should be used. We have a moral responsibility to allow the Bosnians to defend themselves and to try to end the one-sided slaughter. And our broader security interests will be seriously damaged if we allow this aggression to go unchallenged, and to spread to Kosovo, Croatia, and eventually Albania, Macedonia, and beyond. Failure to act carries grave risks.

I am under no illusion that solutions to the problems in Bosnia are simple. Some problems defy attempts from the outside to solve them, and this may be a tragedy the United States cannot end, as much as we would like to. But, there are things we can do, and the people of Bosnia have suffered too long. At a minimum, and as an immediate step, we can and should end the unjust arms embargo against Bosnia.

Mr. President, I have been involved and interested in this situation for several years now. I would like to try to put it in some sort of perspective that perhaps all of us can understand where the morality is and where we ought to be.

I was, in August 1992, at a conference in Austria with several European members of Parliament. At that time, I had also just come from visiting Croatia, and had been to the front and visited with refugees that had streamed out, with those that had been victims, and with those that had witnessed the terrible situation with respect to the raping of women, and the deaths of many males which had occurred as a result of the Serb intrusion into the villages and homes of the Bosnian Moslems and Croats.

When I was at that conference, the Chancellor of Austria was present. And I asked the Chancellor—I said, ''Why is it not imperative, and certainly rational, for the European Community to step in and stop the fighting in some way?'' He looked at me and he said, ''Well, we cannot get involved because they are both our friends.''

I started to think about that at that conference. It seemed to me that the time you really want to get involved between two of your friends who are fighting is when one of your friends is there handcuffed to a post and the other friend is there beating him with a lead pipe. It seems even more imperative that you ought to get involved and stop the fighting, especially when you consider that the size of those that are standing around watching the fight are more than capable of walking in and resoling the situation. That seems to me the situation we have right now.

Also, at that conference I asked a question of the group there. Well, would it not be right under this situation, if you are not ready to go in and separate your friends from fighting, that perhaps at least you ought to take the handcuffs off the individual that is at the post and perhaps give that individual a weapon or the weapons necessary to be on equal terms with his opponent? No, they said. The answer to that is, well, more people might get hurt that way—with the conclusion, therefore, that it would be better to allow your friend to be beaten to death than to come in and try to separate them because somebody might get hurt.

Take a look at the U.N. situation. There is a way you can look at it and, I think, using that same scenario, understand what has happened there. First of all, in the two opponents, the Serbs and the Bosnian Serbs on the one hand against the Moslems, Bosnian Moslems and Croats on the other, we have a situation where one side is heavily armed and the other is not. The Bosnian Serbs inherited the arms which came from Yugoslavia—howitzers, the tanks, and the airplanes—whereas those weapons are not available to the other side. That is the situation we have now.

It seems to me that again those forces that are standing outside, that have the ability to come in and settle it, are faced with a couple of options, again very similar to the scenario I laid out, and that is we can walk in with force, and we can do it. But then that may put some of our people and others in harm's way.

The other thing we could do is to say, all right, we are going to level the fighting field. In fact, we will not only do that, but if we arm the Bosnians, their forces outnumber the Serb forces. Well, if I am standing there as a Serb force and recognize that, whereas I now have the upper hand because of the weapons I possess, if the United States suddenly enters and changes its policy and says, OK, that is enough, we are now going to arm the other side so they have the same kind of arms you do, all of a sudden I am not in a position of superiority but instead in a position of inferiority.

So that is why I support this amendment, because what we will be doing is aiming a huge weapon at the Serbs instead of their pointing weapons in the other direction, and that leverage alone, in my mind, will bring the Serbs to the conclusion that they have to come to heel and to reach some political accomodation.

The other way, which is represented by our current policy, is to come in and say we will hold a shield up and prevent one side from beating the other. And then, of course, when that got troublesome and we began to get hurt, we let the shield down, and the beating began again with impunity. If we just go in there now and try to strengthen those forces but we still do not raise the shield to protect, we are not going to make any headway at all.

I am a strong believer that if you get involved in these things and you have overwhelming force, the best way to resolve the situation is to make sure that force is available and ready, whether it is the United Nations or ours. Alternatively, as this amendment would provide, we can say, if you do not come in and work out a peace here, we will arm the other side so they have the superiority.

Continuation of this policy which relies on an ineffectual peace force and hamstrings real efforts to assist the war's victim is a very destructive policy with respect to the United Nations. This event could well make the difference as to whether the United Nations is going to be an effective body to prevent war in the future or not. We are at that point where we have to do what is necessary to ensure that we can preserve the ability of the United Nations to make a difference, and,

hopefully, we will have the courage to do that.

So I again reflect back upon a year and a half ago or so or 3 years ago now when we were starting to take a look at this, and I have come to the same conclusion again that I came to then, that if we do not as a United Nations intervene in a responsible way, we will cause the United Nations to become an ineffective and unusable organization with respect to this kind of conflict.

I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Last night when this debate opened, I said I find this a very difficult vote to cast. Hearing the debate this morning, I find some of my colleagues' arguments to be very compelling. Senator LIEBERMAN and others have given us an excellent, eloquent account, for example, of the horror the Bosnian civilians are suffering—of the dreadful behavior of the Serbian forces who are outgunning the Bosnians.

The invasion of two safe areas, areas that the international community said it would protect, outrages us, as it should. We all want to do something to respond to the atrocious Serb behavior in Bosnia. Indeed, the United States and our allies are working hard on a united response.

Lifting the arms embargo certainly seems, at first glance, to offer a cost-free solution to the fall of the safe areas. I, too, am torn. I am still not convinced, though, that we will make things better by passing this legislation. Indeed, we could make things worse, at great risk not only to the besieged in Bosnia but to the United States and to our European allies.

It is time for our President, along with our U.N. and NATO allies, to consider how we will respond to the dreadful, egregious Serbian behavior and, indeed, to consider the very future of the United Nations in Bosnia. The United States and our allies know that if the United Nations were to pull out altogether, many areas of Bosnia, now stable and well supplied due to the U.N. presence, would face humanitarian disaster. This is particularly true in central Bosnia.

The President and our NATO allies must balance that potential catastrophe against the current tragedy which has led many to call for a complete U.N. withdrawal.

We should be honest about what we are debating. This bill, if passed, will actually trigger the U.N. withdrawal from Bosnia. I remind my colleagues that the United States has committed to helping our allies to withdraw from Bosnia as part of the NATO effort, so in essence by passing this bill we are precipitating the commitment of up to 25,000 U.S. troops to Bosnia to help with the withdrawal.

I do believe that if and when a decision is made to withdraw UNPROFOR, the arms embargo will de facto be lifted. And that is just as it should be. We are not at that point yet, though. The troop-contributing countries have not made a decision to withdraw. The U.N. Security Council has not made a decision to withdraw UNPROFOR. The Bosnian Government has not asked UNPROFOR to withdraw. Yet, by passing this bill, the United States Senate would very likely trigger a U.N. withdrawal from Bosnia.

If we pass this bill today, it will inevitably be perceived as the beginning of a U.S. decision to go it alone in Bosnia. It is naive to think we can unilaterally lift the arms embargo and walk away. Instead, we would have to assume responsibilities for Bosnia not only in terms of our moral obligation but in practical terms as well.

Lifting the embargo without international support would increase the American responsibility for the outcome of the conflict. Delivering weapons to Bosnia would likely require sending in United States personnel. Granted, this legislation states that nothing should be construed as authorizing the deployment of U.S. forces to Bosnia and Herzegovina for any purpose. But I want to emphasize that this would be the U.S. decision to dismantle the embargo. I do not see how we can lift the embargo on our own without sending in the personnel and without providing the wherewithal to carry out the new policy.

Another serious concern on this legislation is that it says that the lifting of the embargo shall occur after UNPROFOR personnel have withdrawn or 12 weeks after the Bosnian government asks U.N. troops to leave, whichever comes first. Basically, what this does is it gives the Bosnian Government, not the United States Government, the power to end the United States participation in a U.N.-imposed embargo.

As I have said, if and when UNPROFOR does leave, it is very likely that the arms embargo would be lifted. While the Bosnian Government does indeed have the right to ask UNPROFOR to leave, we should not give the Bosnian Government the power to trigger the unilateral lifting of the embargo. To give them that right is an abdication of U.S. power. Lifting the embargo unilaterally would increase U.S. responsibility in Bosnia, yet this legislation would allow the Bosnian Government to make the decision to increase our involvement.

Finally, I do not want to see happen to the United Nations at this time what happened many years ago when Abyssinia was about to be overrun by Italy. It appealed to the League of Nations, but the League wrung its hands and did nothing. That was the downfall of the League. We do not want to see the same set of circumstances arise here where Bosnia comes and asks for help, and we wring our hands but do not reply.

I yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, I rise today to speak to the subject that Senator PELL just addressed. My colleagues are probably tired of my rising and speaking to this subject over the last 3 years. I have been arguing for some time and continue to contend that we need to lift what is, in fact, an illegal as well as immoral arms embargo against the Government of Bosnia-Herzegovina.

Mr. President, observers in the Senate know full well that I am no stranger to this issue. Nearly 3 years ago, on September 30, 1992, I spoke out against the arms embargo on Bosnia after returning from Sarajevo, Tuzla, Belgrade, and various places in Croatia—in short, from having traveled Bosnia, Serbia, and Croatia fairly extensively and observing what was going on. I came back and wrote a report, which I delivered to the President and to the Secretary of State, and spoke on the floor of the Senate and to the Foreign Relations Committee. I recommended a policy that came to be referred to as lift and strike and said that the arms embargo was illegal as well as immoral. After speaking out against the embargo, I introduced the so-called Biden amendment, which was subsequently adopted by the U.S. Senate during the waning months of the Bush Presidency.

The Biden amendment, I would like to remind everyone, is law now. The Biden amendment authorized assistance to Bosnia and Herzegovina through a drawdown of up to $50 million in Defense Department stocks of military weapons and equipment. As I said, it passed. It became law. It gave the President the discretion when to draw down this weaponry.

But we heard then from many people who are now suggesting we should lift the embargo as well as all those who are against it that this weaponry would be of little value to the Bosnian Government and their army, which then as now was made up of Serbs, Croats, and Moslems. Nearly everyone forgets, incidentally, that when hostilities started only perhaps 60 percent of the Serbs in Bosnia, who made up only a portion of the population of Bosnia, were engaged in or supported this vile ethnic cleansing.

To return to the issue of arms, I was told then—incorrectly—that these Bosnian Moslems, Serbs, and Croats who supported the multiethnic Bosnian Government would not be able to use these weapons. Supposedly they had to be trained by Americans and other Westerners. I reminded people then and I remind people now who will raise the same argument that every young Bosnian Moslem, every young Bosnian Croat, every young Bosnian Serb male was conscripted into the Yugoslav Army, trained in the Yugoslav army, and became fully capable of using the weaponry we would send their way.

Mr. President, less than a week after we passed the Biden amendment, on

October 5, 1992, I made the following statement.

Surely the greatest single step the U.N. could take to increase the impact on sanctions on Serbia is to leave the embargo against Serbia in place while lifting the embargo against Bosnia and Herzegovina—an embargo that, however well intentioned—

I might note parenthetically here, I may have been too generous in that remark—

has had the undeniable effect of freezing the people of that country in a state of utter defenselessness.

That was true on October 5, 1992, and now it is clear to the whole world. Since that time I have spoken regularly here on the floor of the Senate and elsewhere against the arms embargo on Bosnia, which flies in the face of article 51 of the U.N. Charter, an article that gives every member state the right to self-defense.

While we have prevented heavy weapons from reaching the victims of aggression, we have not prevented the shells from heavy weapons in the hands of the Bosnian Serb aggressors from reaching the victims of aggression. The Bosnian Serb aggressors have been lavishly supplied with tanks, artillery, planes, and even troops by Serbian strongman Milosevic.

Mr. President, I mentioned my long record of public opposition to this illegal and totally immoral embargo only to remind my colleagues, first, that the embargo has been strangling an innocent victim for years. This is not new. It is just increasingly more dire.

Second, that the issue has been before this House for just as long, and each time we have opted not to act decisively, preferring to give diplomacy one more chance. If one more of my colleagues, as much as I respect them, comes up to me on the floor, as several of my Democratic and one of my Republican friends recently have, and says privately, ''Joe, why don't we give diplomacy one more chance?'' my answer will be, because I do not want to be a party to a delay that I know is going to result, while we are acting diplomatically, in the corralling of young Bosnian women into rape camps, in the siphoning off of young boys and men into death camps, and in the expulsion of old men and old women from their home areas by the repulsive practice whose grotesque euphemism is ethnic cleansing. Not one single time, not once since September 30, 1992, has any delay resulted in anything other than the death, destruction, humiliation, and genocide of the people of Bosnia.

I bring up this history not in the vein of, ''I told you so,'' but to remind everybody how long this has been going on and to caution my colleagues not to listen to the siren song of inaction one more time. You can convince me once, maybe, not to act; twice; maybe three times, but 7, 8, 9, 10 times? I challenge anyone in this body to give me one shred of evidence that any delay in lifting the embargo has in any way—in any way—enhanced the prospect that fewer women in Bosnia will be raped, that fewer young girls will be raped, that fewer men will be exterminated, and that fewer older people will be expelled from the areas in which their families have lived for centuries. One shred of evidence. I challenge any of my colleagues to come to the floor now or at any time at their convenience and debate that issue with me.

So wait, wait for what?

The third reason I bring up the history on this, is that the President of the United States of America has been and is still authorized to provide $50 million worth of military assistance to Bosnia. This is authorized without any further congressional action required, to be delivered as soon as we take the step of lifting the embargo.

This step has never been more acutely necessary than it is now, Mr. President. Since the Bosnian Serb aggressors brazenly defied the United Nations, in a sense the entire civilized world, by overrunning the U.N. safe area in Srebrenica last week, we have now had the whole world see what I saw and other folks saw firsthand the last time an enclave was overrun, as people were driven into Tuzla as I stood there.

I was meeting with the aid relief workers, and there was a great commotion. Everyone got up out of the makeshift meeting room we were in because great big, old, white dump trucks were coming into Tuzla filled with men and women, holding their young children over their heads and outside the dump truck. There was an air of relief and celebration, and those of us watching thought this holding up their children was part of the celebration. We were, however, to find out as they unloaded this dump truck filled with human beings that the reason they were holding up their children was because other children had been trampled underfoot and smothered to death on the last trip from ethnically cleansed territory into the safe area of Tuzla.

Then the United Nations and the contact group—Russians, French, British, Germans, Americans—said, ''Tell you what we're going to do. Through the United Nations, we're going to lay out certain safe areas,'' which they listed.

I remind everybody what the deal was in the safe areas. The deal was that if the Bosnian Government—primarily Moslems, but also some Croats and Serbs who supported the Government—if they would give up what few weapons they had left in Gorazde and Zepa and Tuzla and Srebrenica, then we, the United Nations, speaking for the world, would guarantee that we would keep the Huns away from the door. We would guarantee that the ethnic cleansing would stop, and we would negotiate.

So then they gave up their weapons and, as JOHN MCCAIN and I mentioned last week on the floor, all one had to do was hold up any newspaper in America and see—and I am not being critical of the troops that are there personally—blue-helmeted and blue-bereted soldiers sitting on armored personnel carriers, sitting on tanks and sitting in trucks, watching as the Bosnian Serbs went in and, before their very eyes, cleansed, in the same way that the Nazis cleansed when they dropped off folks at the Auschwitz train station in cattle cars. They found an interesting thing as they observed this vile ethnic cleansing. All the young women and all the young girls were sent off in one direction. The men who were fighting were not seen anywhere. The old folks were loaded into trucks with the very young children. And armed military personnel sat there, representing the world—they sat there while the Bosnian Serbs, before the very eyes of all the world, culled out these folks as if they were cattle. Then, we were told that if we lifted the arms embargo, do you know what was going to happen? The Bosnian Serbs might really get mad and overrun the safe areas.

Mr. President, being as calm as I can about this, let me remind everyone that safe areas have already been overrun. I plead with some of my colleagues not to come to the floor and tell me what you have been telling me for 2 years—that if we lift the embargo, the Bosnian Serbs will overrun the safe areas. They have already done it in Srebrenica, and they are going to do it very soon in Zepa; they are in the process of overrunning it right now. I spoke with the Bosnian Foreign Minister, and indirectly through him to the Prime Minister, only 2 hours ago. The world has a perverse notion of how to deal with this. The Bosnian Government forces have taken into their protective custody the U.N. protectors of Zepa because of what is going to happen if they do not. If they do not, the Serbs will take the U.N. troops and threaten to kill them. Unless the people in Zepa throw down what few arms they have been able to find, unless they get into trucks, go to rape camps and go to death camps, the Bosnian Serbs are going to kill some of those U.N. blue helmet peacekeepers.

But how is this being portrayed by the Mr. Akashi of the United Nations? He says that the Bosnian Government is no different from the Bosnian Serbs; they are both holding hostage blue-helmeted U.N. peacekeepers. What the Bosnian Government forces know, however, is that if they do not prevent those blue-helmeted peacekeepers from coming under the control of the Bosnian Serbs, they are dead. Mr. Akashi's fallacious moral equivalency is just another example of the twisted logic, the overwhelming rationalization the United Nations and others will undertake to avoid facing the truth of international inaction.

Genocide. Genocide. Genocide. That is what this is about. Many of these brutalized Moslems, as we have been reading in the paper, as a consequence of having been raped or otherwise tortured, have committed suicide. When is the last time we read about that in this

century? It is not Joe BIDEN's judgment. World news organizations are reporting this now.

These war crimes and crimes against humanity are no longer deeds known only by the specialists. They are there for all the world to see. These unspeakable deeds would be horrific enough if the government of those unfortunate people, the Bosnian Government, had been unwilling to defend them.

But, Mr. President, the story is far worse than that.

The Government of Bosnia has shown for more than 3 years that its young Moslems, young Croats, and young Serbs, are willing to fight against a foe with vastly superior weaponry, and to die defending their homes, their wives, their mothers, and their sisters. And what have we done? We have forbidden them to get the arms necessary to defend themselves. Instead, we have opted for the cruel deception of alleging that the U.N. Protection Force would defend them.

Well, that has been laid to rest, Mr. President, as an outright fabrication.

Mr. President, after the last few days, even the most naive American cannot hear those words—and I repeat—the U.N. Protection Force—without being sickened by its Orwellian name.

Mr. President, we have to put an end to this madness. We have temporized for far too long. The so-called U.N. Protection Force has abdicated its responsibility to the people it had pledged to defend, and the contact group's diplomacy is at a dead end.

I might add that former Secretary of State, Henry Kissinger, is right that this U.N. Protection Force is not to blame; it has been the excuse. Many of those folks in the protection force are brave and decent and, from my personally meeting with them on two occasions in Bosnia—last year in June, and in September 1992—I know that they are repulsed by this, as well. But, Mr. President, their mandate is not to get involved. For that, I blame the West—not the United Nations, but the West.

Mr. President, the least the United States can do is to allow the victims of oppression to defend themselves. We must lift this illegal, immoral arms embargo now. As an original cosponsor of the Dole-Lieberman legislation, and of previous legislation, I strongly urge my colleagues to support S. 21.

Mr. President, I might add that in order to get more votes —and I do not say that critically—Senators DOLE and LIEBERMAN have apparently already decided to amend the legislation to allow the President the right to postpone lifting the embargo for 30 days at a crack if he believes that the safe and secure completion of the U.N. personnel would otherwise be endangered. I understand the intention of this waiver. But I respectfully suggest, Mr. President, that this waiver will only invite the rabid minority of Bosnian Serbs led by Karadzic and General Mladic and his genocidal troops to go after the U.N. forces as they withdraw, or American forces if they are moved in to help them withdraw.

In conclusion, Mr. President, I say that we have made a botch of our policy in the former Yugoslavia in two successive administrations. President Bush started this awful policy off. He handed it off to President Clinton, and, unfortunately, in my view, this administration has not reacted because of the need to find NATO unity. But there is no unity on this, Mr. President. We should get on the right side of history. We should get on the side that makes the most sense. We should get on the side of morality.

I might add, Mr. President, that there is no need for any American forces in order to lift the embargo. The Moslems have a right to be able to defend themselves. I will end with a quote from the Prime Minister of Bosnia, who, 2 years ago, was Foreign Minister. I have said this to my colleagues before, but I want to remind them, and maybe even awaken their consciences a little bit.

I held a meeting in my conference room and invited about a dozen Senators of both parties. The then Foreign Minister, now Prime Minister Haris Silajdzic—all of you have met him by now, I suspect—was there. When I made the case for lifting the arms embargo and using air power to protect peacekeepers and others while they moved, one of my colleagues said, ''I do not want to do that because more death will result. If the U.N. force leaves, more of your people will die.''

This Senator was very sincere, because that was the wisdom of the moment. Silajdzic looked at this Senator, for whom I have a great deal of respect, and said, ''Senator, please, do me a favor. Allow me the dignity to choose how I will die. Senator, all the UNPROFOR does for us now is to fatten up my wife, my children, my countrymen, and me to be killed incrementally over the winter and the next spring and the summer. I would rather not have the food and have a weapon. Let me choose how I am going to die. For certain, I will die.''

Mr. President, that was not a comment of a man engaging in hyperbole. It is a man who puts his life on the line every day. His predecessor said the same thing.

Please, when this legislation comes up, please, we should get on the right side of history and morality and lift the arms embargo that is putting the Bosnian Government in a position where they cannot defend themselves. I yield the floor.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, what is the pending matter before the Senate?

The PRESIDING OFFICER. The pending business is the Dole amendment to S. 21.

Mr. EXON. I thank the Chair.

Mr. President, the United States is caught in a dilemma. For the past 3 years we have been working with our allies to bring the warring factions in what was formerly Yugoslavia to a peace settlement and end the pervasive brutality against innocent men, women, and children.

As we have pursued this diplomatic track, the United States has refused to become involved militarily on the ground to halt the aggression against civilian populations or punish the root sources of the aggression, the Bosnian Serbs against the Bosnian Moslems.

The fact is that there is no political will in America for a level of involvement that may result in Americans dying in Bosnia. It is, as many proponents of the legislation are fond of saying, a European problem.

American national security interests are not at stake, it is said. Let the Europeans get their own house in order.

On its face, Mr. President, that sounds reasonable enough. It is also, as it has most unfortunately turned out, a convenient exercise in face saving for us. It has not worked, obviously. Clearly, the efforts thus far have not stopped the fighting and the killing. There is no peace settlement. The U.N. peacekeepers have been ineffective shields against Serb forces who regard human flesh as fodder and ravenous eyes cast on innocent people, penned in like sheep waiting to be slaughtered.

As a nation, we are outraged at the dark turn of events. The chorus cries louder and more demanding. Something must be done. The United States must lead. The United States recognizes the problem, but the efforts of the Europeans have failed.

There has emerged a political scapegoat theory by some Republicans and some Democrats alike. It is called ''Clinton bashing.'' Blame the President and his leadership, even though I suggest that George Washington could not have led such a collection of wet noodles.

Here lies our dilemma. Our moral outrage has led to an overwhelming desire to do something—anything—to halt Serb aggression. But there is an important restriction on any action that we take: no American can be put at risk. In what is the messiest, most intractable crisis the world has known in this decade, we want a neat, antiseptic solution.

I think it is time for a little realism. I do not think it is going to happen, but we should try. The die is cast. Many of my closest colleagues in the Senate do not see this as I do. They may be correct. I think not.

The bill before the Senate now is not a solution, and it does not fill the leadership vacuum with respect to Bosnia that so many lament. It says let us lift the embargo and let the chips fall where they may. At least we will feel better about ourselves knowing that we have removed an impediment against the Bosnian forces trying to defend themselves, and it keeps our hands clean.

I have heard a lot about ''heavy lifting'' in the Senate over the years.

While we have been talking about S. 21, it is often referred to as lifting. It should not be confused with the substance or the wisdom of S. 21. S. 21 is foreign policy light. It represents an approach that starts a course of events in motion without being honest enough to admit the resulting likely consequences. S. 21 is like a mischievous boy who lights the end of a firecracker and then runs a safe distance out of harm's way.

Mr. President, I say those nations that have displayed the courage and put their soldiers in Bosnia should not be undercut. Our allies, the British, the French, the Dutch, and others are on the ground in Bosnia. We are by our own wishes not. They have lost dozens of their troops to snipers, to mortars, to mines, in an attempt to keep the forces of slaughter at bay. We have not.

The question each of us should consider before we vote for S. 21 is whether it is right to force a decision on our own allies when we enjoy the luxury of not being involved, when our forces are not at risk.

I am not a supporter of the embargo against Bosnia, and I do not believe that the U.N. peacekeepers are effectively protecting the supposedly civilian safe areas. However, let the Bosnians go to the United Nations and ask that the peacekeepers leave. To date, they have not. Or if the situation on the ground in Bosnia becomes untenable, let the nations with troops in Bosnia make the decision that it is best for them to leave. After all, they are risking their lives to protect innocent Bosnians. That should count for something when it comes to the question of who decides that the forces should be withdrawn.

The decision should be made without having the Senate lighting a firecracker under the seat and then running away.

Perhaps the most important part of S. 21 is what it does not say. It does not say what damage will result to NATO if the United States decides to break with our allies on the question of the embargo.

It does not say that a United States decision to unilaterally lift the embargo will endanger compliance with existing embargoes against Serbia, Iraq, Libya, or with economic sanctions against rogue nations in the future.

It does not say that passage of the bill will precipitate the removal of peacekeeping forces which in turn will involve American forces for the possible purpose of extraction.

It does not face up to this consequence and authorize the President to use military forces to safely remove our allies from Bosnia. They are silent on that, evidently by design.

It does not recognize the safe areas may be protected in western Bosnia despite Serb actions in the east and the withdrawal of peacekeepers there.

It does not mention how many more civilians will die when the Serbs step up their attacks before the arms reach the Bosnian Moslem forces under the theory of lifting the embargo.

It does not explain that an infusion of arms from Serbian and Slavic allies will flow freely to counter the arms embargo against Bosnia, likely resulting in heavier fighting and more killing.

It does not talk about who will arm and train the Bosnians and how much it will cost. Do we bear a significant portion of that? How much? It is not surprising that S. 21 is silent on these questions. It not only has the United States light the firecracker underneath our allies and then run off, it has us look the other way conveniently as well. We do not want to know the consequences of our actions or deal with the details. We want a shot of cortisone to allay our guilt complex in the pretense of leadership. Cortisone is not a cure for cancer.

The well-meaning S. 21, in my opinion, will make a bad situation worse. If the authors of the bill feel its passage is necessary due to the lack of coherent, effective policy in Bosnia, they have failed to step up with an approach that will end the fighting. S. 21, in my opinion, is very likely to inflame the fighting to new heights resulting in the deaths and the horrible situation for refugees and the atrocities that are so rampant in that area.

Mr. President, it is a scapegoat approach. It is cleaner and neater and more antiseptic for the United States to unilaterally lift the arms embargo and thumb our noses at our allies. Such an action is counterproductive and obviously endangers an alliance that has furthered the cause of peace on the continent for 50 years. When it comes to the crisis in Bosnia, we are not participants in the solution. We are removed observers who cannot accept that the situation has turned sour. I am reminded of a quotation that, ''For every complex problem there is a solution that is both simple and wrong.'' S. 21 in its present form, in the opinion of this Senator, is such a solution.

Mr. President, I thank the chair. And I yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Minnesota is recognized.

Mr. GRAMS. Mr. President, I rise in strong support of S. 21, the Bosnian Self-Defense Act. I want to commend the majority leader for his strong and principled leadership in responding to the escalating crisis in Bosnia. His decisive move to bring this legislation to a vote may prove to be a turning point for U.S. policy in the Balkans. I, like many of my colleagues on both sides of the aisle, have had grave reservations about our Bosnian policy for several years, and even the hearings by the Senate Foreign Relations Committee have done little, if anything, to alleviate my concerns. Frankly, I am amazed at this administration's refusal to recognize numerous foreboding signs for the U.N. mission in Bosnia.

On May 8, the General Accounting Office released a report on the so-called peace operations in Bosnia. In that report GAO states that ''UNPROFOR has been ineffective in carrying out mandates leading to lasting peace in the former Yugoslavia.'' Moreover, it continues, ''UNPROFOR's limited effectiveness to deter attacks and provide protection stems from an approach to peacekeeping that is dependent on the constant cooperation of the warring parties.'' And finally, GAO concludes, ''UNPROFOR [has] lost credibility as a peacekeeping force * * *''

I point out this report was released before the Bosnian Serbs took hundreds of U.N. peacekeepers hostage, before the Serbs shot down an American pilot on a NATO operation and before the Serbs began storming so-called U.N. safe areas.

Mr. President, the GAO's report foreshadowed what many in Congress have now concluded, that is, the U.N. operation in Bosnia has failed and is moving toward a state of complete collapse. UNPROFOR cannot even meet the most minimal of its mandates. The U.N. force can no longer protect itself, let alone civilians in safe areas. Moreover, the ongoing offensive by Bosnian Serb forces against U.N.-declared safe areas has underscored the folly of the arms embargo. Imposed before Bosnia even officially existed, the embargo has consistently denied the Bosnians the right to defend themselves. There is not one Member of Congress, not one member of the State Department, and not one member of the Clinton administration who would deny that the arms embargo has allowed the Bosnian Serbs to preserve a powerful military advantage.

With the help of the arms embargo, the 80,000-man Bosnian Serb militia has dominated 70 percent of Bosnia through its near monopoly of heavy weapons. Even with 200,000 soldiers, the Bosnian Government simply cannot compete. The occupation of U.N. safe areas by Bosnian Serbs is the beginning of the end for the U.N. mission. It is another gruesome admission of how the arms embargo continues to condemn the Bosnian people to a slow death. In Srebrenica, Bosnian troops actually outnumbered the attacking Serbs, but the Serb forces had far more firepower. Bosnian forces had no tanks or artillery with which to defend themselves, and once again the United Nations waited too long to call in NATO, too late for airstrikes to make a difference.

Now, the opponents of lifting the arms embargo have repeatedly said they fear the Serbs would make a grab for the ''safe areas'' in eastern Bosnia. But the Serbs have not waited, even with the embargo in place and UNPROFOR on the ground. The United Nations, with American assistance, is perpetuating a cruel hoax on the Bosnian people. We force them to fight without adequate defenses, promise to protect them from hostile Serb troops,

and then let them fend for themselves when they are attacked.

So far the American taxpayers have provided $2.5 billion to support the U.N. operations in Bosnia and they continue to support UNPROFOR to the tune of $500 million a year. Added to this sum is the administration's new pledge to provide another $95 million in cash and military equipment to the European rapid reaction force. Now, this latest action was taken in spite of strong congressional opposition, and it only threatens to deepen United States involvement in the Bosnian quagmire. Unfortunately, the Clinton administration seems determined to sink or swim with the status quo policy in Bosnia. If the President continues to stay the course, he will be in danger of dragging down the Bosnian people, along with American and NATO credibility.

Supporters of lifting the arms embargo in Bosnia are often accused of being naive and unrealistic. I am neither. Ending the embargo is far from a perfect solution. There are many logistical questions that remain to be worked out. But given the events of the last few months, let alone the last few weeks in Bosnia, I see no other option in a civil war with no end in sight and with no peace agreement within reach.

It is those who support the current Bosnian policy who have lost touch with reality. The U.N. peacekeeping mission cannot sustain itself in a country where there is no peace to keep. The United Nations has never been equipped to enforce peace on factions that are still spoiling for war. It is time for the administration to stop acting as if some miracle will occur to save the day.

Just last month the House of Representatives approached an end to the arms embargo with a bipartisan and veto-proof vote of 318 to 99. I urge my colleagues to follow that example and also send a strong message of our own to the President by voting for S. 21. I believe it is the least we can do for the Bosnians and the very least that the American people can expect.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I appear once again, briefly, to support the majority leader and my distinguished friend and colleague from Connecticut, in the proposal which they have before the Senate to terminate the arms embargo against Bosnia.

Other than to add my voice to that cause, I can add nothing to the eloquence of what they have already said. What began as a policy of convenience and a seeking for time and a diplomatic solution on the occasion of the breakup of Yugoslavia, has not only proven to be a policy failure, a significant contributor to the loss of thousands of lives, and war crimes unmatched in Europe since the era of the Nazis, it has degenerated into a moral swamp, in which the actions of the United States and the United Nations contribute only to the success of the aggressors, to the success of those who have proposed this barbaric system, based on the religious background of the people of Bosnia.

We are fond of saying, as a number of newspapers have, that the time has come to end that arms embargo.

In truth, Mr. President, the time came long since. The distinguished Senator from Delaware, [Mr. BIDEN] in his remarks an hour or so ago, referred to statements that he made in the fall of 1992 which were valid then and are valid today.

The particular occasion for the debate over this resolution today, of course, is the latest set of atrocities on the part of the Bosnian Serbs, the destruction of what we had long trumpeted as a safe haven, the rape of some, the murder of others, the driving out of most of the citizens that were supposedly protected in that safe haven.

Mr. President, I think the failure of our policies and our proclamations cannot better be summarized than it was indirectly in two paragraphs in a story from last Friday's Washington Post about those citizens driven out of Srebrenica to a temporarily safe haven elsewhere. I want to quote those two paragraphs from that news story.

> ''This is Major's work,'' yelled a man on crutches, referring to British Prime Minister John Major. ''It is Clinton's work, too. Clinton—always talking so nice and doing nothing.''
>
> ''They had better take a gun and kill us all,'' one woman said. And waving her arms towards the masses of dazed people who made up the weeping, nearly hysterical crowd, she added: ''Look at what you did for us, all you governments.''

That is a tiny portion of the human price we have paid for this arms embargo, for all of the threats not backed up, for all of the promises that got broken, for all of the lives lost. And have we done this in order to protect the lives of Americans? No, Mr. President. Just recently we had one of our Air Force pilots shot down over Bosnia—rescued by a magnificent feat of arms, and celebrated here in this country for his escape, but those who shot him down remain totally unpunished.

Can it not be said that perhaps that last, most recent demonstration of our lack of dedication led to the overrunning of the safe haven, the loss of hundreds, perhaps thousands of lives, and the driving out of tens of thousands of others? We have made ourselves contemptible. We have made ourselves a laughingstock. And it is time to end that policy now.

Will we save more American lives? No. The President has promised that when the war is irretrievably lost, and when the U.N. forces want to come out, we will send troops in to save them—undoubtedly at the expense of casualties. Mr. President, that is a wrong policy as well. The correct policy is to end the arms embargo, to allow, to encourage, to assist in the arming of people desperately anxious to fight for their own freedom and probably capable successfully of fighting for that freedom if they are armed with weapons anywhere near equal to those of their aggressors. That was the correct strategy during the Presidency of George Bush. It has been the correct policy for the 2½ years, at least, of the Presidency of Bill Clinton.

Mr. President, the policies in which we have engaged have undercut, if they have not destroyed completely, our own credibility—not just in the Balkans, but all over the world. They have not only failed to succeed in ending or limiting the war, they have encouraged it. They have not discouraged aggression, they have encouraged it. They have not limited ethnic cleansing, they have increased it. And it is time to end those failed policies. It is time, at the very least, to allow the victims to fight for their own liberties.

It is also time—not at all incidentally, Mr. President, in my view—to end the arms embargo against Croatia and Slovenia as well. Slovenia is not in the news yet. It had succeeded in winning its independence and has been at peace ever since. It threatens no one. There is no reason in the world not to lift the embargo against it. Croatia is 25 percent occupied by a dissident government which is engaged in some, though not all, of the same practices of their compatriots, the Bosnian Serbs.

The only way there is any possibility in this case of proving that aggression and ethnic cleansing and rape and murder do not pay is to allow the victims of those crimes to be able to liberate themselves from those crimes.

So I believe the two principal sponsors of this resolution, the majority leader and the distinguished Senator from Connecticut, who are now on the floor, are proposing exactly what the United States ought to do and I wish to express the hope that the Senate will promptly and overwhelmingly vote in favor of their resolution.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I would like to say a few words about the Bosnia and Herzegovina Self-Defense Act of 1995.

Mr. President, I rise to support S. 21, the bill to terminate the illegal and immoral arms embargo on the Government of Bosnia and Herzegovina. It is

time we abandoned this morally and politically bankrupt policy. It is long past time that we permitted the victims of ethnic genocide to defend themselves; it is time we stand for a policy that may not guarantee an easy outcome, but that will put the United States on the side of principle.

That principle is the right to self-defense against conquest by aggression, the right to self-defense against ethnic genocide.

The time has come to declare our intentions to aid the victims in the bloodiest war to wreak mayhem in Europe since World War II. For too long the international community has been hamstrung by diplomatic inertia; for too long have sympathetic nations of the world been frustrated by U.N. and European reluctance to act; for too long have we watched United States policy flit about while Bosnia has suffered attacks against civilians, mass deportations, rape, and ethnic genocide. Washington dithers while Sarajevo burns.

We cannot allow the Serbs to continue with their aggression by continuing to tie the hands of those who wish to defend themselves. The arms embargo has played into the hands of these aggressors; it has failed to make the moral distinction between the victims and the architects of genocide.

The fall of Srebrenica demonstrates the collapse of the multinational mission and the hollowness of U.S. support for it. I believe it is past time for the Clinton administration to abandon this failed policy, rather than continue to make pathetic attempts to rationalize or perpetuate it.

Some have noted that the arms embargo is a carryover of the Bush administration policy on Bosnia. This is true, Mr. President, and I urged President Bush to lift it then. The situation has grossly worsened in the 2½ years since he left office, and it is now President Clinton's responsibility to deal with this international horror.

Last month, Bosnia's Prime Minister made another visit to Washington. To meet with him was to meet with a man fighting for the very existence of his country. I saw him after he went to the White House to meet with Vice President GORE. The Vice President used to be a supporter of lifting the embargo when he was a member of this body. At the White House, he told Prime Minister Silajdzic that the administration would continue to oppose a lift, because a lift would incite the Serbs to attack the safe havens.

The administration had it exactly wrong. The fall of Srebrenica last week demonstrates the collapse of the multinational mission and, with its failure, the failure of U.S. policy supporting it. Now, if anything good can come out of these horrors, it must be that this body will vote to lift the embargo now.

Over the past week we have all been horrified by the pictures and stories coming from Srebrenica, Zepa, and Sarajevo. There is no reason to repeat the horror here, nor is there any excuse to act as if these latest outrages against humanity have been of any surprise. I can only lament that it did not have to come to this.

Many of us who have followed this war have concluded long ago that Serbia and its proxies would not cease in its pursuit of a Greater Serbia. After we saw that the Serbs would use the horror of ethnic genocide as an instrument of war, we could not be surprised about the developments we saw over the past 2½ years.

We could not be surprised when the Serbs continued to attack the civilian population of the so-called safe havens.

We could not be surprised when the Serbs starved Bihac.

We could not be surprised that pinprick airstrikes emboldened the Serbs.

We could not be surprised when the Serbs took U.N. hostages last month.

And, finally, we could not be surprised when it was revealed that U.N. Special Envoy Akashi had recently sent a secret letter to the Bosnian Serbs assuring them that the United Nations would not seek confrontation with them.

And no one, Mr. President, should have been surprised to learn that Belgrade continues to supply and assist its Serbian proxies in Bosnia and Croatia.

We were dismayed, yes. Outraged, yes. But no one who has been watching this war could be surprised.

No one, perhaps, except the policymakers at the White House and State Department. From the constantly shifting statements of the administration, however, it appears that every development has caught them off guard. Their only constancy has been their insistence on refusing the Bosnians the right to defend themselves. This has become incomprehensible.

Today's U.S. policy lies in tatters. It is the product of a misplaced belief in multilateralism. An exaggerated estimate of a ruthless but third-rate foe. A solipsistic faith in the selfless intent of dictators. And an immature and myopic view of geopolitics.

This administration supported the U.N. missions in Bosnia and Croatia. Many of these peacekeepers bravely put their lives on the line feeding the captives in the safe havens. But they never had a peace to keep; they disarmed the victims and aggressors alike, but when the aggressors challenged them by violating Security Council resolution after resolution, the United Nations feared calling in NATO air support.

When the planes came, as rarely they did, they delivered pinprick strikes, destroying a tent here, a truck there. The Serbs laughed and became emboldened. The United Nations became more reluctant to engage. The Security Council resolutions enacted in New York City became worthless documents in Sarajevo, Tuzla, Gorazde, and the other towns of Bosnia.

The United Nations, without a peace to keep, kept the borders set by the aggressors; and if the peacekeepers dared challenge the Serbs, they were taken as hostages.

Multilateralism failed because multilateralism was incapable of acting on the distinction between victim and aggressor. As a result, multilateralism engendered a policy of deference to the aggressor and indifference to victims.

The longer this dynamic went unchallenged, the larger the myth of Serb power grew. Despite the stories of a supine Serbian economy, despite the reports of thousands of military-age men fleeing Serbia, despite the reprehensible and cowardly behavior of any army that could only terrorize unarmed civilian populations, policymakers around the world, including many in our State Department, began to accept the notion of the formidable foe.

They confused the ability to commit unspeakable acts with the ability to sustain a popularly supported war. Even today, so many analysts do not include military assessments of the capabilities of the combatants. But when they do take a hard look at Serbian and Bosnian capabilities, they seem to reach the same conclusion: The Bosnians have the advantage in men and morale; the Serbs, heirs of the Yugoslav Army, have the advantage in heavy weapons. And from these assessments we must conclude again: If we seek to achieve a shift in this war, we must lift the embargo; we must provide the Bosnians with the weapons they need.

Further emboldening the Serbs was the administration's attempts at diplomacy. Taking its diplomatic cue last spring from Russian Foreign Minister Kosyrev—an ally of the Serbs—the administration believed that it could persuade Serbia's Milosevic to pressure Radovan Karadzic to a negotiated peace.

This is one of the most self-deluding diplomatic strategies in modern times, and the administration feigned belief—or maybe, incredibly, actually believed—that Milosevic could be a broker for peace. Representatives of the administration actually stated that Milosevic and Karadzic were competing, and had differing interests. Instead of lifting the arms embargo on the embattled Bosnians, the administration offered to lift the economic embargo on Serbia, which, most analysts agreed, was actually having an affect on Serbia's ability to wage war.

This notion that Milosevic would curb Karadzic was, of course, ridiculous, but the administration persisted. They offered lifting the sanctions if Milosevic recognized Bosnia and Croatia. When he refused, the administration lowered its demands and asked Milosevic to recognize just Bosnia—a move that could have threatened, at that time, to shatter the federation between Bosnia and Croatia, which the administration had claimed was its single greatest accomplishment in this

crisis. Milosevic, no fool, knew that he could gain more and refused.

Meanwhile, the evidence kept coming that Milosevic continued to provide armaments to his proxies in Bosnia and Croatia. No one could really be surprised, but many of our allies, and this Administration, looked the other way.

And then Scott O'Grady was shot down by a SAM missile—a NATO jet on a mission to enforce U.N. Security Council resolutions was downed by the Bosnian Serbs. And NATO did not retaliate. History's most successful military alliance—the world's most impressive military force—did not retaliate when a third-rate army that specializes in torturing civilian populations shot down one of its planes. And we did not retaliate when the evidence was revealed that Belgrade had a hand in this, and that Milosevic's army provided parts maintenance, computer and radar support for the SAM system that shot down our F–16.

Mr. President, how much evidence do we need that Milosevic and Karadzic work hand-in-hand? How much more humiliation should we take before we recognize that our diplomacy is based on fatuous delusions?

One of my greatest concerns throughout this conflict has been the administration's inability to see this crisis in the greater context of Europe. Specifically, it has refused to recognize the role that Russia has played in supporting the Serbs, in frustrating any resolution that would be fair to the Bosnians, and in undermining the Western alliance. I am disturbed that very few appear to be focusing on Russia's role in this crisis.

One of Russia's primary foreign policy goals has been to obstruct the expansion of NATO. Last month, when the Russians finally decided to sign on to the President's Partnership for Peace Program, Foreign Minister Kozyrev stated that NATO must ''cease to be a military bloc'' and must abandon policies of enlargement. Last week, Yuri Baturin, national security adviser to Boris Yeltsin, said that the war in Bosnia is a test of strength between Russia and the West. President Clinton has repeatedly declared that Russia will not exercise a veto over NATO expansion. But I must wonder, Mr. President, when the SAM missile of a Russian ally shoots down a NATO jet over Europe, could not this be construed as a veto over NATO?

I believe that if Russia wants to try its strength against the West by backing the forces of ethnic genocide and by using diplomacy to prevent a just settlement in Bosnia and obstruct NATO enlargement, then we should, again, engage in the challenge. We must lift the embargo and arm the Bosnians. We will be, again and finally, on the side of the morally defensible.

The conflagration in the Balkans, the West's confusion, and America's lack of leadership are casting a pall over the prospect of a NATO enlargement.

NATO is not credible when it inflicts pinprick strikes instead of effective bombing sorties. NATO is not credible when the Serbs can check it by taking hostages.

NATO cannot be credible if its stands idly by when its planes are downed by a third-rate power.

Mr. President, it is time to abandon this failed policy.

While the Clinton administration has wrung its hands, vacillated, and deferred to inconsistent allies, many Members in this body, led by the distinguished majority leader, have declared for some time that the only sensible policy after years of inept and immoral policies is to lift the arms embargo. To demonstrate how important this issue was, Senators DOLE and LIEBERMAN introduced S. 21 on the first day of this historic Congress.

The Bosnians are willing to fight for the right to exist as a peaceful and democratic nation that respects ethnic rights. They have not asked us to defend them, they only ask that we allow them to defend themselves. ''We don't need you to die for us,'' Prime Minister Silajdzic said here on his last visit, barely two weeks after his Foreign Minister was blown out of the sky over Bihac by Serb rockets. ''We know very well how to do this ourselves.''

But it seems that some outside observers are in a state of weariness brought on by years of inaction against a war of brutal slaughter. We want it to stop; we want the suffering to cease. But we must not confuse our righteous repugnance for human suffering with the Bosnian government's heroic commitment to defend itself.

The Bosnians have a right to defend themselves. Article 51 of the U.N. Charter clearly articulates a nation's right to defend itself from hostile aggression. The majority of the nations of the United Nations have agreed.

Lifting the embargo will lead to the removal of U.N. peacekeepers. These troops have not kept the peace. They have been hostage bait. And, while they have sometimes fought bravely in recent months, their presence over the years has, in too many cases, legitimized Serbian gains. For the United Nations to stay would mean the symbolic defeat of peacekeeping. For the United Nations to leave would indicate that we are ready to return to reality.

I believe that the U.S. should assist in the withdrawal of the UNPROFOR troops. I say so reluctantly, because I do not believe this war requires a role for U.S. ground troops. But I will support the President if he chooses to assist our allies in the withdrawal, provided that the conditions the majority leader has laid out are strictly observed:

First, a withdrawal must occur under NATO or U.S. command. There must be no U.N. role in the command structure.

Second, the rules of engagement must be clear to any potential antagonists: Any attack on U.S. troops will be met with massive and disproportionate retaliatory attacks. If the Serbs take one shot at a United States soldier or a blue helmet that we are escorting out, the United States will retaliate anywhere in Bosnia or Serbia proper.

And finally, U.S. troops are not there to extract equipment. Any military materiel that could fall into Serb hands must be destroyed, if possible, but we will not engage troops for anything but the rescue of personnel.

S. 21 will put into motion a policy that will not bring us peace, but it will allow for the possibility of a real peace. By lifting the arms embargo on beleaguered Bosnia, this bill will allow for the only kind of peace that has worked through history: a peace gained by a balance of power on the ground.

But this will not be a peace guaranteed or easily achieved. We cannot realistically or responsibly let the issue stop here. We know that the chances of increasing the hostilities are great, although a strong signal from the United States in defense of Bosnia will certainly convey a level of seriousness to the Serbs that they have not yet seen, and we should not rule out the possibility that they may respond to this signal with the realization that the terms of the conflict are about to get much worse for them. However, since the Serbs have demonstrated a reckless intent to conquer by genocide, we should not delude ourselves with hopes of an easy settlement.

For this reason, I believe we must concomitantly begin the debate about military assistance to Bosnia. We should declare our support for Bosnia through a program of immediate provisions of military aid and continued humanitarian assistance. In addition, I believe we must also lift the embargo against Croatia, which has also been a victim of Serbian aggression, and without which we cannot effect a successful program to assist the Bosnians.

Mr. President, I also believe that we must consider the use of air strikes—during the extraction of UNPROFOR and while we arm the Bosnians. In addition to providing the necessary support for the Bosnian government, these air strikes can demonstrate—for the future reference of those who have witnessed NATO's hapless performance to date—that the West is capable of using its military might effectively.

I have always stated that our policy in Bosnia should not require the commitment of United States ground troops. U.S. troops should not be involved in any mission but the support for an UNPROFOR extraction. It has been but one of the many straw men put out by this Administration that lifting the arms embargo would require the commitment of U.S. troops. The administration is either cynically manipulating a legitimate concern of the American people in order to rationalize a failed foreign policy, or it is truly naive in assessing the military and geopolitical realities of the Balkan conflict.

Mr. President, I wish to state very clearly that my objection to our current foreign policy is not partisan. As

you have seen, some of the most articulate in this body in favor of lifting the embargo are Democrats. As I stated earlier, I strongly criticized President Bush's support for the arms embargo. As a matter of fact, I was encouraged when Governor Clinton, during his presidential campaign, advocated lifting the embargo. I am, of course, disappointed that now President Clinton has appeared so irresolute.

I believe the Bosnian crisis may permanently shatter the moral stature of our country. The crisis has already severely harmed the credibility of the United Nations. Much more importantly, it threatens the future of NATO, which had been the most successful military alliance in modern history. And it has put the United States—the world's remaining superpower—on the sidelines, while Bosnia burns.

Foreign policy should not be an exercise in naivete or cynicism. It should be a discipline requiring the highest order of judgment, soberly steeped in the awareness that the affairs of mankind are imperfect and recognizing that real options cannot offer panaceas to the bloody intents of the brutal. But U.S. foreign policy has often stood for more than the pragmatic: Our foreign policy, at its best, has been vitalized by principle.

We should be able to make clear distinctions about Bosnia. We should be able to declaim against genocide and put our actions where our denunciations are. We must abandon a policy that has been resolute in its lack of determination. We can make no argument for supporting an arms embargo that perpetuates genocide. And we must declare that we believe in the right of self-defense.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DOLE. I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, in just a minute or two I will ask that we stand in recess until 5:15 p.m, because the Republicans have a conference, and I think a number of my colleagues on the other side are at the White House discussing with the President the Bosnian resolution. There may be a chance we might bring up the rescission package tonight, too. I need to talk to Senator DASCHLE about that. So we will be under a strict time agreement, a limited number of amendments, and an agreement that the leadership on each side will vote against the amendments, as well as most of our colleagues, because this is something that has taken a long time because of a couple of Senators, who certainly are within their rights. But if we cannot reach that agreement, we will not bring it up.

I want to say just one additional word on this resolution.

Yesterday I addressed some of the criticism made by opponents of our legislation, and there are just a couple others I want to review at this point. The first criticism is that the legislation is unilateral in nature. Yes, this bill is unilateral. It provides that the United States will lift the arms embargo only after UNPROFOR withdraws—I would like to repeat, after withdrawal of the United Nations protection forces. This fact is being ignored by the administration and by some of our allies.

In my view, unilateral action as provided by this legislation is hardly a negative, but a positive. What the last 3 years of multilateral hand-wringing have demonstrated is that if the United States does not lead, action is not taken. It is time for leadership. We have been waiting, waiting and waiting for leadership. And so far nothing has happened. We are witnessing this right now. Thousands of civilians have begun to flee Zepa, as the Serbs close in. The United Nations has written Zepa off. And the hand-wringing is beginning with respect to Gorazde—the third eastern enclave. If Gorazde goes, that will be three out of six safe havens have been overrun. The French reportedly have a proposal for Gorazde that they are advocating. The British oppose stronger action and want the status quo. The White House spokesman says the administration is ''leaning'' toward action—but is not clear if the main objective is to forestall the fall of Gorazde or thwart this legislation.

In fact, the White House press secretary said this is a nutty idea. Well, I hope he tells that to Senator MOYNIHAN and Senator BIDEN and Senator LIEBERMAN and Senator FEINSTEIN and other Democrats who are supporting us. If it is a nutty idea, I am certain they would not want to have anything to do with it.

It is not a nutty idea. It is an idea we have been working on for years, Democrats and Republicans, to de-Americanize the conflict, lift the arms embargo, let Bosnia defend themselves without committing American troops. That is what it is all about. But I see an effort now by the White House at the last moment to stall and not have a vote on this legislation—always something better going to happen; just wait 1 more week, 1 more month. We waited 11 months. It has been 11 months since we had a vote.

In any event, leaning toward more aggressive action is not a substitute for aggressive action. And this is not for airstrikes, which the White House appears to be considering. The obstacle to airstrikes has been and continues to be opposition from some of our allies; namely, the British. Unless that hurdle is overcome, all the reports that the President is ''leaning toward'' airstrikes is meaningless. Moreover, while many of us in the United States Congress have urged that NATO conduct something more than pinpricks, we must realize that the robust use of NATO air power now is an appropriate, if overdue, reaction to Bosnian Serb action, but does not constitute a policy in and of itself.

Mr. President, what this bill does is commit the United States to leading the way and lifting the arms embargo, but going first does not mean going it alone.

Last fall, nearly 100 countries—nearly 100 countries—in the United Nations General Assembly voted in support of lifting the arms embargo—over 100 countries. It is not just the United States alone.

I believe if the United States was in the lead, others would follow. I believe a number of countries, in addition to the United States, would also provide military equipment or the funds to purchase such equipment.

I also would like to turn for a moment to the argument that UNPROFOR is neutral and lifting the arms embargo would eliminate that neutrality.

First I point out that the U.N. resolutions are clearly not neutral. In imposing sanctions on Serbia, they recognize who the aggressor is. In committing to protecting the safe havens, on paper, they are acknowledging that the Bosnians need protection from this aggression. Finally, in perpetuating neutrality on the ground operationally, the U.N. peacekeepers are helping the very aggressors that have threatened to attack not only the Bosnians but the United Nations as well. This is not only absurd but a moral outrage.

Finally, I would like to comment on the idea raised by some that there should be another cease-fire and more negotiations. It seems to me that for negotiations to be successful in Bosnia, there needs to be some leverage on the side of the Bosnians. Why should the Serbs agree to anything when they are given free rein to overrun U.N.-designated safe havens?

At this point, the only negotiations that the Serbs might be interested in are the talks to arrange the surrender of the Bosnians. Well, the Bosnians are not ready to surrender. They are ready to fight and die for their country, if we only let them. That is what this debate is about. It is not Democrat; it is not Republican; it is not about liberal or conservative; it is about the U.S. Senate speaking on a very important issue. I hope we can have the vote before we adjourn today.

RECESS UNTIL 5:15 P.M.

Mr. DOLE. Mr. President, I now move that the Senate stand in recess until 5:15 p.m.

The motion was agreed to, and at 4:12 p.m., the Senate recessed until 5:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ABRAHAM).

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, we are still involved in a Republican conference, and we are still trying to determine whether or not we may be able to bring up the rescissions bill under certain strict limitations and certain agreements on voting against any amendments. We have not reached that agreement yet.

We still hope to get a vote on Bosnia. But I think in view of the fact that we are still tied up in conference, I will suggest that we stand in recess subject to the call of the chair. But I indicate it will probably be before 6 o'clock. If necessary, we are going to have to postpone the conference until tomorrow because I think we have important business to do here, hopefully, this evening.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. DOLE. I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to, and at 5:19 p.m., the Senate recessed subject to the call of the Chair whereupon, the Senate, at 6:27 p.m., reassembled when called to order by the Presiding Officer (Mr. ASHCROFT).

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, the Senate Republicans are still in conference, but I think in view of the fact that we have some who wish to speak on the Bosnia resolution, and we are still trying to work out some agreement on the rescissions package, I think it is better if we do business, if the Presiding Officer does not mind missing part of the conference.

If it becomes critical, we can always recess.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT OF 1995

The Senate continued with the consideration of the bill.

Mr. COATS. Mr. President, thank you for the recognition.

We are back on the Bosnia debate. In one sense, this debate should not be necessary. In the normal course of events, the President is the one who holds the duty to provide direction in these matters. I have long believed that our foreign policy ought to be directed by the chief executive officer and ratified by the Congress—the Senate—but not formulated. But the situation is far from normal in this instance.

Our action today on this Bosnia resolution is required by a somewhat unusual, maybe unprecedented failure of leadership on a very important issue. The credibility of our Nation and the existence of NATO are at risk. But it seems that the administration moves from crisis to crisis in Bosnia without a clear definition of what our policy is or ought to be. We have alternated between indifference and almost panic, operating without purpose and often seemingly without principle.

Over 2 years ago, as the policy of ''safe havens'' was being defined, I came to this floor expressing a concern and a question. ''A police action,'' I said, ''protecting safe havens, will probably stop some short-term suffering, but it will answer few long-term questions. After we purchase a temporary peace for fleeing refugees, what is our eventual goal?'' I asked. ''On this question,'' I then said, ''this administration is silent.''

Now it is 2 years later and that eventual goal is still unclear, and that silence has become a source of considerable embarrassment. For, 2 years later, little has changed. The situation is worse.

We have maintained, during that period of time, a one-sided arms embargo against Bosnia which has only served to reinforce the advantages enjoyed by the Serb aggressors.

We have placed critical command decisions in the hands of international bureaucrats who have not brought any military experience, political insight, or even moral courage to their position.

We have made a series of threats against Serbian forces that proved hollow, empty, undermining our credibility with both friends and foes alike around the world.

And we have repeatedly misled Bosnian leaders, first opposing and then supporting various initiatives, leaving the Bosnian Vice President to conclude ''We are going to die of these initiatives.''

Mistake has followed failure in an unending downward spiral as each safe area became progressively unsafe.

''I don't remember a time,'' says one expert, ''when there was so much scorn for American foreign policy.'' Former British Secretary David Owen comments, ''To the day I go to my grave, I will not understand the policy.''

The result has been an American retreat into a purely reactive mode. Our only role, it seems, is to respond to European proposals and initiatives. The only clear objectives of this administration seem to be to appease our allies and avoid political blame.

Now the administration is reduced to floating another French proposal, which repeats every error of the past. It calls on us to place more troops into indefensible positions. It demands that we risk American lives to prove our loyalty to a failed NATO policy. And once again, it has no diplomatic or military end game. It continues an aimless and endless commitment.

The President of France says the use of American helicopters and airmen is necessary ''to place the Americans squarely in front of their responsibilities.'' The effect would be to place our troops squarely in front of bullets as a symbolic commitment to a strategy which no one expects to succeed. It is hard to imagine a policy more destructive to American interests or more likely to lead to pointless loss of life.

The central problem here is pretty clear. The ''safe haven'' approach has not worked. But even more than that, it could not have worked, even with less United Nations interference, even with more military commitment, because the safe havens were chosen for a humanitarian, not a military mission. Thus, the deployment of forces on the ground and the equipment they were given was matched for this humanitarian purpose, not for a military purpose. The troops were lightly armed and they were heavily restricted.

But now we are being asked to expand that mission to a combat role from militarily indefensible and irrational positions. Each of these areas is a Moslem outpost in a sea of Serbian hostility. We are being asked to man and defend six exposed and vulnerable enclaves, apparently for an indefinite future.

If all this sounds somewhat familiar, it should, because it is a policy that acts as though our experience in Somalia never happened; as though the deaths of those Rangers never took place. We attempted to expand that humanitarian effort into a military operation without holding military positions, without adopting military strategies, and without setting military goals. And under these circumstances, peacekeeping became bloodletting and nothing lasting was accomplished.

Mr. President, we are accustomed to saying all options in Bosnia are bad, which has been used as an excuse for choosing those options which are worse. It is increasingly clear to me that only one approach is justified.

Our goal should be the creation of a viable Bosnian state with defensible borders and the military equipment to uphold them. This goal will never be reached while the embargo remains in force.

I believe we are led to this goal by two very direct American interests.

First is our strategic interest in the containment of this crisis. The worst possible result here would be for the fighting to extend beyond Bosnia, to spread to Macedonia, Kosovo, and beyond. That would bring in other NATO allies and could result in a situation that would be far more difficult in the future than even what we face today. It seems to me the best way to make that result difficult and hopefully impossible is to have a viable Bosnian state in the region to provide a check against Serb aggression.

Second, I suggest we have a moral interest and that moral interest is an eventual peace agreement between the parties in Bosnia. History offers no example of fruitful diplomacy or lasting peace between warring nations where the stronger power has a continued interest in conflict. Therefore, trying to

bring both sides into some parity of power will bring them to the table.

All along, my problem with removing U.N. forces and lifting the embargo has been the safety of the safe havens. Establishing indefensible regions and calling them ''safe havens'' was a mistake in the first place, but that is the course we took and now those safe havens exist.

The President himself, at the beginning, predicted that these areas would become ''shooting galleries.'' But they were adopted anyway, at European insistence, because America offered no alternative.

When one top Clinton official was asked why the President accepted this proposal he responded: ''They''—meaning the Europeans—''showed up in town with a plan and he had no choice.''

But the status of the safe havens has been the most difficult obstacle to changing the Bosnian policy. What would happen to these people, to whom we offered the temporary illusion of safety, when the United Nations left? But that dilemma, tragically, is quickly coming to an end. Precisely because these isolated areas only existed at the whim of Bosnian Serbs, they are now endangered. An indefinite commitment to safe havens is not, I suggest, a real option.

Mr. President, I suggest a new Bosnian policy embody four principles.

The first principle, there must be a timetable for withdrawal of UNPROFOR, the U.N. Protective Force. British and French troops in Bosnia are now the primary obstacle to any sensible policy in the region. Whenever anyone suggests some responsible action, like lifting the embargo, we are told that this is impossible because UNPROFOR forces, which are primarily British and French and some other nations—those forces would be endangered. In fact every single member of UNPROFOR is now a virtual hostage, preventing a reasonable reassessment of our goals.

One commentator has said, ''The U.N. might as well have deployed women and children.'' UNPROFOR has proven its inability to achieve its stated purpose and now stands as an impediment to a viable alternative policy.

The second principle I suggest is that U.S. troops should not be used to symbolize our commitment to a failed NATO strategy. We are told that the deployment of American troops is necessary rather than risk further divisions in the Atlantic alliance. But this does nothing to rebuild the reputation of NATO, to join it in a policy that is doomed to fail. In fact, to advance down this path will further undermine NATO's fragile credibility. The United States should not accept either the deployment of American forces to defend the safe havens, or the use of 10,000 American ground troops to help extract French and British forces.

The Europeans have proposed this commitment to cement American involvement, not because they are militarily incapable of performing this mission themselves. If we do, however, reach an emergency in which the only means of rescuing the French and British involves a United States role, then I suppose that is part of our duty as an ally, and we ought to have the capability of responding.

In addition, I am not opposed to using American communications, logistic support, and transport to help evacuate UNPROFOR. But this is entirely different than sending American infantry and Marines into the Bosnian quagmire as a show of political solidarity for a failed policy.

The third principle that I would advocate is that after UNPROFOR have been evacuated we should lift the arms embargo on Bosnia. It is certainly preferable that this be done with the cooperation of our allies. But if it cannot be done with their cooperation, I believe that we should take this action unilaterally, as the Dole-Lieberman resolution directs.

The effect of our current policy has been to deny the legitimate and inherent right of Bosnian Moslems to defend themselves. It has also prevented the creation of meaningful borders that could contain Serb aggression in the region. Maintaining the embargo is a violation of both our moral commitments and our direct national interests.

In the short term, lifting the embargo may cause the fight to intensify. But this is a risk the Bosnians themselves seem eager to accept. Even under a crippling embargo, the Bosnians have fought with courage and tenacity. They show increasing organization and capability, and the Bosnian Serbs themselves are overextended and plagued by desertions. All the Bosnian Moslems lack are the heavy arms to match the Serbs. Once some balance or parity is achieved, and both sides have a reason to negotiate, the United States should be aggressive in mediating some solution.

I am not suggesting that this is a policy without risks. It does carry risks. But there is good reason to believe that Bosnian Moslem resistance will not collapse if UNPROFOR leaves. It is the Bosnian Moslems themselves that assert they are prepared to assume their responsibilities.

I cannot forget the personal plea of the Vice President of Bosnia when he testified before the Armed Services Committee: ''We repeat over and over again: we are not asking you for your troops to fight for us on the ground. That is our job and our task. But please do not combine any more big words with small deeds. God will not forgive you if you do nothing. Doing nothing creates a tragedy in Bosnia everyday.''

I suggest that the fourth principle underlying our policy is that America must provide a serious strategy to contain the carnage in the Balkans. The flashpoints of future conflict are Macedonia and Kosovo. Here is where NATO has a compelling interest in building and fortifying a barrier against aggression.

Currently, in these regions, we do not have a deterrent, only a tripwire under ineffective U.N. control. NATO should assume full control of this operation, not as a confused humanitarian effort, but as a serious military commitment.

This, in general, is the approach adopted by the Dole-Lieberman bill. I believe the time has come for the Senate to support a strong measure and fill a vacuum of leadership that exists.

Some will argue that this proposal will weaken NATO. Let me be clear: the health of NATO is essential to American interests. This historic comment is a continuing necessity. But this alliance was successful because its leadership has in the past been unquestioned. And that leadership was effectively provided, throughout the cold war, by America.

There is nothing more likely to destroy NATO than for America to retreat from that leadership and abdicate its role. But that is exactly what this administration has allowed to happen. European leaders have attempted to fill that vacuum, but have not succeeded.

In David Rieff's new book on Bosnia, he concludes: ''The story of Bosnian defeat is the story of Western European and North American disgrace. What has taken place in Bosnia has revealed the bankruptcy of every European security institution, from the North Atlantic Treaty Organization to the Conference on Security and Cooperation in Europe, and exposed the fact that nowhere in these great structures was there either intellectual preparedness or moral fortitude for dealing with the crises of the post-cold-war world.''

President Chirac commented yesterday, ''There is no leader of the Atlantic Alliance.'' That is unfortunately, tragically true. It is a disaster for Bosnia, for Europe and for the world.

We will not reassert American authority by following European and U.N. officials further into this policy that has not worked. The best way to restore national integrity, I suggest, is by providing it with a strategy that will work. And the best way to preserve NATO is by leading it once again.

Mr. President, I have reluctantly come to the conclusion that lifting of the embargo is a policy option that we should adopt. It is clear that we will not—or should not, hopefully will not—place U.S. troops in an indefensible military situation to achieve an objective that has yet to be defined, in a military manner that has yet to be defined, with an end purpose that has yet to be defined.

Therefore, I believe we should heed their request, and since we will not do that, and since the UNPROFOR forces are ineffective in terms of providing the protection that they promised the Bosnian Moslems, I believe it is time that we assert those principles that I

outlined—that we lift the embargo, and that we heed their request to allow them to defend their sovereign state.

Mr. President, I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, is the Senate discussing the pending resolution to lift the embargo?

The PRESIDING OFFICER. That is the pending business.

Mr. BYRD. And there is no time under control?

The PRESIDING OFFICER. There is no time under control.

Mr. BYRD. I thank the Chair.

UNITED STATES POLICY TOWARD BOSNIA

Mr. BYRD. Mr. President, this is a difficult debate, and a debate that could significantly affect the situation in Bosnia. The legislation we are considering, to lift the arms embargo on Bosnia, is, on the surface, appealing. It appeals to our instincts to do something to redress the plight of the Bosnian civilian population without getting too personally involved. It appeals to our instincts to ''level the playing field,'' and support the underdog.

Representatives of the Bosnian Government have reinforced the appealing character of this legislation. They have visited with me and with other Senators, and they have assured us that if they only had arms to match the aggressor Serbs, they could secure a safe, ethnically diverse, and democratic Bosnian state without the further help of the United Nations or other Western help, although help would be welcome.

But there is a less appealing side to this legislation, a side that troubles me. This is, as some have noted, an incomplete piece of legislation. There are many unanswered questions raised by this resolution. It is these missing answers that so trouble me.

First, and perhaps most troubling, is that this legislation pushes the United States out in front of allies, out in front, and gets the Congress out in front of the President. There is a meeting of NATO allies scheduled to take place in London this Friday, 2 days from today, to finalize a unified NATO plan for Bosnia. While earlier meetings have failed to reach a consensus view, it is clear that the pressure is on to agree on a unified plan of action. Passage of this bill in advance of that meeting narrows the options for the United States and for our allies. It pushes us out on an untraveled path of unilateral action and leaves our allies to deal with the consequences. We have resisted taking this path for 2 years, and have honored our NATO allies' concerns for the safety of their personnel on the ground in Bosnia.

I cannot understand why this debate cannot wait until after the meeting Why the hurry? The meeting will take place Friday. Why can we not wait until next week to consider this bill?

It was at the urging of his officer corps and Senators who were in that officer corps that thrust Pompey into the fatal decision not to wait and delay attacking Caesar at Pharsala. Pompey controlled the Adriatic with his 500 large warships and his many more small ships. He controlled the lines of transport. It was just a matter of waiting, to let Caesar's army starve to death. But the officer corps wanted action. And so Pompey made the fatal decision to act quickly, and he was defeated at the battle of Pharsalus in 48 B.C.

It was that same impetuosity, that same desire to rush matters that brought about the defeat of Brutus and Cassius at Philippi in 42 B.C. Brutus and Cassius had squared off against Octavian and Antony. Brutus faced Octavian's wing and defeated it. Cassius, who was in control of the left wing, faced Antony and lost. That was the first battle of Philippi. Then came the second battle, in which, again, the Roman general, Marcus Junius Brutus, had the advantages had he waited. But his soldiers taunted him and urged him to fight sooner rather than later. Brutus did so and lost.

So why the hurry? What is the rush? The situation in Bosnia is desperate, but rash action on our part may make it all the more desperate, and may only serve to add withdrawal forces to the numbers of Bosnian civilians facing crisis situations.

This bill also puts U.S. policy partially in the hands of a foreign government. A request by the Bosnian Government would trigger the lifting of the American role in the arms embargo. This disturbs me. U.S. foreign policy should be directed by the President working with the Congress. U.S. foreign policy should be developed within concert with our allies. Its direction and timing should never be deposited in the hands of any foreign government. Never should we allow the actions of a foreign government automatically to trigger a military action on our part.

Yesterday morning, the distinguished ranking member on the Armed Services Committee, Senator NUNN, identified another of the missing elements in this bill. That is, that unilateral U.S. action to lift the arms embargo in violation of U.N. Security Council resolutions brings with it the high probability, if not the virtual certainty, that the U.N. forces would withdraw from Bosnia. Indeed, the Bosnian Government may request the withdrawal of the U.N. forces. That is their right. But either of these actions would most certainly trigger a commitment by President Clinton to deploy some 25,000 U.S. troops to participate in the extraction of the U.N. forces. Well, I believe that Congress should wait for a Presidential decision and a NATO decision to actually commit troops before actively authorizing such an operation. But I agree that we should not ignore this logical consequence of the action that may be taken today or tomorrow, whenever we vote on this measure. But we must also consider the consequences of such actions.

There are those who have assured us that the risks to U.S. and NATO forces of a U.N. withdrawal may be overstated; that most U.N. forces are deployed on Bosnian Government-held territory; and that Bosnian Government forces would not hinder the withdrawal. Therefore, the full 80,000-plus NATO extraction force may not be necessary and the risks of casualties may be reduced. This may all be true—I am not an expert in military planning. I have no personal knowledge of the conditions on the ground in Bosnia. I deplore what I see and what I read and what I hear. But I am hesitant to accept such reassurances when the U.S. Department of Defense continues to support a robust operations plan designed to deter attacks and reduce casualties. And I am concerned by the lack of discussion regarding the situation facing the Bosnian civilian refugees affected by a U.N. withdrawal. What efforts will such refugees make to retain or to retaliate against U.N. peacekeepers in the event of a withdrawal? Will the refugees be left in the former safe areas or will they withdraw along with the peacekeepers to Bosnian Government-controlled territory? This resolution ignores the reality of withdrawal by ignoring such questions.

Another missing element in this debate concerns the funds required to pay for the U.S. share of a NATO withdrawal of U.N. forces. At a time when we are making many very difficult choices required to meet the budget resolution goals and reduce the deficit, we must address the approximately $1 billion bill for U.S. participation in a withdrawal. Let us not forget that. There will be a bill to pay. I am not arguing that we should not lift the embargo because it would prove too expensive. I simply note that the passage of this bill would lead to costs eventually to the United States, and that we must address these costs up front.

This bill is not a simple and appealing low-cost solution to the ugly situation in Bosnia. It carries with it consequences, and those consequences carry a price in both lives and treasure, and the future of our alliances with other nations. If the United States pursues a solo course in Bosnia, and chooses to unilaterally abrogate an international arms embargo against Bosnia, what authority can we muster to argue for the maintenance of other sanctions or embargos against other countries? One compelling example is the case of the sanctions against Iraq. For 4 years, our allies have stayed the course with us to maintain sanctions against Iraq. These sanctions have proven to be the critical tool in pushing a very recalcitrant Iraqi Government to disclose and dismantle their industrial infrastructure for the research and production of weapons of mass destruction. Without the sanctions, the Iraqi biological weapons production complex would not have been revealed, and

Southwest Asia and the rest of the world would remain at the mercy of Iraqi-produced anthrax and botulinum bombs. Many of our allies, including prominent members of the coalition in Bosnia, would like to lift the sanctions against Iraq. They want to restore lucrative—lucrative—trade ties with Baghdad, but they have bowed to our compelling interest in maintaining the sanctions, just as we have supported their desires to maintain the arms embargo against Bosnia in order to protect allied personnel on the ground. Our unilateral action on Bosnia would provide our allies with the excuse to deny United States requests concerning Iraq, at a time when the U.N. inspectors there are very close to resolving the few, but critical, remaining issues concerning Iraqi chemical and biological weapons programs.

Finally, I would note that the appealing message trumpeted by this bill and by the Bosnian Government representatives is somewhat disingenuous. It is designed to appeal to our sympathies and to our desire to help, but a lifting of the arms embargo also appeals to our desire not to put Americans in harm's way. Members have argued that U.S. support of the arms embargo has already ''Americanized'' the conflict. This is not true. The United States, has with other nations, supported a U.N. Security Council resolution to limit arms. Our allies with troops on the ground have reinforced the consensus on maintaining the embargo. If that causes the conflict to be ''Americanized,'' then it also makes it ''Britishized'' and ''Frenchified,'' and ''Spanishized.'' The act of unilaterally lifting the embargo, pushing our allies out of Bosnia, and leaving the Bosnian Government to look to the United States for support—that unilateral act is what risks ''Americanizing'' the conflict.

The Bosnian Government representatives have identified three priorities, which also trouble me. First, they seek a lifting of the arms embargo. Although this bill does not promise any U.S. arms or assistance, it is clearly desired and perhaps even expected. The legislative history of United States policy on Bosnia has linked—linked—the lifting of the arms embargo with the provision of up to $200 million in training and assistance, and with the provision of excess United States military equipment at no cost. Do not be surprised to see actions to extend this assistance in the authorization and appropriations bills later this year, even though no promises are made in this bill before us. Additionally, remember that this imperfect arms embargo also affects the Serbs. If we lift the embargo and supply arms to the Bosnian Government, it will not occur in a vacuum. The Serbs will also receive arms from their friends and sympathizers. As the conflict heats up and more nations get involved, are we going to be able to easily walk away?

Second, the Bosnian Government desires a continuation of the NATO ''no-fly'' zone over Bosnia. Because the Bosnian Government has no air forces while the Serbs do, it seems reasonable to prevent the Bosnian Serb forces from exploiting their advantage in the air, and allow both sides to fight on a level playing field on the ground. The Bosnian Government suggests that this role can be continued by NATO at low risk, despite the shoot-down of American pilot Scott O'Grady, and the losses of other NATO aircraft in the past.

Finally, the Bosnian Government's third priority is NATO airstrikes against Serb forces and ammunition dumps. This is not a level playing field. This is a desire for a playing field tilted in favor of the Bosnian Government. The Bosnian Government wants NATO to intervene to keep the Serbs out of the air, and then use NATO air superiority to attack Serb forces and installations. While the victimization of the Bosnian Moslem civilian population may merit this kind of support, it is exactly the kind of action that leads to greater NATO or United States participation in the conflict. That is where the rub comes. These unheralded priorities disguise the slippery slope of escalating U.S. involvement down which we might slide, and with this resolution we may be pouring more oil on that slick hillside.

These priorities, and the language in the bill, make it clear that United States policy, which up until now has been one of neutrality and conflict containment, will tend to tilt to partisan support of the Bosnian Government and the Bosnian Moslem side in the conflict. I do not think we want to tilt either way. With the adoption of this resolution, we will move toward picking a side—picking a side—in this conflict, and thereby irrevocably tie United States to Bosnia and to the fate and abilities of the Bosnian Government.

And so I urge my colleagues will consider carefully the downside of this legislation before they cast their votes. This bill is not a simple solution to a complex and guilt-laden problem. We must understand the consequences of our actions. I for one do not relish the possibility of emotional speeches of support for the Bosnian victims of this tragic conflict being replaced by emotional speeches decrying the lives of American pilots and soldiers lost in a civil war that everyone acknowledges is not in the vital national security interests of the United States.

Mr. President, I shall vote against the pending bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DEWINE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent that I be allowed to proceed in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REGULATORY REFORM

Mr. BROWN. Mr. President, I rise to address the issue of regulatory reform, which this Senate has debated at length.

I think many Americans, as they listen to the debate, must wonder what the argument is all about. There have been charges that sponsors of S. 343 will eliminate regulations protecting food, clean air, clean water, and that we will eliminate regulation of meat inspection, and so on. All those charges are completely inaccurate. No statutes in those areas are repealed. No regulations are repealed. What this bill basically does is simply require that the Government examine the merits and the cost of new or current regulations.

I think many Americans may wonder, why the filibuster? What is really involved is the question of costs and benefits of regulations. Why does that deserve a filibuster? This regulatory reform bill has been filibustered in a way I have never before seen in a legislative body. Certainly we have had filibusters on the floor before, but seldom have we had filibusters in the committee, which is what occurred in the Judiciary Committee.

What I think is at stake—and why I think you see such vigorous debate of this issue—is the question of unbridled, uncontrolled regulation of an economy goes to the core of people's philosophy about America and American Government.

Last year this country added more than 60,000 pages of new regulations to the Federal Register. I think most Americans, when they hear that, would be shocked. It is true—the Government promulgated more than 64,000 pages of new regulations. If you wanted to read those regulations—and, of course, all Americans are subject to them, and if they violate them, they could be fined, or even on occasion thrown into prison—if you wanted to read the regulations that you are subject to, and if you read it 300 words a minute, which is a very good reading speed for a legal document, it would take you more than a year. In fact, you would be roughly halfway through it. If you read 8 hours a day with no coffee breaks, 5 days a week with no holidays or days off, if you read 52 weeks a year with no vacations, you still would not have even read the new regulations. Add to that the tens of thousands of pages of regulations that already exist.

What is at stake in this debate is not whether you should have a cost-benefit analysis or not. What is at stake is the question of whether or not the Federal Government has any restrictions on its ability to micromanage the economy. What Americans have found is that the

details of how you drive the truck, how you dig a ditch, how you operate daily activities in many, many areas, are now controlled by regulations.

What is at stake is, who will make the decisions in this country? Will Government make those decisions about how we run our daily lives in minute detail, or will individuals preserve a right to make decisions about how they function and how their activities are lived? That is an important decision.

I think those who look at the votes in the Senate on this issue will note one thing. In most cases, those Members that have worked for a living in the private sector, who have used their hands and their minds to produce products, goods, or services, are the ones who voted to reform the regulatory process—not all, but most of them. And largely those people who did not have an opportunity, or have not for many decades had an opportunity, to work in the private sector, who have spent their productive lives in government, tended to vote to oppose regulatory reform. It is not surprising that people would reflect their background.

What is sad, though, is that there are not more Members who have walked in those moccasins, so to speak, who have had a chance to be subject to regulation, who understand what it is like to have OSHA inspect their business, understand what it is like to have the EPA come along, or who have run a municipal operation.

We heard in the Constitution Subcommittee the other day from the Governor of Nebraska, who is a Democrat, that they are required by Federal regulations to test for pineapple sprays in Nebraska. It is ludicrous. And, yet, the people of Nebraska are subject to this regulation and are forced to spend their money and their treasury on it, when it has absolutely no relevance to the quality of water in the State of Nebraska.

There are thousands of examples like that. But this is not just about what Nebraskans have to test for in their water, whether there are sprays for pineapples or not; it is about a concept. It is about the concept of who will make the decisions in America. Will working men and women have a chance to decide how they live their daily lives, or is this all to be relegated to minute regulations that come down from the Federal Government?

That is an important principle. I believe if we in America stand for anything, it is for individual opportunity and individual freedom; yes, even at times an opportunity to make a mistake. But Americans believe we have an opportunity and a right to help run our own lives, not simply take dictates from those who govern, no matter how wise or how well meaning.

Do we need regulations? Of course. But 60,000 pages of new ones every year? No society can sustain it. What is at stake is an effort to make regulations responsible and reasonable. What is at stake is individual opportunity to decide how to live their own lives.

I yield the floor, Mr. President.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. D'AMATO. Mr. President, I rise today in strong support of S. 21, Senator DOLE's bill to lift the United States arms embargo against the Republic of Bosnia and Herzegovina. As the so-called U.N. safe zones fall one by one to Serbian rebel assaults, and their civilian inhabitants face the horrors of ethnic cleansing, we must stand up for the sovereign right of Bosnia to defend itself against this armed aggression.

The U.N. protected areas were initially created to actually protect their inhabitants from ethnic cleansing. The plan was that the U.N. Protection Force, backed by NATO air power, would actually use force to stop the population of these areas from coming to harm. The implicit deal was that the United Nations, through UNPROFOR and NATO, would assume Bosnia's sovereign responsibility to defend its people and its territory, in return for Bosnian cooperation in pursuit of a diplomatic solution to the conflict.

Mr. President, Bosnia has cooperated. Bosnia accepted the contact group's plan that would have left the Bosnian Serb rebels in control of half of their country. Bosnia, in return, had every right to expect the United Nations and NATO to uphold their end of the bargain, and use armed force to defend the Bosnian people in the protected areas from Serbian assault.

We have now seen that neither the United Nations nor NATO is willing to meet its obligations under this arrangement. After the disastrously misguided air attacks on unmanned Serb ammunition bunkers near Pale, the Serbs did again what they have done before—they seized UNPROFOR members as hostages and, in a new violation of the laws of war, chained them to potential targets. Some charge that our allies in UNPROFOR deliberately deployed their forces in militarily untenable positions so that they would serve as de facto hostages, effectively barring the use of force in response to Serb outrages. Whether or not this unsound deployment was deliberate and the actual taking of hostages was foreseen, neither the United Nations nor NATO is now free to use force against the Serbs even if they had the political will to do so.

In fact, the West lacks the political will to use force to protect the safe zones and the people living in them. Srebrenica has fallen and Zepa is about to fall. In my opinion, any of the publicly discussed plans to protect Gorazde are doomed to failure.

The United States Senate should vote today to return to the Bosnian Government the capability to exercise its sovereign right of self defense. The recent attacks to lift the siege of Sarajevo show that the Bosnian Government is not afraid to use force in its own self defense, and that its people are ready to make tremendous sacrifices for their country. We need to allow them to obtain the tools they need to convert their political resolve and courage into military success.

While I believe that the French plan to insert additional troops in the besieged Gorazde zone is the height of folly—someone wrote that the French have forgotten Dien Bien Phu—I agree with President Chirac's assessment of the performance of the West in this crisis as being the worst since the late 1930's, when we faltered and compromised in the face of Nazi aggression. It is time and past time for us to get out of the Bosnians' way and allow them to obtain the means to defend themselves.

Accordingly, I will vote for this measure and I strongly urge my colleagues to give it their wholehearted support.

ORDER OF PROCEDURE

Mr. DOLE. First of all, Mr. President, let me indicate there will be no more votes this evening. We are still hoping to have the debate tonight on the rescissions bill. We have an agreement that we hope we can reach here in the next moments. It depends on, as I understand, some assurance from the White House to the Senator from Minnesota, Senator WELLSTONE. But it is the majority leader's intention to have the debate tonight, 40 minutes of debate, 20 minutes of debate tomorrow, there be two back-to-back votes, then a vote on final passage, if necessary, tomorrow morning. If we cannot reach that agreement, then I really will give up on it. We tried to accommodate the Senator from Minnesota. It is very important that we pass this bill, but we need to have some movement on the other side.

Second, I have had a lengthy phone conversation with the President about Bosnia. He has asked that we not have a vote on the Bosnian resolution, S. 21, until next week. And I have told the President I would—he asked me to think about it overnight and contact him tomorrow. So I will certainly do that. Without in any way trying to characterize the conversation, I think the President indicated that he knew that the present policy was not working. He knew that the changes would have to be made. He was prepared to provide the leadership necessary to bring about those changes. I think that is about all I can say about it. But, obviously, I wish to cooperate with the President wherever and whenever possible. So it would be my inclination that we not vote on the Bosnia resolution this week. But I will discuss this

with some of my colleagues in the morning and get back to the President.

Third, we are still negotiating S. 343, the regulatory reform bill. Under the agreement, I can call for the regular order at any time, but an hour later we could have a cloture vote on S. 343. Obviously, I will give the Democratic leader, Senator DASCHLE, adequate notice before that is done. But there are still some negotiations underway. It is still our hope that we can find some common ground, though I must say some of the demands cannot be met. Perhaps some others can. And we should, hopefully, reach some final decision on that bill sometime tomorrow.

Also, I hope, after we work out the rescissions agreement, that tomorrow morning following the vote on the rescissions package, we will take up legislative branch appropriations. We have notified Senator MACK, the subcommittee chair, so that we will start on our first appropriations bill somewhere between 9:30 and probably about 10 tomorrow morning.

So that is sort of a summary of where we are. And while I dislike not being able the accommodate the staff, we need to wait until we hear from the White House before we know that we can proceed on the rescissions package. Perhaps we will just have a recess until 8:15. At least the staff can get up and walk around.

RECESS UNTIL 8:15 P.M.

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate stand in recess until 8:15.

There being no objection, at 7:55 p.m., the Senate recessed until 8:14 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BROWN).

The PRESIDING OFFICER. The Chair, in his capacity as the Senator from Colorado, suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, we have been unsuccessful in working out an agreement with the Senator from Minnesota. It is unfortunate. We would have hoped he would come to the floor and use some of the time this evening. He has refused to do that. So it seems to me, if you cannot get anybody to cooperate, there is no reason to worry about the rescission package and I am not going to worry about it. Somebody else can worry about it from now on. I have talked to the President about it today. I have talked to the chief of staff at the White House. We thought we had an agreement. We cannot get the agreement.

I am going to ask consent and let somebody object to the agreement as soon as we can find an objector. I wish it were the Senator from Minnesota, Senator WELLSTONE, since he is the one who we are trying to accommodate. It is hard to do.

So, tomorrow we will have morning business from 9 to 10, then we will go on to the legislative branch appropriations. And hopefully, following that, military construction appropriations. And perhaps, maybe by then we will be able to go back to the reg reform bill, S. 343.

UNANIMOUS-CONSENT REQUEST—H.R. 1944

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of H.R. 1944 and that it be considered under the following agreement: One amendment in order to be offered by Senator WELLSTONE, regarding education funding/job training and LIHEAP, on which there be a division, and each of the two divisions be limited to 1 hour to be equally divided in the usual form, with all time to be used this evening with the exception of 40 minutes; then, when the Senate reconvenes on Thursday at 9 a.m., the Senate resume H.R. 1944 and the remaining 40 minutes on the amendment and the 10 minutes for the managers on the bill, to be followed immediately by a motion to table the first Wellstone division, and that following that vote, the majority leader be recognized to place the bill on the calendar. If that action is not exercised, the Senate then proceed immediately to vote on a motion to table the second Wellstone division to be followed immediately by a vote on passage of H.R. 1944.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The distinguished Democratic leader is recognized.

Mr. DASCHLE. Mr. President, I appreciate the distinguished majority leader's effort to try to accommodate Senators on our side. The offer that the Senators on our side, Senators WELLSTONE and MOSELEY-BRAUN, have made is that we have three amendments and three votes. This request accommodates two amendments. I know that there are still some outstanding negotiations underway with regard to the third matter.

This is a very important bill. It deals with assistance to be provided in cases in California and Oklahoma, as we all know. I hope, as close as we are, we could continue to try to resolve these differences. But unfortunately, as a result of our inability to resolve that third outstanding matter, on behalf of Senators WELLSTONE and MOSELEY-BRAUN I have to object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kansas retains the floor.

Mr. DOLE. I would just add, my understanding is the White House is working in good faith. I have talked to the chief of staff, Leon Panetta. And as far as I know, everyone is in good faith. But nobody accepts anybody's good faith, at least the Senator from Minnesota does not. He has every right to have someone object to the agreement, but it is important to the people of Oklahoma City. This bill is important to people in about 39 States. It is not just important to the Senator from Minnesota. The amendment he is talking about is less than $5 million, the third amendment.

I have tried to help him on that amendment. I have asked the White House, myself, to try to accommodate the Senator from Minnesota. I would think, in the spirit of comity, he would let us proceed and have the debate tonight. I assume when the President or chief of staff indicate they think they can work something out, that would be—at least good enough for this Senator. But maybe not the Senator from Minnesota.

MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there now be a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT CLINTON'S ADDRESS ON AFFIRMATIVE ACTION

Mr. KENNEDY. Mr. President, earlier today, President Clinton delivered an eloquent and excellent address on one of the most important issues the Nation faces—the future of affirmative action.

In my view, and I believe in the view of the vast majority of the American people, President Clinton is doing the right and courageous thing. He is preserving and improving the best of affirmative action, and eliminating its abuses.

For a generation, beginning with the Supreme Court's landmark 1954 decision outlawing school segregation, America has made significant bipartisan progress in attempting to end the most blatant forms of discrimination and racism in our society.

Much of this progress has been achieved through affirmative action, involving the leadership of government at every level—Federal, State, and local—and the action of dedicated private citizens.

Unfortunately, discrimination persists, often in subtle forms. We have made real progress, but much more remains to be done. Good jobs still too often remain closed or less available to qualified minorities and women because of bigotry. By helping to assure that every individual has an equal opportunity, affirmative action is one of our most effective means and best hopes for rooting out that bias.

The President is right to broaden set-asides, to oppose quotas, to reject preferences for unqualified individuals and reverse discrimination, and to end programs that have achieved their goals. Every Federal affirmative action program deserves review to see whether abuses have occurred and whether it accords with the Supreme Court's current guidelines.

I commend President Clinton for his leadership and his vision of a more just America. Today was one of his finest hours. At a time when some in the Party of Lincoln are seeking to divide America because of race, we must not retreat from our commitment to fulfill the Constitution's fundamental promise of equal justice for all.

Mr. President, I believe the President's address will be of interest to all of us in Congress and to all Americans, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY PRESIDENT CLINTON ON AFFIRMATIVE ACTION, JULY 19, 1995

Thank you very much. To the members of Congress who are here, members of the Cabinet and the administration, my fellow Americans: In recent weeks I have begun a conversation with the American people about our fate and our duty to prepare our nation not only to meet the new century, but to live and lead in a world transformed to a degree seldom seen in all of our history. Much of this change is good, but it is not all good, and all of us are affected by it. Therefore, we must reach beyond our fears and our divisions to a new time of great and common purpose.

Our challenge is twofold: first, to restore the American dream of opportunity and the American value of responsibility; and second, to bring our country together amid all our diversity into a stronger community, so that we can find common ground and move forward as one.

More than ever, these two endeavors are inseparable. I am absolutely convinced we cannot restore economic opportunity or solve our social problems unless we find a way to bring the American people together. To bring our people together we must openly and honestly deal with the issues that divide us. Today I want to discuss one of those issues: affirmative action.

It is, in a way, ironic that this issue should be divisive today, because affirmative action began 25 years ago by a Republican president with bipartisan support. It began simply as a means to an end of enduring national purpose—equal opportunity for all Americans.

So let us today trace the roots of affirmative action in our never-ending search for equal opportunity. Let us determine what it is and what it isn't. Let us see where it's worked and where it hasn't and ask ourselves what we need to do now. Along the way, let us remember always that finding common ground as we move toward the 21st century depends fundamentally on our shared commitment to equal opportunity for all Americans. It is a moral imperative, a constitutional mandate, and a legal necessity.

There could be no better place for this discussion than the National Archives, for within these walls are America's bedrocks of our common ground—the Declaration of Independence, the Constitution, the Bill of Rights. No paper is as lasting as the words these documents contain. So we put them in these special cases to protect the parchment from the elements. No building is as solid as the principles these documents embody, but we sure tried to build one with these metal doors 11 inches thick to keep them safe, for these documents are America's only crown jewels. But the best place of all to hold these words and these principles is the one place in which they can never fade and never grow old—in the stronger chambers of our hearts.

Beyond all else, our country is a set of convictions: ''We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness.''

Our whole history can be seen first as an effort to preserve these rights, and then as an effort to make them real in the lives of all our citizens. We know that from the beginning, there was a great gap between the plain meaning of our creed and the meaner reality of our daily lives. Back then, only white male property owners could vote. Black slaves were not even counted as whole people, and Native Americans were regarded as little more than an obstacle to our great national progress. No wonder Thomas Jefferson, reflecting on slavery, said he trembled to think God is just.

On the 200th anniversary of our great Constitution, Justice Thurgood Marshall, the grandson of a slave, said, ''The government our founders devised was defective from the start, requiring several amendments, a civil war, and momentous social transformation to attain the system of constitutional government and its respect for the individual freedoms and human rights we hold as fundamental today.''

Emancipation, women's suffrage, civil rights, voting rights, equal rights, the struggle for the rights of the disabled—all these and other struggles are milestones on America's often rocky, but fundamentally righteous journey to close up the gap between the ideals enshrined in these treasures here in the National Archives and the reality of our daily lives.

I first came to this very spot where I'm standing today 32 years ago this month. I was a 16-year-old delegate to the American Legion Boys Nation. Now, that summer was a high-water mark for our national journey. That was the summer that President Kennedy ordered Alabama National Guardsmen to enforce a court order to allow two young blacks to enter the University of Alabama. As he told our nation, ''Every American ought to have the right to be treated as he would wish to be treated, as one would wish his children to be treated.''

Later that same summer, on the steps of the Lincoln Memorial, Martin Luther King told Americans of his dream that one day the sons of former slaves and the sons of former slaveowners would sit down together at the table of brotherhood; that one day his four children would be judged not by the color of their skin, but by the content of their character. His words captured the hearts and steeled the wills of millions of Americans. Some of them sang with him in the hot sun that day. Millions more like me listened and wept in the privacy of their homes.

It's hard to believe where we were, just three decades ago. When I came up here to Boys Nation and we had this mock congressional session, I was one of only three or four southerners who would even vote for the civil rights plank. That's largely because of my family. My grandfather had a grade school education and ran a grocery store across the street from the cemetery in Hope, Arkansas, where my parents and my grandparents are buried. Most of his customers were black, were poor, and were working people. As a child in that store I saw that people of different races could treat each other with respect and dignity.

But I also saw that the black neighborhood across the street was the only one in town where the streets weren't paved. And when I returned to that neighborhood in the late '60s to see a woman who had cared for me as a toddler, the streets still weren't paved. A lot of you know that I am an ardent moviegoer. As a child I never went to a movie where I could sit next to a black American. They were always sitting upstairs.

In the 1960s, believe it or not, there were still a few courthouse squares in my state where the rest rooms were marked ''white'' and ''colored.'' I graduated from a segregated high school seven years after President Eisenhower integrated Little Rock Central High School. And when President Kennedy barely carried my home state in 1960, the poll tax system was still alive and well there.

Even though my grandparents were in a minority, being poor Southern whites who were pro-civil rights, I think most other people knew better than to think the way they did. And those who were smart enough to act differently discovered a lesson that we ought to remember today. Discrimination is not just morally wrong, it hurts everybody.

In 1960, Atlanta, Georgia, in reaction to all the things that were going on all across the South, adopted the motto, ''The city too busy to hate.'' And however imperfectly over the years, they tried to live by it. I am convinced that Atlanta's success—it now is home to more foreign corporations than any other American city, and one year from today it will begin to host the Olympics—that that success all began when people got too busy to hate.

The lesson we learned was a hard one. When we allow people to pit us against one another or spend energy denying opportunity based on our differences, everyone is held back. But when we give all Americans a chance to develop and use their talents, to be full partners in our common enterprise, then everybody is pushed forward.

My experiences with discrimination are rooted in the South and in the legacy slavery left. I also lived with a working mother and a working grandmother when women's work was far rarer and far more circumscribed than it today. But we all know there are millions of other stories—those of Hipsanics, Asian Americans, Native Americans, people with disabilities, others against whom fingers have been pointed. Many of you have your own stories, and that's why you're here today—people who were denied the right to develop and use their full human potential. And their progress, too, is a part of our journey to make the reality of America consistent with the principles just behind me here.

Thirty years ago in this city, you didn't see many people of color or women making their way to work in the morning in business clothes, or serving in substantial numbers in powerful positions in Congress or at the White House, or making executive decisions every day in business. In fact, even the employment want ads were divided, men on one side and women on the other.

It was extraordinary then to see women or people of color as television news anchors, or, believe it or not, even in college sports. There were far fewer women and minorities as job supervisors, or firefighters, or police officers, or doctors, or lawyers, or college professors, or in many other jobs that offer stability and honor and integrity to family life.

A lot has changed, and it did not happen as some sort of random evolutionary drift. It

took hard work and sacrifices and countless acts of courage and conscience by millions of Americans. It took the political courage and statesmanship of Democrats and Republicans alike, the vigilance and compassion of courts and advocates in and out of government committed to the Constitution and to equal protection and to equal opportunity. It took the leadership of people in business who knew that in the end we would all be better. It took the leadership of people in labor unions who knew that working people had to be reconciled.

Some people, like Congressman Lewis there, put their lives on the line. Other people lost their lives. And millions of Americans changed their own lives and put hate behind them. As a result, today all our lives are better. Women have become a major force in business and political life, and far more able to contribute to their families' incomes. A true and growing black middle class has emerged. Higher education has literally been revolutionized, with women and racial and ethnic minorities attending once overwhelmingly white and sometimes all male schools.

In communities across our nation, police departments now better reflect the make-up of those whom they protect. A generation of professionals now serve as role models for young women and minority youth. Hispanics and newer immigrant populations are succeeding in making America stronger.

For an example of where the best of our future lies, just think about our space program and the stunning hook-up with the Russian space station this month. Let's remember that that program, the world's finest, began with heroes like Alan Shepard and Senator John Glenn, but today it's had American heroes like Sally Ride, Ellen Ochoa, Leroy Child, Guy Bluford and other outstanding, completely qualified women and minorities.

How did this happen? Fundamentally, because we opened our hearts and minds and changed our ways. But not without pressure—the pressure of court decisions, legislation, executive action, and the power of examples in the public and private sector. Along the way we learned that laws alone do not change society; that old habits and thinking patterns are deeply ingrained and die hard; that more is required to really open the doors of opportunity. Our search to find ways to move more quickly to equal opportunity led to the development of what we now call affirmative action.

The purpose of affirmative action is to give our nation a way to finally address the systemic exclusion of individuals of talent on the basis of their gender or race from opportunities to develop, perform, achieve and contribute. Affirmative action is an effort to develop a systematic approach to open the doors of education, employment and business development opportunities to qualified individuals who happen to be members of groups that have experienced longstanding and persistent discrimination.

It is a policy that grew out of many years of trying to navigate between two unacceptable pasts. One was to say simply that we declared discrimination illegal and that's enough. We saw that that way still relegated blacks with college degrees to jobs as railroad porters, and kept women with degrees under a glass ceiling with a lower paycheck.

The other path was simply to try to impose change by leveling draconian penalties on employers who didn't meet certain imposed, ultimately arbitrary, and sometimes unachievable quotas. That, too, was rejected out of a sense of fairness.

So a middle ground was developed that would change an inequitable status quo gradually, but firmly, by building the pool of qualified applicants for college, for contracts, for jobs, and giving more people the chance to learn, work and earn. When affirmative action is done right, it is flexible, it is fair, and it works.

I know some people are honestly concerned about the times affirmative action doesn't work, when it's done in the wrong way. And I know there are times when some employers don't use it in the right way. They may cut corners and treat a flexible goal as a quota. They may give opportunities to people who are unqualified instead of those who deserve it. They may, in so doing, allow a different kind of discrimination. When this happens, it is also wrong. But it isn't affirmative action, and it is not legal.

So when our administration finds cases of that sort, we will enforce the law aggressively. The Justice Department files hundreds of cases every year, attacking discrimination in employment, including suits on behalf of white males. Most of these suits, however, affect women and minorities for a simple reason—because the vast majority of discrimination in America is still discrimination against them. But the law does require fairness for everyone and we are determined to see that that is exactly what the law delivers. (Applause.)

Let me be clear about what affirmative action must not mean and what I won't allow it to be. It does not mean—and I don't favor—the unjustified preference of the unqualified over the qualified of any race or gender. It doesn't mean—and I don't favor—numerical quotas. It doesn't mean—and I don't favor—rejection or selection of any employee or student solely on the basis of race or gender without regard to merit.

Like many business executives and public servants, I owe it to you to say that my views on this subject are, more than anything else, the product of my personal experience. I have had experience with affirmative action, nearly 20 years of it now, and I know it works.

When I was Attorney General of my home state, I hired a record number of women and African American lawyers—every one clearly qualified and exceptionally hardworking. As Governor, I appointed more women to my Cabinet and state boards than any other governor in the state's history, and more African Americans than all the governors in the state's history combined. And no one ever questioned their qualifications or performance. And our state was better and stronger because of their service.

As President, I am proud to have the most diverse administration in history in my Cabinet, my agencies and my staff. And I must say, I have been surprised at the criticism I have received from some quarters in my determination to achieve this.

In the last two and a half years, the most outstanding example of affirmative action in the United States, the Pentagon, has opened 260,000 positions for women who serve in our Armed Forces. I have appointed more women and minorities to the federal bench than any other president, more than the last two combined. And yet, far more of our judicial appointments have received the highest rating from the American Bar Association than any other administration since those ratings have been given.

In our administration, many government agencies are doing more business with qualified firms run by minorities and women. The Small Business Administration has reduced its budget by 40 percent, doubled its loan outputs, and dramatically increased the number of loans to women and minority small business people, without reducing the number of loans to white businessowners who happen to be male, and without changing the loan standards for a single, solitary application. Quality and diversity can go hand in hand, and they must. (Applause.)

Le me say that affirmative action has also done more than just open the doors of opportunity to individual Americans. Most economists who study it agree that affirmative action has also been an important part of closing gaps in economic opportunity in our society, thereby strengthening the entire economy.

A group of distinguished business leaders told me just a couple of days ago that their companies are stronger and their profits are larger because of the diversity and the excellence of their work forces achieved through intelligent and fair affirmative action programs. And they said we have gone far beyond anything the government might require us to do, because managing diversity and individual opportunity and being fair to everybody is the key to our future economic success in the global marketplace.

Now, there are those who say, my fellow Americans, that even good affirmative action programs are no longer needed; that it should be enough to resort to the courts or the Equal Employment Opportunity Commission in cases of actual, provable, individual discrimination because there is no longer any systematic discrimination in our society. In deciding how to answer that, let us consider the facts.

The unemployment rate for African Americans remains about twice that of whites. The Hispanic rate is still much higher. Women have narrowed the earnings gap, but still make only 72 percent as much as men do for comparable jobs. The average income for an Hispanic woman with a college degree is still less than the average income of a white man with a high school diploma.

According to the recently completed Glass Ceiling Report, sponsored by Republican members of Congress, in the nation's largest companies only six-tenths of one percent of senior management positions are held by African Americans, four-tenths of a percent by Hispanic Americans, three-tenths of a percent by Asian Americans; women hold between three and five percent of these positions. White males make up 43 percent of our work force, but hold 95 percent of these jobs.

Just last week, the Chicago Federal Reserve Bank reported that black home loan applicants are more than twice as likely to be denied credit as whites with the same qualifications; and that Hispanic applicants are more than one and a half times as likely to be denied loans as whites with the same qualifications.

Last year alone, the federal government received more than 90,000 complaints of employment discrimination based on race, ethnicity or gender. Less than three percent were for reverse discrimination.

Evidence abounds in other ways of the persistence of the kind of bigotry that can affect the way we think, even if we're not conscious of it, in hiring and promotion and business and educational decisions.

Crimes and violence based on hate against Asians, Hispanics, African Americans and other minorities are still with us. And, I'm sorry to say that the worst and most recent evidence of this involves a recent report of federal law enforcement officials in Tennessee attending an event literally overflowing with racism—a sickening reminder of just how pervasive these kinds of attitudes still are.

By the way, I want to tell you that I am committed to finding the truth about what happened there and to taking appropriate action. And I want to say that if anybody who works in federal law enforcement thinks that that kind of behavior is acceptable, they ought to think about working someplace else. (Applause.)

Now, let's get to the other side of the argument. If affirmative action has worked and if

there is evidence that discrimination still exist on a wide scale in ways that are conscious and unconscious, then why should we get rid of it, as many people are urging? Some question the effectiveness or the fairness of particular affirmative action programs. I say to all of you, those are fair questions, and they prompted the review of our affirmative action programs, about which I will talk in a few moments.

Some question the fundamental purpose of the effort. There are people who honestly believe that affirmative action always amounts to group preferences over individual merit; that affirmative action always leads to reverse discrimination; that ultimately, therefore, it demeans those who benefit from it and discriminates against those who are not helped by it.

I just have to tell you that all you have to decide how you feel about that, and all of our fellow countrymen and women have to decide as well. But I believe if there are no quotas, if we give no opportunities to unqualified people, if we have no reverse discrimination, and if, when the problem ends—the program ends, that criticism is wrong. That's what I believe. But we should have this debate and everyone should ask the question. (Applause.)

Now let's deal with what I really think is behind so much of this debate today. There are a lot of people who oppose affirmative action today who supported if for a very long time. I believe they are responding to the sea change in the experiences that most Americans have in the world in which we live.

If you say now you're against affirmative action because the government is using its power or the private sector is using its power to help minorities at the expense of the majority, that gives you a way of explaining away the economic distress that a majority of Americans honestly feel. It gives you a way of turning their resentment against the minorities or against a particular government program, instead of having an honest debate about how we all got into the fix we're in and what we're all going to do together to get out of it.

That explanation, the affirmative action explanation for the fix we're in, is just wrong. It is just wrong. Affirmative action did not cause the great economic problems of the American middle class. (Applause.)

And because most minorities or women are either members of that middle class or people who are poor who are struggling to get into it, we must also admit that affirmative action alone won't solve the problems of minorities and women who seek to be part of the American Dream. To do that, we have to have an economic strategy that reverses the decline in wages and the growth of poverty among working people. Without that, women, minorities, and white males will all be in trouble in the future.

But it is wrong to use the anxieties of the middle class to divert the American people from the real causes of their economic distress—the sweeping historic changes taking all the globe in its path, and the specific policies or lack of them in our own country which have aggravated those challenges. It is simply wrong to play politics with the issue of affirmative action and divide our country at a time when, if we're really going to change things, we have to be united. (Applause.)

I must say, I think it is ironic that some of those—not all, but some of those—who call for an end to affirmative action also advocate policies which will make the real economic problems of the anxious middle class even worse. They talk about opportunity and being for equal opportunity for everyone, and then they reduce investment in equal opportunity on an evenhanded basis. For example, if the real goal is economic opportunity for all Americans, why in the world would we reduce our investment in education from Head Start to affordable college loans? Why don't we make college loans available to every American instead? (Applause.)

If the real goal is empowering all middle class Americans and empowering poor people to work their way into the middle class without regard to race or gender, why in the world would the people who advocate that turn around and raise taxes on our poorest working families, or reduce the money available for education and training when they lose their jobs or they're living on poverty wages, or increase the cost of housing for lower-income, working people with children?

Why would we do that? If we're going to empower America, we have to do more than talk about it, we have to do it. And we surely have learned that we cannot empower all Americans by a simple strategy of taking opportunity away from some Americans. (Applause.)

So to those who use this as a political strategy to divide us, we must say, no. We must say, no. (Applause.)

But to those who raise legitimate questions about the way affirmative action works, or who raise the larger question about the genuine problems and anxieties of all the American people and their sense of being left behind and treated unfairly, we must say, yes, you are entitled to answers to your questions. We must say yes to that.

Now, that's why I ordered this review of all of our affirmative action programs—a review to look at the facts, not the politics of affirmative action. This review concluded that affirmative action remains a useful tool for widening economic and educational opportunity. The model used by the military, the Army in particular—and I'm delighted to have the Commanding General of the Army here today because he set such a fine example—has been especially successful because it emphasizes education and training, ensuring that it has a wide pool of qualified candidates for every level of promotion. That approach has given us the most racially diverse and best-qualified military in our history. There are more opportunities for women and minorities there than ever before. And now there are over 50 generals and admirals who are Hispanic, Asian or African Americans.

We found that the Education Department had programs targeted on under-represented minorities that do a great deal of good with the tiniest of investments. We found that these programs comprised 40 cents of every $1,000 in the Education Department's budget.

Now, college presidents will tell you that the education their schools offer actually benefits from diversity—colleges where young people get the education and make the personal and professional contacts that will shape their lives. If their colleges look like the world they're going to live and work in, and they learn from all different kinds of people things that they can't learn in books, our systems of higher education are stronger.

Still, I believe every child needs the chance to go to college. Every child. That means every child has to have a chance to get affordable and repayable college loans, Pell Grants for poor kids and a chance to do things like join AmeriCorps and work their way through school. Every child is entitled to that. That is not an argument against affirmative action. It's an argument for more opportunity for more Americans until everyone is reached. (Applause.)

As I said a moment ago, the review found that the Small Business Administration last year increased loans to minorities by over two-thirds, loans to women by over 80 percent, did not decrease loans to white men, and not a single loan went to an unqualified person. People who never had a chance before to be part of the American system of free enterprise now have it. No one was hurt in the process. That made America stronger.

This review also found that the executive order on employment practices of large federal contractors also has helped to bring more fairness and inclusion into the work force.

Since President Nixon was here in my job, America has used goals and timetables to preserve opportunity and to prevent discrimination, to urge businesses to set higher expectations for themselves and to realize those expectations. But we did not and we will not use rigid quotas to mandate outcomes.

We also looked at the way we award procurement contracts under the programs known as set-asides. There's no question that these programs have helped to build up firms owned by minorities and women, who historically had been excluded from the old-boy networks in these areas. It has helped a new generation of entrepreneurs to flourish, opening new paths to self-reliance and an economic growth in which all of us ultimately share. Because of the set-asides, businesses ready to compete have had a chance to compete, a chance they would not have otherwise had.

But as with any government program, set-asides can be misapplied, misused, even intentionally abused. There are critics who exploit that fact as an excuse to abolish all these programs, regardless of their effects. I believe they are wrong, but I also believe, based on our factual review, we clearly need some reform. So first, we should crack down on those who take advantage of everyone else through fraud and abuse. We must crack down on fronts and pass-throughs, people who pretend to be eligible for these programs and aren't. That is wrong. (Applause.)

We also, in offering new businesses a leg up, must make sure that the set-asides go to businesses that need them most. We must really look and make sure that our standard for eligibility is fair and defensible. We have to tighten the requirement to move businesses out of programs once they've had a fair opportunity to compete. The graduation requirement must mean something—it must mean graduation. There should be no permanent set-aside for any company.

Second, we must, and we will, comply with the Supreme Court's Adarand decision of last month. Now, in particular, that means focusing set-aside programs on particular regions and business sectors where the problems of discrimination or exclusion are provable and are clearly requiring affirmative action. I have directed the Attorney General and the agencies to move forward with compliance with Adarand expeditiously.

But I also want to emphasize that the Adarand decision did not dismantle affirmative action and did not dismantle set-asides. In fact, while setting stricter standards to mandate reform of affirmative action, it actually reaffirmed the need for affirmative action and reaffirmed the continuing existence of systematic discrimination in the United States. (Applause.)

What the Supreme Court ordered the federal government to do was to meet the same more rigorous standard for affirmative action programs that state and local governments were ordered to meet several years ago. And the best set-aside programs under that standard have been challenged and have survived.

Third, beyond discrimination, we need to do more to help disadvantaged people and distressed communities, no matter what their race or gender. There are places in our

country where the free enterprise system simply doesn't reach. It simply isn't working to provide jobs and opportunity. Disproportionately, these areas in urban and rural America are highly populated by racial minorities, but not entirely. To make this initiative work, I believe the government must become a better partner for people in places in urban and rural America that are caught in a cycle of poverty. And I believe we have to find ways to get the private sector to assume their rightful role as a driver of economic growth.

It has always amazed me that we have given incentives to our business people to help to develop poor economies in other parts of the world, our neighbors in the Caribbean, our neighbors in other parts of the world—I have supported this when not subject to their own abuses—but we ignore the biggest source of economic growth available to the American economy, the poor economies isolated within the United States of America. (Applause.)

There are those who say, well, even if we made the jobs available, people wouldn't work. They haven't tried. Most of the people in disadvantaged communities work today, and most of them who don't work have a very strong desire to do so. In central Harlem, 14 people apply for every single minimum-wage job opening. Think how many more would apply if there were good jobs with a good future. Our job has to connect disadvantaged people and disadvantaged communities to economic opportunity, so that everybody who wants to work can do so.

We've been working at this through our empowerment zones and community development banks, through the initiatives of Secretary Cisneros of the Housing and Urban Development Department and many other things that we have tried to do to put capital where it is needed. And now I have asked Vice President Gore to develop a proposal to use our contracting to support businesses that locate themselves in these distressed areas or hire a large percentage of their workers from these areas—not to substitute for what we're doing in affirmative action, but to supplement it, to go beyond it, to do something that will help to deal with the economic crisis of America. We want to make our procurement system more responsive to people in these areas who need help.

My fellow Americans, affirmative action has to be made consistent with our highest ideals of personal responsibility and merit, and our urgent need to find common ground, and to prepare all Americans to compete in the global economy of the next century.

Today, I am directing all our agencies to comply with the Supreme Court's Adarand decision, and also to apply the four standards of fairness to all our affirmative action programs that I have already articulated: No quotas in theory or practice; no illegal discrimination of any kind, including reverse discrimination; no preference for people who are not qualified for any job or other opportunity; and as soon as a program has succeeded, it must be retired. Any program that doesn't meet these four principles must be eliminated or reformed to meet them.

But let me be clear: Affirmative action has been good for America. (Applause.)

Affirmative action has not always been perfect, and affirmative action should not go on forever. It should be changed now to take care of those things that are wrong, and it should be retired when its job is done. I am resolved that that day will come. But the evidence suggests, indeed, screams that that day has not come.

The job of ending discrimination in this country is not over. That should not be surprising. We had slavery for centuries before the passage of the 13th, 14th and 15 Amendments. We waited another hundred years for the civil rights legislation. Women have had the vote less than a hundred years. We have always had difficulty with these things, as most societies do. But we are making more progress than many people.

Based on the evidence, the job is not done. So here is what I think we should do. We should reaffirm the principle of affirmative action and fix the practices. We should have a simple slogan: Mend it, but don't end it. (Applause.)

Let me ask all Americans, whether they agree or disagree with what I have said today, to see this issue in the larger context of our times. President Lincoln said, we cannot escape our history. We cannot escape our future, either. And that future must be one in which every American has the chance to live up to his or her God-given capacities.

The new technology, the instant communications, the explosion of global commerce have created enormous opportunities and enormous anxieties for Americans. In the last two and a half years, we have seen seven million new jobs, more millionaires and new businesses than ever before, high corporate profits, and a booming stock market. Yet, most Americans are working harder for the same or lower pay. And they feel more insecurity about their jobs, their retirement, their health care, and their children's education. Too many of our children are clearly exposed to poverty and welfare, violence and drugs.

These are the great challenges for our whole country on the homefront at the dawn of the 21st century. We've got to find the wisdom and the will to create family-wage jobs for all the people who want to work; to open the door of college to all Americans; to strengthen families and reduce the awful problems to which our children are exposed; to move poor Americans from welfare to work.

This is the work of our administration—to give the people the tools they need to make the most of their own lives, to give families and communities the tools they need to solve their own problems. But let us not forget affirmative action didn't cause these problems. It won't solve them. And getting rid of affirmative action certainly won't solve them.

If properly done, affirmative action can help us come together, go forward and grow together. It is in our moral, legal and practical interest to see that every person can make the most of his life. In the fight for the future, we need all hands on deck and some of those hands still need a helping hand.

In our national community, we're all different, we're all the same. We want liberty and freedom. We want the embrace of family and community. We want to make the most of our own lives and we're determined to give our children a better one. Today there are voices of division who would say forget all that. Don't you dare. Remember we're still closing the gap between our founders' ideals and our reality. But every step along the way has made us richer, stronger and better. And the best is yet to come.

Thank you very much. And God bless you.

FIFTY YEARS OF THE ENDLESS FRONTIER

Mr. BINGAMAN. Mr. President, 50 years ago today the Truman White House released ''Science—The Endless Frontier,'' the document that set the course for this country's postwar science and technology policy and that has continuing relevance today, five decades later.

This seminal report was written by Vannevar Bush, Director of the Office of Scientific Research and Development, who had headed up the wartime mobilization of our Nation's scientific and technological resources to defeat our Axis foes. It was written in response to a series of four questions which had been posed to Dr. Bush by President Roosevelt in a letter dated November 17, 1944.

As the Bush report was being released, President Truman was at the Potsdam conference with Churchill and Stalin. Three days earlier in the New Mexico desert, the United States had detonated the first atomic bomb—the Trinity test, although that would remain secret to all but a few leaders and the Potsdam principals until the Hiroshima bombing on August 6.

The research effort which Dr. Bush, a Republican I might add, had headed during the war was the greatest scientific and technological mobilization the world had ever seen. It had included not just the Manhattan Project, but major efforts and great successes in weapons technologies, such as radars, fighter aircraft, bomber aircraft, and code breaking, and in what we call today dual-use technologies, such as the first electronic computer, aircraft engines, medical technologies, and communications technologies.

President Roosevelt had asked Bush four questions:

First: What can be done, consistent with military security, and with the prior approval of military authorities, to make known to the world as soon as possible the contributions which have been made during our war effort to scientific knowledge?

The diffusion of such knowledge should help us stimulate new enterprises, provide jobs for returning servicemen and other workers, and make possible great strides for the improvement of the national well-being.

Second: With particular reference to the war of science against disease, what can be done now to organize a program for continuing in the future, the work which has been done in medicine and related sciences?

The fact that the annual deaths in this country from one or two diseases alone are far in excess of the total number of lives lost by us in battle during this war should make us conscious of the duty we owe future generations.

Third: What can the Government do now and in the future to aid research activities by public and private organizations? The proper roles of public and of private research, and their interrelation, should be carefully considered.

Fourth: Can an effective program be proposed for discovering and developing scientific talent in American youth so that the continuing future of scientific research in this country may be assured on a level comparable to what has been done during the war?

President Roosevelt added:

New frontiers of the mind are before us, and if they are pioneered with the same vision, boldness, and drive with which we have waged this war we can create a fuller and more fruitful employment and a fuller and more fruitful life.

Vannevar Bush worked with four advisory committees over the next 7 months to respond to the President's

tasking. Unfortunately, Roosevelt had passed away before he could receive this far-seeing report, which fully endorsed his vision of a new and endless frontier of science in the national interest. Instead it was Truman who met with Bush on June 14, 1945, and approved the release of the report. And it was Truman who would oversee the establishment of the National Science Foundation 5 years later after a long congressional debate and the implementation of the report's other recommendations.

What did the report say and why is it still relevant? Mr. President, until the Bush report, we had no national policy for science. Bush argued that this must end. ''In this war,'' he wrote, ''it has become clear beyond all doubt that scientific research is absolutely essential to national security.'' But he went beyond the national security justification for governmental support of research:

> More and better scientific research is essential to the achievement of our goal of full employment . . . Progress in combating disease depends upon an expanding body of scientific knowledge.

Bush saw the Government's role in supporting science and technology as filling needs where the public interest was great, but the private sector would not meet these needs adequately. He wrote:

> There are areas of science in which the public interest is acute but which are likely to be cultivated inadequately if left without more support than will come from private sources. These areas—such as research on military problems, agriculture, housing, public health, certain medical research, and research involving expensive capital facilities beyond the capacity of private institutions—should be advanced by active Government support. To date, with the exception of the intensive war research conducted by the Office of Scientific Research and Development, such support has been meager and intermittent. For reasons presented in this report we are entering a period when science needs and deserves increased support from public funds.

It is striking to me in rereading ''Science—The Endless Frontier,'' how soundly Bush and his colleagues addressed almost every aspect of science and technology policy—from the Tax Code to patent policy to science education to the structure of the postwar science and technology infrastructure in Government. Bush's report put the United States on a course of sustaining preeminence in science and technology for the past 50 years, a course that enjoyed bipartisan support for most of those five decades.

What have our scientists and engineers accomplished with the resources the taxpayers gave them over the past five decades? They won the cold war, put men on the moon, revolutionized medicine, invented computers, pioneered electronics and semiconductor devices, and invented a myriad of new materials that have fundamentally changed our lives.

This is just as Bush predicted half a century ago. Bush had the wisdom to know that new scientific and technological fields would emerge that he could not yet imagine: semiconductor electronics, molecular biology, and materials science to name just three. Bush had the vision to see that Federal investments in science and technology could transform our lives and contribute to our health, standard of living and security.

For the past half century, the Federal Government has acted on Bush's vision to foster a science and technology enterprise in this country second to none. It is not an accident that American industries from aerospace to agriculture to pharmaceuticals, in which the Federal Government has made substantial research investments, enjoy world leadership. It is a direct result of the vision of Vannevar Bush, who we remember today as one of the giants of the post-war generation. I ask unanimous consent that the first 12 pages of Bush's report, including Roosevelt's letter and Bush's response to Truman, be printed in the RECORD at the conclusion of my remarks. Any Member who would like a copy of the complete report, which runs 196 pages with appendices, should contact my office.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1)

Mr. BINGAMAN. Unfortunately, Mr. President, the bipartisan consensus on our science and technology policy is now fracturing as we seek to balance the Federal budget. The Republican budget resolution passed at the end of June proposes to slash the Federal research investment across government. By the year 2002, the Federal Government will be spending about $28.5 billion for civilian research and development, down a third from today's investment in real terms.

These figures come from estimates made by the American Association for the Advancement of Science. I ask unanimous consent that an article from the July 3 issue of New Technology Week entitled ''GOP Balanced Budget Plan Seen Crippling R&D'' together with an accompanying table be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 2)

Mr. BINGAMAN. Federal investments in civilian research as a percentage of our economy and as a percentage of overall Federal spending will be lower in 2002 than at any time in 40 years or more. Our national R&D investment, public and private, will be dipping below 2 percent of gross domestic product (GDP) while almost every other industrialized nation seeks to match the Japanese and German R&D investment levels of almost 3 percent of GDP.

Will this matter? In the short term, perhaps not, other than to the thousands of scientists and engineers who will be displaced. According to a recent White House report, our previous investments have given us a substantial lead in many critical technologies. In the longer term, undoubtedly it will matter. That same report concluded that both the Japanese and Europeans are catching up in many areas and new nations will challenge in the future.

In 1899 Charles Duell, Director of the U.S. Patent Office, proposed to close up shop because ''everything that can be invented, has been invented.'' Luckily, we did not follow such Luddite advice as we prepared for the 20th century. Nor should we today as we prepare for the challenges of the 21st century and seek to maintain this Nation's place as the pioneer leading the family of nations in the exploration of the endless scientific frontier.

The scientific and technological frontier really is still endless. Bush, not Duell, had it right. Scientific revolutions are still only beginning in molecular biology, materials science, and electronics and have not yet begun in areas yet to be discovered. For the past half century the Federal Government has been an excellent steward of the taxpayers' money in this area. Not every project has been a success, nor should they have been. But the payoff to our economy and our security and our well-being—the areas Roosevelt queried Bush about—has been worth many times the investment.

Some in Congress argue for more than decimating our Federal research enterprise on the grounds that civilian applied research spending constitutes ''corporate welfare'' or ''industrial policy.'' This is fundamentally wrong, for reasons that President Bush first outlined in his speech to the American Electronics Association in February 1990 and which he reiterated throughout the rest of his Presidency. I will not go into a long discussion of that today. But I will note that a Republican pollster has concluded that the American people do not agree with the priority assigned Federal research spending in the Republican budget.

I refer to a report in the same July 3 issue of New Technology Week entitled ''Public Surprises Pollsters, Backs Federal R&D.'' I ask unanimous consent that it also be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 3)

Mr. BINGAMAN. According to this article, Steve Wagner of Luntz Research & Strategic Service, said: ''We went looking for things that didn't pan out. We went looking for the degree to which government investment in R&D was seen as corporate welfare, and we didn't find it. We went looking for the degree to which concerns about the deficit cast such a pall over everything that R&D should take a disproportionate or even proportionate cut, and they told us ''no.'' It's fair to say that I was surprised by the extent of support.''

Wagner went on to say: ''People are very pragmatic.'' He encapsulated the

public's message as: ''Jobs are a priority, finding a cure for AIDS is a priority, and if it takes the Government to do it, the Government should do it.'' And he adds: ''If they think government involvement will make the situation better, people will not hesitate to say that's a legitimate function of Government.''

Wagner and his fellow pollster Neil Newhouse of Public Opinion Strategies conclude that there is a preference in the public mind for public-private R&D partnerships. Their advice for their House Republican clients reads: ''Neither the Government nor private industry is completely trusted to make these (research) investment decisions. The Government remains the agency of the common interest. Private business is seen as more efficient, more disciplined, but also self-interested. These perceptions cannot be changed in the short run, but they can be used: Let the private sector say what is feasible, which technologies offer the promise of payoff, and let the Government say what is in the national interest to develop. A partnership of both entities looking over each other's shoulder will likely be most satisfying to the voters.''

When I read this, I thought the pollsters were giving a pretty good description of SEMATECH, the Technology Reinvestment Project, the Advanced Technology Program, the Environmental Technology Initiative, and the many other partnerships which Presidents Reagan, Bush, and Clinton have fostered over the past decade.

Vannevar Bush did not use focus groups and pollsters to figure out the direction of post-war science and technology policy. But without their benefit, he captured the public sentiment both then and today. He saw the need for partnership, for industry to do what it did well in the pursuit of profit and for Government to fill needs that industry would not in the public interest, needs in areas ranging from military research to medical research to applied research in housing, agriculture and other areas designed to generate jobs.

I hope that my Republican colleagues will take the advice of their pollsters. Speaker GINGRICH told the American people on David Brinkley's Sunday morning news broadcast on June 11 that he was worried about the degree to which research budgets were scheduled to be cut. He said: ''Yes, I am sufficiently worried that I met with Congressman WALKER, the chairman of the House Science Committee, and with various subcommittee chairmen of the House Appropriations Committee who have science, and asked them to maximize the money that goes into research and development, because I am very concerned that we're going to cut too deeply into science.''

Mr. President, recognition of a problem is perhaps the first step to a solution. I have yet to see research and development spared in the budget process in the House appropriations subcommittees, far from it. But perhaps with the help of rereading Science—The Endless Frontier, this generation of politicians will find the resources for Federal R&D investments which our grandchildren will need for their security, their prosperity, and their well-being.

President Clinton and Vice President GORE stand in the long line of American leaders dating from Roosevelt, Truman, and Vannevar Bush who have supported an American science and technology enterprise second to none in the public interest. The Republican budget resolution stands outside that tradition. The sooner Speaker GINGRICH and his Republican colleagues can return to bipartisanship on these vital investments in our Nation's future, the less the damage will be.

Mr. President, I hope that will be soon. I yield the floor.

SCIENCE—THE ENDLESS FRONTIER

LETTER OF TRANSMITTAL

OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT,
Washington, DC, July 5, 1945.

DEAR MR. PRESIDENT: In a letter dated November 17, 1944, President Roosevelt requested my recommendation on the following points:

(1) What can be done, consistent with military security, and with the prior approval of the military authorities, to make known to the world as soon as possible the contributions which have been made during our war effort to scientific knowledge?

(2) With particular reference to the war of science against disease, what can be done now to organize a program for continuing in the future the work which has been done in medicine and related sciences?

(3) What can the Government do now and in the future to aid research activities by public and private organizations?

(4) Can an effective program be proposed for discovering and developing scientific talent in American youth so that the continuing future of scientific research in this country may be assured on a level comparable to what has been done during the war?

It is clear from President Roosevelt's letter that in speaking of science he had in mind the natural sciences, including biology and medicine, and I have so interpreted his questions. Progress in other fields, such as the social sciences and the humanities, is likewise important; but the program for science presented in my report warrants immediate attention.

In seeking answers to President Roosevelt's questions I have had the assistance of distinguished committees specially qualified to advise in respect to these subjects. The committees have given these matters the serious attention they deserve; indeed, they have regarded this as an opportunity to participate in shaping the policy of the country with reference to scientific research. They have had many meetings and have submitted formal reports. I have been in close touch with the work of the committees and with their members throughout. I have examined all of the data they assembled and the suggestions they submitted on the points raised in President Roosevelt's letter.

Although the report which I submit herewith is my own, the facts, conclusions, and recommendations are based on the findings of the committees which have studied these questions. Since my report is necessarily brief, I am including as appendices the full reports of the committees.

A single mechanism for implementing the recommendations of the several committees is essential. In proposing such a mechanism I have departed somewhat from the specific recommendations of the committees, but I have since been assured that the plan I am proposing is fully acceptable to the committee members.

The pioneer spirit is still vigorous within this Nation. Science offers a largely unexplored hinterland for the pioneer who has the tools for his task. The rewards of such exploration both for the Nation and the individual are great. Scientific progress is one essential key to our security as a nation, to our better health, to more jobs, to a higher standard of living, and to our cultural progress.

Respectfully yours,

V. BUSH,
Director.

THE PRESIDENT OF THE UNITED STATES,
The White House,
Washington, D.C.

PRESIDENT ROOSEVELT'S LETTER

THE WHITE HOUSE,
Washington, DC, November 17, 1944.

DEAR DR. BUSH: The Office of Scientific Research and Development, of which you are the Director, represents a unique experiment of team-work and cooperation in coordinating scientific research and in applying existing scientific knowledge to the solution of the technical problems paramount in war. Its work has been conducted in the utmost secrecy and carried on without public recognition of any kind; but its tangible results can be found in the communiques coming in from the battlefronts all over the world. Some day the full story of its achievements can be told.

There is, however, no reason why the lessons to be found in this experiment cannot be profitably employed in times of peace. The information, the techniques, and the research experience developed by the Office of Scientific Research and Development and by the thousands of scientists in the universities and in private industry, should be used in the days of peace ahead for the improvement of the national health, the creation of new enterprises bringing new jobs, and the betterment of the national standard of living.

It is with that objective in mind that I would like to have your recommendations on the following four major points:

First: What can be done, consistent with military security, and with the prior approval of the military authorities, to make known to the world as soon as possible the contributions which have been made during our war effort to scientific knowledge?

The diffusion of such knowledge should help us stimulate new enterprises, provide jobs for our returning servicemen and other workers, and make possible great strides for the improvement of the national well-being.

Second: With particular reference to the war of science against disease, what can be done now to organize a program for continuing in the future the work which has been done in medicine and related science?

The fact that the annual deaths in this country from one or two diseases alone are far in excess of the total number of lives lost by us in battle during this war should make us conscious of the duty we owe future generations.

Third: What can the Government do now and in the future to aid research activities by public and private organizations? The proper roles of public and of private research, and their interrelation, should be carefully considered.

Fourth: Can an effective program be proposed for discovering and developing scientific talent in American youth so that the

continuing future of scientific research in this country may be assured on a level comparable to what has been done during the war?

New frontiers of the mind are before us, and if they are pioneered with the same vision, boldness, and drive with which we have waged this war we can create a fuller and more fruitful employment and a fuller and more fruitful life.

I hope that, after such consultation as you may deem advisable with your associates and others, you can let me have your considered judgment on these matters as soon as convenient—reporting on each when you are ready, rather than waiting for completion of your studies in all.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

DR. VANNEVAR BUSH,
Office of Scientific Research and Development, Washington, D.C.

SUMMARY OF THE REPORT

Scientific progress is essential

Progress in the war against disease depends upon a flow of new scientific knowledge. New products, new industries, and more jobs require continuous additions to knowledge of the laws of nature, and the application of that knowledge to practical purpose. Similarly, our defense against aggression demands new knowledge so that we can develop new and improved weapons. The essential, new knowledge can be obtained only through basic scientific research.

Science can be effective in the national welfare only as a member of a team, whether the conditions be peace or war. But without scientific progress no amount of achievement in other directions can insure our health, prosperity, and security as a nation in the modern world.

For the war against disease

We have taken great strides in the war against disease. The death rate for all diseases in the Army, including overseas forces, has been reduced from 14.1 per thousand in the last war to 0.6 per thousand in this war. In the last 40 years life expectancy has increased from 49 to 65 years, largely as a consequence of the reduction in the death rates of infants and children. But we are far from the goal. The annual deaths from one or two diseases far exceed the total number of American lives lost in battle during this year. A large fraction of these deaths in our civilian population cut short the useful lives of our citizens. Approximately 7,000,000 persons in the United States are mentally ill and their care costs the public over $175,000,000 a year. Clearly much illness remains for which adequate means of prevention and cure are not yet known.

The responsibility for basic research in medicine and the underlying sciences, so essential to progress in the war against disease, falls primarily upon the medical schools and universities. Yet we find that the traditional sources of support for medical research in the medical schools and universities, largely endowment income, foundation grants, and private donations, are diminishing and there is no immediate prospect of a change in this trend. Meanwhile, the cost of medical research has been rising. If we are to maintain the progress in medicine which has marked the last 25 years, the Government should extend financial support to basic medical research in the medical schools and in universities.

For our national security

The bitter and dangerous battle against the U-boat was a battle of scientific techniques—and our margin of success was dangerously small. The new eyes which radar has supplied can sometime be blinded by new scientific developments. V–2 was countered only by capture of the launching sites.

We cannot again rely on our allies to hold off the enemy while we struggle to catch up. There must be more—and more adequate—military research in peacetime. It is essential that the civilian scientists continue in peacetime some portion of those contributions to national security which they have made so effectively during the war. This can best be done through a civilian-controlled organization with close liaison with the Army and Navy, but with funds direct from Congress, and the clear power to initiate military research which will supplement and strengthen that carried on directly under the control of the Army and Navy.

And for the public welfare

One of our hopes is that after the war there will be full employment. To reach that goal the full creative and productive energies of the American people must be released. To create more jobs we must make new and better and cheaper products. We want plenty of new, vigorous enterprises. But new products and processes are not born full-grown. They are founded on new principles and new conceptions which in turn result from basic scientific research. Basic scientific research is scientific capital. Moreover, we cannot any longer depend upon Europe as a major source of this scientific capital. Clearly, more and better scientific research is one essential to the achievement of our goal of full employment.

How do we increase this scientific capital? First, we must have plenty of men and women trained in science, for upon them depends both the creation of new knowledge and its application to practical purposes. Second, we must strengthen the centers of basic research which are principally the colleges, universities, and research institutes. These institutions provide the environment which is most conducive to the creation of new scientific knowledge and least under pressure for immediate, tangible results. With some notable exceptions, most research in industry and in Government involves application of existing scientific knowledge to practical problems. It is only the colleges, universities, and a few research institutes that devote most of their research efforts to expanding the frontiers of knowledge.

Expenditures for scientific research by industry and Government increased from $140,000,000 in 1930 to $309,000,000 in 1940. Those for the colleges and universities increased from $20,000,000 to $31,000,000, while those for research institutes declined from $5,200,000 to $4,500,000 during the same period. If the colleges, universities, and research institutes are to meet the rapidly increasing demands of industry and Government for new scientific knowledge, their basic research should be strengthened by use of public funds.

For science to serve as a powerful factor in our national welfare, applied research both in Government and in industry must be vigorous. To improve the quality of scientific research within the Government, steps should be taken to modify the procedures for recruiting, classifying, and compensating scientific personnel in order to reduce the present handicap of governmental scientific bureaus in competing with industry and the universities for top-grade scientific talent. To provide coordination of the common scientific activities of these governmental agencies as to policies and budgets, a permanent Science Advisory Board should be created to advise the executive and legislative branches of Government on these matters.

The most important ways in which the Government can promote industrial research are to increase the flow of new scientific knowledge through support of basic research, and to aid in the development of scientific talent. In addition, the Government should provide suitable incentives to industry to conduct research (a) by clarification of present uncertainties in the Internal Revenue Code in regard to the deductibility of research and development expenditures as current charges against net income, and (b) by strengthening the patent system so as to eliminate uncertainties which now bear heavily on small industries and so as to prevent abuses which reflect discredit upon a basically sound system. In addition, ways should be found to cause the benefits of basic research to reach industries which do not now utilize new scientific knowledge.

We must renew our scientific talent

The responsibility for the creation of new scientific knowledge—and for most of its application—rests on that small body of men and women who understand the fundamental laws of nature and are skilled in the techniques of scientific research. We shall have rapid or slow advance on any scientific frontier depending on the number of highly qualified and trained scientists exploring it.

The deficit of science and technology students who, but for the war, would have received bachelor's degrees is about 150,000. It is estimated that the deficit of those obtaining advanced degrees in these fields will amount in 1955 to about 17,000—for it takes at least 6 years from college entry to achieve a doctor's degree or its equivalent in science or engineering. The real ceiling on our productivity of new scientific knowledge and its application in the war against disease, and the development of new products and new industries, is the number of trained scientists available.

The training of a scientist is a long and expensive process. Studies clearly show that there are talented individuals in every part of the population, but with few exceptions, those without the means of buying higher education go without it. If ability, and not the circumstance of family fortune, determines who shall receive higher education in science, then we shall be assured of constantly improving quality at every level of scientific activity. The Government should provide a reasonable number of undergraduate scholarships and graduate fellowships in order to develop scientific talent in scholarships and graduate fellowships in order to develop scientific talent in American youth. The plans should be designed to attract into science only that proportion of youthful talent appropriate to the needs of science in relation to the other needs of the Nation for high abilities.

Including those in uniform

The most immediate prospect of making up the deficit in scientific personnel is to develop the scientific talent in the generation now in uniform. Even if we should start now to train the current crop of high-school graduates none would complete graduate studies before 1951. The Armed Services should comb their records for men who, prior to or during the war, have given evidence of talent for science, and make prompt arrangements, consistent with current discharge plans, for ordering those who remain in uniform, as soon as militarily possible, to duty at institutions here and overseas where they can continue their scientific education. Moreover, the Services should see that those who study overseas have the benefit of the latest scientific information resulting from research during the war.

The lid must be lifted

While most of the war research has involved the application of existing scientific

knowledge to the problems of war, rather than basic research, there has been accumulated a vast amount of information relating to the application of science to particular problems. Much of this can be used by industry. It is also needed for teaching in the colleges and universities here and in the Armed Forces Institutes overseas. Some of this information must remain secret, but most of it should be made public as soon as there is ground for belief that the enemy will not be able to turn it against us in this war. To select that portion which should be made public, to coordinate its release, and definitely to encourage its publication, a Board composed of Army, Navy, and civilian scientific members should be promptly established.

A program for action

The Government should accept new responsibilities for promoting the flow of new scientific knowledge and the development of scientific talent in our youth. These responsibilities are the proper concern of the Government, for they vitally affect our health, our jobs, and our national security. It is in keeping also with basic United States policy that the Government should foster the opening of new frontiers and this is the modern way to do it. For many years the Government has wisely supported research in the agricultural colleges and the benefits have been great. The time has come when such support should be extended to other fields.

The effective discharge of these new responsibilities will require the full attention of some over-all agency devoted to that purpose. There is not now in the permanent governmental structure receiving its funds from Congress an agency adapted to supplementing the support of basic research in the colleges, universities, and research institutes, both in medicine and the natural sciences, adapted to supporting research on new weapons for both Services, or adapted to administering a program of science scholarships and fellowships.

Therefore I recommend that a new agency for these purposes be established. Such an agency should be composed of persons of broad interest and experience, having an understanding of the peculiarities of scientific research and scientific education. It should have stability of funds so that long-range programs may be undertaken. It should recognize that freedom of inquiry must be preserved and should leave internal control of policy, personnel, and the method and scope of research to the institutions in which it is carried on. It should be fully responsible to the President and through him to the Congress for its program.

Early action on these recommendations is imperative if this Nation is to meet the challenge of science in the crucial years ahead. On the wisdom with which we bring science to bear in the war against disease, in the creation of new industries, and in the strengthening of our Armed Forces depends in large measure our future as a nation.

INTRODUCTION

Scientific progress is essential

We all know how much the new drug, penicillin, has meant to our grievously wounded men on the grim battlefronts of this war—the countless lives it has saved—the incalculable suffering which its use has prevented. Science and the great practical genius of this Nation made this achievement possible.

Some of us know the vital role which radar has played in bringing the Allied Nations to victory over Nazi Germany and in driving the Japanese steadily back from their island bastions. Again it was painstaking scientific research over many years that made radar possible.

What we often forget are the millions of pay envelopes on a peacetime Saturday night which are filled because new products and new industries have provided jobs for countless Americans. Science made that possible, too.

In 1939 millions of people were employed in industries which did not even exist at the close of the last war—radio, air conditioning, rayon and other synthetic fibers, and plastics are examples of the products of these industries. But these things do not mark the end of progress—they are but the beginning if we make full use of our scientific resources. New manufacturing industries can be started and many older industries greatly strengthened and expanded if we continue to study nature's laws and apply new knowledge to practical purposes.

Great advances in agriculture are also based upon scientific research. Plants which are more resistant to disease and are adapted to short growing seasons, the prevention and cure of livestock diseases, the control of our insect enemies, better fertilizers, and improved agricultural practices, all stem from painstaking scientific research.

Advances in science when put to practical use mean more jobs, higher wages, shorter hours, more abundant crops, more leisure for recreation, for study, for learning how to live without the deadening drudgery which has been the burden of the common man for ages past. Advances in science will also bring higher standards of living, will lead to the prevention or cure of diseases, will promote conservation of our limited national resources, and will assure means of defense against aggression. But to achieve these objectives—to secure a high level of employment, to maintain a position of world leadership—the flow of new scientific knowledge must be both continuous and substantial.

Our population increased from 75 million to 130 million between 1900 and 1940. In some countries comparable increases have been accompanied by famine. In this country the increase has been accompanied by more abundant food supply, better living, more leisure, longer life, and better health. This is, largely, the product of three factors—the free play of initiative of a vigorous people under democracy, the heritage of great natural wealth, and the advance of science and its application.

Science, by itself, provides no panacea for individual, social, and economic ills. It can be effective in the national welfare only as a member of a team, whether the conditions be peace or war. But without scientific progress no amount of achievement in other directions can ensure our health, prosperity, and security as a nation in the modern world.

Science is a proper concern of government

It has been basic United States policy that Government should foster the opening of new frontiers. It opened the seas to clipper ships and furnished land for pioneers. Although these frontiers have more or less disappeared, the frontier of science remains. It is in keeping with the American tradition—one which has made the United States great—that new frontiers shall be made accessible for development by all American citizens.

Moreover, since health, well-being, and security are proper concerns of Government, scientific progress is, and must be, of vital interest to Government. Without scientific progress the national health would deteriorate; without scientific progress we could not hope for improvement in our standard of living or for an increased number of jobs for our citizens; and without scientific progress we could not have maintained our liberties against tyranny.

Government relations to science—past and future

From early days the Government has taken an active interest in scientific matters. During the nineteenth century the Coast And Geodetic Survey, the Naval Observatory, the Department of Agriculture, and the Geological Survey were established. Through the Land Grant College Acts the Government has supported research in state institutions for more than 80 years on a gradually increasing scale. Since 1900 a large number of scientific agencies have been established within the Federal Government, until in 1939 they numbered more than 40.

Much of the scientific research done by Government agencies is intermediate in character between the two types of work commonly referred to as basic and applied research. Almost all Government scientific work has ultimate practical objectives but, in many fields of broad national concern, it commonly involves long-term investigation of a fundamental nature. Generally speaking, the scientific agencies of Government are not so concerned with immediate practical objectives as are the laboratories of industry nor, on the other hand, are they as free to explore any natural phenomena without regard to possible economic applications as are the educational and private research institutions. Government scientific agencies have splendid records of achievement, but they are limited in function.

We have no national policy for science. The Government has only begun to utilize science in the Nation's welfare. There is no body within the Government charged with formulating or executing a national science policy. There are no standing committees of the Congress devoted to this important subject. Science has been in the wings. It should be brought to the center of the stage—for in it lies much of our hope for the future.

There are areas of science in which the public interest is acute but which are likely to be cultivated inadequately if left without more support than will come from private sources. These areas—such as research on military problems, agriculture, housing, public health, certain medical research, and research involving expensive capital facilities beyond the capacity of private institutions—should be advanced by active Government support. To date, with the exception of the intensive war research conducted by the Office of Scientific Research and Development, such support has been meager and intermittent.

For reasons presented in this report we are entering a period when science needs and deserves increased support from public funds.

Freedom of inquiry must be preserved

The publicly and privately supported colleges, universities, and research institutes are the centers of basic research. They are the wellsprings of knowledge and understanding. As long as they are vigorous and healthy and their scientists are free to pursue the truth wherever it may lead, there will be a flow of new scientific knowledge to those who can apply it to practical problems in Government, in industry, or elsewhere.

Many of the lessons learned in the wartime application of science under Government can be profitably applied in peace. The Government is peculiarly fitted to perform certain functions, such as the coordination and support of broad programs on problems of great national importance. But we must proceed with caution in carrying over the methods which work in wartime to the very different conditions of peace. We must remove the rigid controls which we have had to impose, and recover freedom of inquiry and that healthy competitive scientific spirit so necessary for expansion of the frontiers of scientific knowledge.

Scientific progress on a broad front results from the free play of free intellects, working on subjects of their own choice, in the manner dictated by their curiosity for exploration of the unknown. Freedom of inquiry must be preserved under any plan for Government support of science in accordance with the Five Fundamentals listed on page 32.

The study of the momentous questions presented in President Roosevelt's letter has been made by able committees working diligently. This report presents conclusions and recommendations based upon the studies of these committees which appear in full as the appendices. Only in the creation of one overall mechanism rather than several does this report depart from the specific recommendations of the committees. The members of the committees have reviewed the recommendations in regard to the single mechanism and have found this plan thoroughly acceptable.

EXHIBIT 2

GOP BALANCED-BUDGET PLAN SEEN CRIPPLING R&D

(By Anne Eisele)

Federal non-defense research and development programs would be cut by an average of one-third by fiscal year 2002 under a Republican balanced-budget plan approved by both houses of Congress late last week, according to an American Association for the Advancement of Science estimate of the plan's projected effects.

Although the individual program assumptions under House Continuing Resolution 67 are not binding on congressional appropriators, the plan's overall spending targets are obligatory. And they paint a dire scenario for R&D initiatives at the departments of Commerce and Energy, the National Aeronautics and Space Administration, and other agencies.

A total non-defense research and development cut of 33.1 percent would drop spending from the current-year level of $34.3 billion to $22.9 billion by FY 2002, under a compromise worked out between Senate Majority Leader Bob Dole (R-Kan.) and House Speaker Newt Gingrich (R-Ga.).

Not surprising, R&D programs at DOC and DOE—entities that many GOP lawmakers would like to see abolished altogether—take a beating under the GOP plan. Total Commerce Department R&D funding would be halved by 2002, and Energy Department non-defense R&D monies would drop 47.4 percent during the same period.

And while the National Institute of Standards and Technology's Science and Technical Research Services take their biggest beating from inflation, as they lose only one percent over the seven-year period, funding for NIST's $400-million Advanced Technology Program is canceled in FY 1997.

The Economic Development Administration and certain National Oceanic and Atmospheric Administration R&D programs also are zeroed out under the Republican plan. DOE's clean coal technology program would be wiped out, and fossil energy R&D faces an 81.8 percent reduction.

Meanwhile, the National Aeronautics and Space Administration takes it on the chin, sustaining an agency-wide cut of 35.9 percent; its key research areas, aeronautics and human space flight, plummet 43.9 percent and 35.1 percent, respectively. NASA's next-generation wind tunnel development program would be terminated in the upcoming fiscal year.

AAAS Preliminary—Final Budget Resolution—Projected Effects of Concurrent Budget Resolution (H. Con. Res. 67) on Nondefense R&D

[All figures in millions of dollars budget authority]

Agency/Program	Key	R&D** FY 1995 estimated	R&D FY 1996 estimated	R&D FY 1997 estimated	R&D FY 1998 estimated	R&D FY 1999 estimated	R&D FY 2000 estimated	R&D FY 2001 estimated	R&D FY 2002 estimated	R&D*** FY 2002 constant dollars	Constant dollar difference 1995–2002 (percent)
NIH	(13)	10,840	10,732	10,515	10,515	10,515	10,515	10,515	10,515	8,467	−21.9
Agency Health Care Polc	(2)	277	0	0	0	0	0	0	0	0	−100.0
Other HHS R&D	(3)	610	610	610	610	610	610	610	610	491	−19.5
Total HHS R&D		11,727	11,342	11,125	11,125	11,125	11,125	11,125	11,125	8,958	−23.6
NASA Human Space Flt	(1,14)	1,902	1,883	1,816	1,697	1,649	1,533	1,533	1,533	1,234	−35.1
NASA SAT Space R&D	(1,14)	5,072	4,476	4,375	4,263	4,085	4,082	4,082	4,082	3,287	−35.2
NASA Mission Support	(1,14)	1,619	1,711	1,678	1,660	1,651	1,634	1,634	1,634	1,315	−18.8
NASA SAT Aeronautics	(1,14)	882	677	653	639	629	614	614	614	495	−43.9
NASA Wind Tunnels	(2)	400	0	0	0	0	0	0	0	0	−100.0
Total NASA R&D		9,875	8,747	8,523	8,258	8,015	7,863	7,863	7,863	6,331	−35.9
General Science (Physics)	(1)	974	989	940	890	890	890	890	890	717	−26.3
Energy Supply R&D	(1)	2,210	1,790	1,620	1,560	1,486	1,431	1,431	1,431	1,152	−47.8
Fossil Energy R&D	(1)	350	119	107	95	87	79	79	79	64	−81.8
Energy Conservation R&D	(1)	396	213	206	198	193	188	188	188	152	−61.7
Clean Coal Technology	(2)	37	0	0	0	0	0	0	0	0	−100.0
Uranium Enrichment	(1)	3	2	1	1	1	1	1	1	1	−61.7
Total DOE nondef R&D		3,969	3,113	2,874	2,745	2,658	2,590	2,590	2,590	2,086	−47.4
Research & Related Acts	(4,14)	2,061	2,045	2,119	2,197	2,292	2,378	2,378	2,378	1,915	−7.1
Academic Research Infra	(1)	250	100	100	100	100	100	100	100	81	−67.8
Major Res. Equipment	(1)	126	70	55	26	0	0	0	0	0	−100.0
Education and Hum. Res	(1,14)	107	106	107	107	109	110	110	110	88	−17.6
Total NSF R&D		2,544	2,320	2,381	2,430	2,501	2,588	2,588	2,588	2,084	−18.1
Agri Research Serv. R&D	(1)	709	640	640	640	640	640	640	640	515	−27.3
ARS R&D facilities	(13)	44	29	27	24	22	20	20	20	16	−63.4
Coop. State Res/Extension R&D	(1)	419	345	345	345	345	345	345	345	278	−33.6
Coop. State Res/Ext. R&D facil	(13)	63	3	0	0	0	0	0	0	0	−100.0
Economics Research Serv	(1)	54	34	27	27	27	27	27	27	22	−59.7
Natl Agric. Stats Service	(1)	4	3	3	3	3	3	3	3	2	−35.4
Foreign Agricultural Serv	(1)	1	1	1	1	1	1	1	1	1	−29.1
Forest Service	(6)	204	160	156	156	156	156	156	156	126	−38.4
Other USDA R&D	(3)	44	44	44	44	44	44	44	44	35	−19.5
Total USDA R&D		1,540	1,259	1,242	1,239	1,237	1,235	1,235	1,235	995	−35.4
US Geological Survey	(1)	368	295	295	295	295	295	295	295	237	−35.6
Nat'l Biological Service	(1)	167	99	96	94	92	90	90	90	72	−56.6
Bureau of Mines	(1)	103	90	78	66	53	41	41	41	33	−67.7
Nat'l Park Service	(13)	19	18	18	18	18	18	18	18	15	−23.5
Other Interior R&D	(3)	30	30	30	30	30	30	30	30	24	−19.5
Total Interior R&D		686	532	517	502	488	473	473	473	381	−44.4
FHWA (Highway Admin)	(7)	277	130	130	130	130	130	130	130	105	−62.1
Federal Transit Admin	(1)	21	0	0	0	0	0	0	0	0	−100.0
Maritime Admin	(1)	3	0	0	0	0	0	0	0	0	−100.0
Federal Railroad Admin	(8)	28	8	8	8	8	8	8	8	6	−77.6
Other Transporation R&D	(3)	360	360	360	360	360	360	360	360	290	−19.5
Total DOT R&D		687	497	497	497	497	497	497	497	400	−41.7
NOAA R&D Facils	(1)	38	12	12	12	12	12	12	12	10	−75.1
NOAA Operations, Res & Facils R&D	(1)	531	472	465	458	443	429	429	429	346	−34.8
Other NOAA R&D	(2)	19	0	0	0	0	0	0	0	0	−100.0
NIST Sci & Technical Res Service	(4)	214	225	231	239	245	253	260	268	216	−1.0
NIST ATP	(2)	409	0	0	0	0	0	0	0	0	−100.0
NIST Construction	(4)	63	65	67	69	72	74	76	78	62	−0.9
Econ. Develop. Admin	(2)	1	0	0	0	0	0	0	0	0	−100.0
Other Commerce R&D	(3)	10	10	10	10	10	10	10	10	8	−19.5

AAAS Preliminary—Final Budget Resolution—Projected Effects of Concurrent Budget Resolution (H. Con. Res. 67) on Nondefense R&D—Continued

[All figures in millions of dollars budget authority]

Agency/Program	Key	R&D** FY 1995 estimated	R&D FY 1996 estimated	R&D FY 1997 estimated	R&D FY 1998 estimated	R&D FY 1999 estimated	R&D FY 2000 estimated	R&D FY 2001 estimated	R&D FY 2002 estimated	R&D*** FY 2002 constant dollars	Constant dollar difference 1995–2002 (percent)
Total Commerce R&D		1,284	783	784	787	782	777	787	797	642	−50.0
Total EPA R&D	(9)	619	554	554	554	554	554	554	554	446	−27.9
Total Education R&D	(10)	175	5	5	5	5	5	5	5	4	−97.8
Total AID R&D	(10)	314	0	0	0	0	0	0	0	0	−100.0
Total Veterans R&D	(3)	297	297	297	297	297	297	297	297	239	−19.5
Total NRC R&D	(3)	82	82	82	82	82	82	82	82	66	−19.5
Total Smithsonian R&D	(3)	135	135	135	135	135	135	135	135	109	−19.5
Total TVA R&D	(5)	89	0	0	0	0	0	0	0	0	−100.0
Total Corps R&D	(3)	55	55	55	55	55	55	55	55	44	−19.5
Total Labor R&D	(11)	62	26	26	26	26	26	26	26	21	−66.0
Total Other R&D	(12)	164	164	164	164	164	164	164	164	132	−19.5
Total nondefense R&D		34,303	29,911	29,261	28,901	28,621	28,467	28,476	28,487	22,939	−33.1

House Budget Committee Policy Assumptions: Fiscal Year 1996 Budget Resolution prepared by the House Budget Committee, May 10, 1995 and Conference Report for Concurrent Resolution on the Budget for Fiscal Year 1996, June 26, 1995.

** Source: AAAS Report XX: Research and Development FY 1996.

*** Expressed in FY 1995 dollars. Adjusted for Inflation according to GDP deflators.

Key of assumptions:

[1] Based on specific program reduction in House resolution, assuming R&D as percent of appropriation remains constant.

[2] Elimination of account in House resolution.

[3] Not specifically mentioned in either House or conference resolution; assumes freeze at FY 1995 level.

[4] Based on specific program INCREASE in House resolution, assuming R&D as percent of appropriation remains constant.

[5] Planned privatization in House resolution; would no longer be federal R&D.

[6] Reductions in Forest Resources and Management Research and Ecosystems Research in House resolution.

[7] Assumes $150 million reduction each year from elimination of Intelligent Vehicle Development R&D.

[8] Elimination of $20 million in R&D High-Speed Rail in House resolution.

[9] Elimination of $85 million in R&D for ETI; all other R&D frozen at FY 1995 level.

[10] Assumes elimination of all programs containing R&D within agency based on House resolution detail; Howard University R&D added back in conference.

[11] Elimination of ETA R&D in the House resolution; all other R&D frozen at FY 1995 level.

[12] HUD, Justice, and USPS R&D frozen at FY 1995 levels.

[13] Based on specific program reduction in concurrent resolution, assuming R&D as percent of appropriations remains constant.

[14] Conference added $2 billion over seven years to general science above House level; distributed over NASA and NSF research activities (excluding facilities).

Deflators: 1995—1.30; 1996—1.34; 1997—1.38; 1998—1.42; 1999—1.46; 2000—1.51; 2001 est.—1.56; 2002 est.—1.61; 1995–2002—1.24. Deflators from OMB, Budget of the United States Government FY 1996 until FY 2000, then 3.5 percent inflation thereafter.

EXHIBIT 3

PUBLIC SURPRISES POLLSTERS, BACKS FEDERAL R&D

(By Ken Jacobson)

Public opinion researchers went to the districts of some leading House Republicans in April expecting to hear condemnations of federal spending on R&D. Instead, recalls Steve Wagner of Luntz Research & Strategic Service, participants in focus groups they moderated tended to rate R&D an ''above-average priority'' even though many stood behind efforts to reduce the federal deficit.

''We went looking for things that didn't pan out,'' says Wagner, whose groups were recruited in New Orleans, the district of House Appropriations Committee Chairman Bob Livingston, and Houston, home of House Majority Whip Tom DeLay and Ways & Means Committee Chairman Bill Archer.

''We went looking for the degree to which government investment in R&D was seen as corporate welfare, and we didn't find it. We went looking for the degree to which concerns about the deficit cast such a pall over everything that R&D should take a disproportionate or even a proportionate cut, and they told us 'no.' It's fair to say,'' Wagner admits, ''that I was surprised by the extent of support'' for R&D that was in evidence.

That's not to say that the 10- to 13-voter groups, which met for two hours each, had a very detailed picture of how the federal government spends its R&D dollars. And that's true even though they were chosen to take part in the research—commissioned by IBM, Hewlett-Packard, Kodak, and Genentech—in part of their level of education and their interest in current affairs.

According to Public Opinion Strategies' Neil Newhouse, in charge of groups in House Science Committee Chairman Bob Walker's Lancaster, Pa., district and the Columbus, Ohio, district of House Budget Committee Chairman John Kasich, participants showed awareness that federal R&D encompasses the fields of space, health, and defense, but had little knowledge of specific programs.

Nonetheless, they staunchly defended the federal R&D function. ''We pushed people hard in terms of trying to get them to move away from support from R&D. But their support was broad and had a level intensity,'' Newhouse says, that ''contradicted what we saw as the current political environment.''

Behind their attitudes may be the fact that, as Wagner puts it, ''people are very pragmatic.'' Far from being greeted with what he regards as ''ideological'' stances, Wagner says, the researchers heard messages he encapsulates as: "'Jobs are a priority, finding a cure for AIDS is a priority, and if it takes the government to do it, the government should do it.' If they think government involvement will make the situation better, people will not hesitate to say that that's a legitimate function of government.''

Still, that doesn't imply an absolute faith in government, or even much faith at all. This mistrust, however, is also directed toward the private sector, and what emerges, according to the researchers, is a preference for public-private R&D partnerships.

''Neither the government nor private industry is completely trusted to make these investment decisions,'' states a summary of their findings that the two polling organizations issued jointly. ''The government remains the agency of the common interest. Private business is seen as more efficient, more disciplined, but also self-interested.

''These perceptions cannot be changed in the short run, but they can be used: Let the private sector say what is feasible, which technologies offer the promise of payoff, and [let] the government say what is in the national interest to develop. A partnership of both entities looking over each other's shoulder will likely be the most satisfying to the voters.''

WAS CONGRESS IRRESPONSIBLE? LOOK AT THE ARITHMETIC

Mr. HELMS. Mr. President, before contemplating today's bad news about the Federal debt, let us have ''another go,'' as the British put it, with our little pop quiz. Remember. One question, one answer.

The question: How many millions of dollars does it take to make a trillion dollars? While you are thinking about it, bear in mind that it was the U.S. Congress that ran up the Federal debt that now exceeds $4.9 trillion.

To be exact, as of the close of business yesterday, Tuesday, July 18, the total Federal debt—down to the penny—stood at $4,929,786,301,717.48, of which, on a per capita basis, every man, woman, and child in America owes $18,713.55.

Mr. President, back to the pop quiz: How many million in a trillion? There are a million million in a trillion.

AFFIRMATIVE ACTION

Mr. LIEBERMAN. Mr. President, I want to speak for just a few moments in reaction to the speech made this morning by President Clinton on the subject of affirmative action. The principle that every individual should have an equal opportunity to rise as high as his or her ability will take them, regardless of race, gender, religion, nationality, or other group characteristic, is a defining ideal of our society. We must be very wary of any deviation from that principle, no matter how well intended. That is why it is clearly time to review all Government affirmative action programs in which an individual's membership in a group, whether defined by race, gender, national origin, or other similar characteristics, may determine whether he or she will be awarded a Government benefit.

Mr. President, while America has clearly not yet realized the national

ideal of equal opportunity for all, it is important to note that we have made considerable progress over the three decades since President Johnson issued the first Executive order calling for affirmative action to end job discrimination. I think we should be proud of that progress—long overdue as it may have been. Every President since President Johnson, and every Supreme Court since then, has acknowledged that affirmative action programs were intended to be temporary. In the debate that is ongoing now, and on which the President made a major statement today, I believe we should pause to acknowledge not only our continuing commitment to equal opportunity and the work we still have to do to realize it for all Americans, but also to acknowledge our success in overcoming what was not only a legally sanctioned system of discrimination in our country but also ingrained biases about race and gender which were extremely widespread in our country. We have come a long way from those days. Today, poll after poll shows a very high and broad national consensus about ensuring equal opportunity for all, which, of course, was what the civil rights movement was all about.

Unfortunately, Mr. President, some poorly conceived and implemented affirmative action programs have done more to disturb and confuse that broadly accepted national consensus about equal opportunity than they have done to help their intended beneficiaries. Affirmative action is dividing us in ways its creators could never have intended because most Americans who do support equal opportunity, and are not biased, do not think it is fair to discriminate against some Americans as a way to make up for historic discrimination against other Americans. For, after all, if you discriminate in favor of one group on the basis of race, you thereby discriminate against another group on the basis of race. In discussing this subject the other day, a young man offered me this simple wisdom that we all learned from our mothers and fathers: ''Two wrongs,'' he said, ''don't make a right.''

President Clinton deserves our praise for his willingness to wade into this fray and examine whether affirmative action programs are advancing our goal of equal opportunity in a manner that is consistent with our ideals and our Constitution. In particular, I am encouraged by the President's expressed commitment to implement the Supreme Court's recent Adarand decision on affirmative action. The Department of Justice has informed all Federal agencies that every program employing race-based or similar criteria must be rigorously examined to ensure that it is narrowly tailored to meet a compelling governmental interest that cannot otherwise be achieved. If a program does not meet that test, it must be significantly changed, or it must be eliminated.

In my own view, Mr. President, most Government programs in which race, gender, or similar status are dominant factors, will not survive the Supreme Court's new Adarand test. If that is in fact the case, we must work together to find new and, I would hope, more broadly acceptable ways to achieve the goal of promoting equal opportunity for all—particularly our poorest neighbors. I accept the premise, as I believe most Americans do, that there is still much work to be done. We must be prepared to devote more resources to enforcing our civil rights laws vigorously. We need to direct our attention, energy, and money to helping poor people, regardless of race or ethnic background, by making greater investments in education and job training, economic opportunity, and empowerment. Doing so would not only be more effective in achieving our national ideal of equal opportunity for all, but I think would restore a sense of traditional American fair play to this field that, sadly, for too many has been lost.

Some critics of affirmative action are simultaneously urging the dismantling of programs that are keys to helping poor people gain the education and skills that will make equal opportunity real for them. I will join the President, as I have before, in fighting both to preserve and reform, where necessary, those programs, and in finding ways to address the profound problems faced by those who are victims not only of discrimination, but of poverty.

I invite all our colleagues within this Chamber, in the House, and all people of good will throughout the country, who are committed to making our society as fair as possible—whatever their party affiliation or views on affirmative action—to join this important effort in the months and years ahead.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:10 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1977. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 1977. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes; to the Committee on Appropriations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1206. A communication from the Comptroller of the Department of Defense, transmitting, pursuant to law, a notice of a violation of the Antideficiency Act, case number 92-68; to the Committee on Appropriations.

EC–1207. A Communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a supplemental legislative environmental impact statement with respect to the START II Treaty; to the Committee on Armed Services.

EC–1208. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the fiscal year 1994 financial statements of the United States Mint; to the Committee on Banking, Housing and Urban Affairs.

EC–1209. A communication from the Assistant Attorney General, Office of Legislative Affairs, transmitting, a draft of proposed legislation to provide administrative procedures for the nonjudicial foreclosure of mortgages on properties to satisfy debts owed to the United States, and for other purposes; to the Committee on the Judiciary.

EC–1210. A communication from the Assistant Attorney General, Office of Legislative Affairs, transmitting, a draft of proposed legislation to amend title 17, United States Code, title 18, United States Code, and for other purposes ; to the Committee on the Judiciary.

EC–1211. A communication from Commissioners of the United States Commission on Civil Rights, transmitting, notice of errors in the transmittal of the report ''Funding Federal Civil Rights Enforcement''; to the Committee on the Judiciary.

EC–1212. A communication from the Assistant Attorney General, Office of Legislative Affairs, transmitting, a draft of proposed legislation to enable the United States to meet its obligations to surrender offenders and provide evidence to the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of the Former Yugoslavia and to the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of Humanitarian Law Committed in the Territory of Rwanda and Citizens Responsible for Genocide and other such Violations Committed in the Territory of Neighboring States; to the Committee on the Judiciary.

EC–1213. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, transmitting, pursuant to law, the Attorney General's Report on Risk Exposure of Private Entities Covered by the Federally Supported Health Centers Assistance

Act of 1992; to the Committee on Labor and Human Resources.

EC–1214. A communication from the Director of the National Science Foundation, transmitting, pursuant to law, the NSF report on women, minorities and persons with disabilities in science and engineering; to the Committee on Labor and Human Resources.

EC–1215. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation entitled ''Older Americans Act Amendments of 1995''; to the Committee on Labor and Human Resources.

EC–1216. A communication from the Secretary of Labor, transmitting, a draft of proposed legislation entitled ''ERISA Enforcement Improvement Act of 1995''; to the Committee on Labor and Human Resources.

EC–1217. A communication from the Secretary of Labor, transmitting, a draft of proposed legislation entitled ''Individuals with Disabilities Education Act Amendments of 1995''; to the Committee on Labor and Human Resources.

EC–1218. A communication from the Members of the Railroad Retirement Board, transmitting, pursuant to law, the 1995 annual report of the Board on the financial status of the railroad unemployment system; to the Committee on Labor and Human Resources.

EC–1219. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to persons with mental illness in the criminal justice system; to the Committee on Labor and Human Resources.

EC–1220. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, a report relative to the impact of the National Voter Registration Act of 1993; to the Committee on Rules and Administration.

EC–1221. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, a proposed regulation relative to ''express advocacy''; to the Committee on Rules and Administration.

EC–1222. A communication from the President of the Kennedy Center for the Performing Arts, transmitting, pursuant to law, the annual report of the Kennedy Center for 1994; to the Committee on Rules and Administration.

EC–1223. A communication from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to permit the Secretary of Veterans Affairs to reorganize the Veterans Health Administration notwithstanding the notice and wait requirements of section 510 of title 38, United States Code, and to amend title 38, United States Code, to facilitate the reorganization of the headquarters of the Veterans Health Administration; to the Committee on Veterans' Affairs.

EC–1224. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescissions and deferrals, pursuant to the order of April 11, 1986, referred jointly; to the Committee on Appropriations, the Committee on the Budget, the Committee on Agriculture, Nutrition and Forestry, the Committee on Banking, Housing and Urban Affairs; the Committee on Commerce, Science and Transportation; the Committee on Environment and Public Works; to the Committee on Finance; to the Committee on Foreign Relations; to the Committee on the Judiciary; to the Committee on Labor and Human Resources; and the Committee on Small Business.

EC–1225. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a supplemental summary of the budget submitted earlier in the year, pursuant to the order of April 11, 1986, referred jointly; to the Committee on Appropriations and to the Committee on the Budget.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–231. A resolution adopted by the Greater Sitka Chamber of Commerce of the City of Sitka, Alaska relative to the timber industry; to the Committee on Energy and Natural Resources.

POM–232. A resolution adopted by the New Jersey State Federation of Women's Club relative to the New Jersey Highlands; to the Committee on Energy and Natural Resources.

POM–233. A resolution adopted by the Minnesota Division of the Izaak Walton League relative to waterfowl production areas; to the Committee on Energy and Natural Resources.

POM–234. A concurrent resolution adopted by the Legislature of the State of Louisiana; to the Committee on Energy and Natural Resources.

''SENATE CONCURRENT RESOLUTION NO. 15

''Whereas, many local groups, local governmental bodies, and interested citizens have shown interest and a keen desire for continued economic opportunity and development in Rapides Parish; and

''Whereas, the opportunity for such continued development could result from the construction of a Job Corp Center at Camp Claiborne; and

''Whereas, there has been great community and political support for such a project; and

''Whereas, the Kisatchie National Forestry Service, which is part of the U.S. Forestry Service, has as of March 14, 1995 deadline, made an application for construction of a Job Corp Center to be located on Camp Claiborne in Rapides Parish; and Therefore, be it

''*Resolved,* That the Legislature of Louisiana does hereby show its support and endorsement of the Kisatchie National Forest Service as the sponsoring agency for a Job Corp Center to be located in Rapides Parish; be it further

''*Resolved,* That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana Congressional Delegation.''

POM–235. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Energy and Natural Resources.

''SENATE JOINT RESOLUTION NO. 7

''Whereas, the people of the State of Nevada have a long history of being productive and successful ranchers and farmers; and

''Whereas, the money received from the production and sale of livestock, crops and other agricultural products contributes millions of dollars each year to the economy of Nevada; and

''Whereas, because of Nevada's arid climate and lack of abundant supplies of water, large amounts of land are required to graze cattle and sheep effectively; and

''Whereas, much of the land needed for grazing livestock must be leased under permit from the Federal Government, thereby making many of the ranchers and farmers in Nevada involuntarily dependent upon the Federal Government and its regulations governing the use of the rangelands located on the public lands of the United States; and

''Whereas, the Secretary of the Interior has adopted major reforms to the existing regulations of the Federal Government concerning the management of the rangelands located on the public lands of the United States which will become effective on August 26, 1995; and

''Whereas, such proposed reforms are extremely broad and extensive, and seek to impose numerous changes in the administration of the public rangelands which are not necessary or reasonable in order to maintain the public rangelands in a healthy and productive condition;

''Whereas, a bill has been introduced in the Senate, S. 852 of the 104th Congress, 1st Session (1995), The Livestock Grazing Act of 1995, which would prevent the reforms adopted by the Secretary of the Interior and would establish reasonable provisions relating to the proportional ownership of improvements made on the public rangelands by ranchers in cooperation with the Federal Government, the requirement of compliance with state law relating to water rights, the clarification of the types of violations of federal law relating to the management and administration of the public rangelands which are subject to civil or criminal penalties and other matters relating to the management and administration of the public rangelands of the United States; and

''Whereas, an identical bill has been introduced in the House of Representatives, H.R. 1713 of the 104th Congress, 1st Session (1995); Now, therefore, be it

''Resolved by the Senate and assembly of the State of Nevada jointly, That the Nevada Legislature hereby expresses its support for the ranching and farming industries in Nevada; and be it further

''*Resolved,* That the Nevada Legislature opposes any extensive and unreasonable reform of the existing regulations of the Federal Government concerning the management of the public rangelands in Nevada; and be it further

''*Resolved,* That the Nevada Legislature hereby urges the Congress of the United States to pass S. 852 or H.R. 1713 of the 104th Congress, 1st Session (1995), The Livestock Grazing Act of 1995, which would prevent the reforms adopted by the Secretary of the Interior concerning the management of the rangelands located on the public land of the Untied States and establish reasonable provisions relating to the management and administration of the public rangelands of the Untied States; and be it further

''*Resolved,* That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Committee on Energy and Natural Resources, the Chairman of the House of Representatives Committee on Natural Resources and each member of the Nevada Congressional Delegation; and be it further

''*Resolved,* That this resolution becomes effective upon passage and approval.''

POM–236. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Energy and Natural Resources.

''Senate Joint Resolution No. 11

''Whereas, the present demand on the limited supply of water in the State of Nevada is threatening the vitality of the lakes in western Nevada including Pyramid Lake and Walker Lake; and

''Whereas, millions of acre-feet of water flow from the rivers of the northwestern United States into the Pacific Ocean each year and are lost to reclamation; and

''Whereas, the water lost to reclamation could be used beneficially in the State of Nevada to preserve the vitality of the lakes in western Nevada including Pyramid Lake and Walker Lake; and

''Whereas, the interregional transfer of water is technologically feasible; now, therefore, be it

''Resolved by the Senate and Assembly of the State of Nevada, jointly, That the Nevada Legislature urges the Congress of the United States to investigate the utility of importing water to Nevada from sources outside Nevada; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

''Resolved, That this resolution becomes effective upon passage and approval.''

POM–237. A joint resolution adopted by the Legislature of the Commonwealth of Northern Marianas; to the Committee on Energy and Natural Resources.

''Whereas, through its approval in U.S. Public Law 94–241 of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, Congress agreed to a program of financial assistance to help the Northern Marianas' economy develop sufficiently to meet the financial responsibilities of self-government and to raise the standard of living of the islands' people; and

''Whereas, this policy has been highly successful, resulting in a five-fold increase in the gross domestic product of the islands between 1978 and 1992, a level of economic growth that produced sufficient local revenues to support the operations of the Northern Marianas government and raised median family incomes by more than 40%; and

''Whereas, this policy has had long-term support, beginning in 1976 with Ford Administration's approval of the original schedule of grant amounts and continuing with approval in 1986 of U.S. Public Law 99–396 adopting a revised schedule recommended by the Reagan Administration; and

''Whereas, because the U.S. citizens of the Northern Marianas have no representation in the national legislative process, the Congress approved a process of decision-making with respect to changes in the program of financial assistance that required consultations between the federal government and the Northern Marianas; and

''Whereas, agreement was reached in 1992 by the Special Representatives of President George Bush and the Governor of the Northern Marianas for a third schedule of financial assistance, terminating in the year 2000, that features a continuing decrease in federal expenditure from the fiscal year 1989 high of $40 million to $9 million in the agreement's final year, and that also adds a new condition of dollar-for-dollar matching of local funds with federal grants over the life of the agreement; and

''Whereas, the Congress has made appropriations in amounts that conforms to this new schedule of assistance since it was negotiated, and the Northern Marianas, likewise, has annually signed grant pledge agreements adhering to the terms of the 1992 agreement; and

''Whereas, these terms include a match of all federal funds by local funds, that none of these funds will be used for the operation of the northern Marianas government, and that these funds will all be invested in infrastructure to ensure the long-term economic health of the islands; and

''Whereas, the need for federal assistance in building basic infrastructure is apparent, for instance in the intermittent nature of residential water service and that, even when available, water is not safe to drink, and in the contamination of beaches critical to the tourism sector of the economy by fecal coliform bacteria present in near shore waters because of the lack of adequate sewage treatment facilities; and

''Whereas, this new agreement would replace the mandatory appropriation authorized by U.S. Public Law 99–396 in which federal funding is fixed, and would thereby assist in efforts to reach a balanced federal budget by the year 2002; and

''Whereas, the Clinton Administration has arbitrarily and without formal consultation proposed a premature termination of the assistance policy, an action that could freeze economic growth in the Northern Marianas or reverse the progress already made, risking, thereby, a situation in which the Congress might have to step in and correct—an awkward and potentially costly responsibility; Now, therefore, be it

Resolved, by the Senate of the Ninth Northern Marianas Commonwealth Legislature, the House concurring, That the Legislature hereby requests the Congress of the United States of America to complete the transition to full financial responsibility for self-government in the Northern Marianas by fulfilling the terms of the already-negotiated schedule to phase out federal aid for investment in infrastructure; and be it further

''Resolved, That the President of the Senate and Speaker of the House of Representatives shall certify the Senate Legislative Secretary and the House Clerk and shall attest to the adoption of this joint resolution and thereafter transmit certified copies to the Honorable Frank Murkowski, Chairman of the Senate Energy and Natural Resources Committee; the Honorable J. Bennet Johnston; the Honorable J. Bennet Johnston; the Honorable Don Young, Chairman of the House Committee on Resources; the Honorable George Miller; the honorable Elton Gallegly, Chairman of the House Subcommittee on Native American and Insural Affairs; the Honorable Eni F.V. Faleomavaega; the Honorable Ralph Regula, Chairman of the House Subcommittee on Interior Appropriations; the Honorable Sidney Yates; the Honorable Slade Gorton, Chairman of the Senate of the Senate Subcommittee on Interior Appropriations; and the Honorable Robert C. Byrd.''

POM–238. A resolution adopted by the Assembly of the City and Borough of Juneau, Alaska relative to the Federal Clean Water Act; to the Committee on Environment and Public Works.

POM–239. A resolution adopted by the Minnesota Division of the Izaak Walton League relative to the Great Lakes Initiative; to the Committee on Environment and Public Works.

POM–240. A resolution adopted by the House of the Legislature of the State if Alabama; to the Committee on Environment and Public Works.

''RESOLUTION NO. 258

''Whereas, the United States Environmental Protection Agency is considering a number of new environmental regulations that will affect the oil and gas industry; and

''Whereas, the United States House of Representatives has approved risk assessment and cost benefit analysis legislation that is pending before the United States Senate; and

''Whereas, a study by the American Petroleum Institute estimates that compliance expenditures required by these new regulations could reach $45 million dollars and result in a reduction in oil and natural gas production in Alabama; and

''Whereas, Alabama is a significant energy producing state, producing in excess of 460 billion cubic feet of natural gas and more than 18 million barrels of crude oil and condensate per year; and

''Whereas, revenues from oil and gas industry operations generate more than $100 million dollars annually in severance taxes and royalty income to the state; and

''Whereas, more than 20,000 Alabamians are employed in the state's oil and gas industry; Therefore be it

''Resolved by the House of Representatives of the Legislature of Alabama, That we hereby urge the United States Senate to approve legislation returning reasonableness to the environmental regulatory process and urges the Environmental Protection Agency to employ sound scientific principles, risk assessment, and cost benefit analysis before enacting new regulation.''

POM–241. A joint resolution adopted by the Legislature of the Senate of Colorado; to the Committee on Environment and Public Works.

''HOUSE JOINT RESOLUTION 95–1031

''Whereas, the federal ''Intermodal Surface Transportation Efficiency Act of 1991'' (ISTEA) was designed to be the comprehensive solution to federal surface transportation funding since it replaced the ''Surface Transportation and Uniform Relocation Assistance Act of 1987'', which marked the end of the interstate era; and

''Whereas, the purpose of ISTEA is ''to develop a National Intermodal Transportation System that is economically efficient and environmentally sound, provides the foundation for the Nation to compete in the global economy, and will move people and goods in an energy efficient manner''; and

''Whereas, when it was proposed, ISTEA was designed to give states and local governments flexibility as to how federal moneys were to be spent in their regions but, in fact and practice, the new federal program specifies how these moneys are distributed as well as how they can be spent by states and local governments; and

''Whereas, examples of the distribution categories of ISTEA moneys that have assigned percentages include, but are not limited to, safety, enhancements, population centers over 200,000 people, areas with populations under 5,000 people, transportation projects in areas that do not meet the Clean Air Act standards, and minimum allocation, reimbursement, and hold harmless programs; and

''Whereas, for the six year duration of ISTEA, Colorado will receive an estimated $1.31 billion in federal moneys, compared to $1.43 billion received in the previous six years; and

''Whereas, before the enactment of ISTEA, Colorado was permitted to use a portion of Interstate Maintenance Funds to increase vehicle carrying capacity, but under ISTEA, capacity improvements are limited to High Occupancy Vehicle (HOV) lanes or auxiliary lanes; now, therefore, be it

Resolved by the House of Representatives of the Sixtieth General Assembly of the State of Colorado, the Senate concurring herein: That the Colorado General Assembly requests the 104th Congress of the United States to:

''(1) Amend the federal ''Intermodal Surface Transportation Efficiency Act of 1991'' to provide more flexibility and local control without the interference and mandates of the federal government.

''(2) Allow the 4.3 cents per gallon fuel tax added by the United States Congress in 1993

to be added to the Highway Trust Fund for distribution to the states as opposed to being assigned to the General Fund.

''(3) Allow the 2.5 cents per gallon fuel tax added by the United States Congress in 1990 to be added to the Highway Trust Fund given the demonstrated need for moneys for transportation systems, and be it further

''*Resolved,* That copies of this Resolution be sent to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Speaker of the House and the President of the Senate of each state's legislature of the United States of America, and Colorado's Congressional delegation.''

POM–242. A resolution adopted by the Legislature of the State of New Hampshire; to the Committee on Environment and Public Works.

''HOUSE JOINT RESOLUTION NO. 4.

''Whereas, the state of New Hampshire has made, and continues to make, great efforts to implement the 1990 federal Clean Air Act Amendments; and

''Whereas, modifying the 1990 federal Clean Air Act Amendments and the federal regulations for the act would assist the state to better comply with the law; and

''Whereas, modification would improve air quality and would not impede economic development; now, Therefore, be it

''Resolved by the Senate and House of Representatives in General Court convened: That the general court urges the United States Congress and the United States Environmental Protection Agency to modify the 1990 federal Clean Air Act amendments by:

''(1) Reducing the $450 auto emissions repair waiver for at least the first test cycle;

''(2) Implementing a 49-state car emission standard, including that inherently low emission vehicles (ILEVs) should be counted as zero emission vehicles (ZEV) when calculating fleet average and to satisfy the technology advancement component;

''(3) Not requiring California's reformulated gasoline;

''(4) Granting state implementation plans (SIPS) maximum credit for voluntary actions and programs which result in documented lowered levels of emissions; and

''(5) Considering offering incentives for purchasing low emission vehicles (LEVs), ultra low emission vehicles (ULEVs), ILEVs and ZEVs; and That copies of this resolution, signed by the speaker of the house, the president of the senate, and the governor be sent by the house clerk to the President of the United States, the Director of the United States Environmental Protection Agency, the Speaker and Clerk of the United States House of Representatives, the President and Secretary of the United States Senate, and to each member of the New Hampshire Congressional delegation.''

POM–243. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Envrionment and Public Works.

''JOINT RESOLUTION NO. 35

''Whereas, the Humboldt National Forest includes approximately 2,500,000 acres in Humboldt County, Elko County, White Pine County, eastern Nye County and Lincoln County; and

''Whereas, the residents of these counties have a long tradition of ranching and farming, the results of which contribute greatly each year to the economies of these counties and to the State of Nevada; and

''Whereas, because of the arid climate and scarcity of water in these areas, large amounts of land are required for grazing, much of which must be leased from the United States Forest Service in the Humboldt National Forest, thereby making many of the ranchers and farmers in these areas dependent on the use of the Humboldt National Forest; and

''Whereas, herds of wild horses and elk are in constant competition with domestic animals for the available forage and water; and

''Whereas, the extensive paperwork requirements of the National Environmental Policy Act and other federal laws further divert resources of the Humboldt National Forest from activities that would directly improve range conditions, promote compliance with grazing permits and lead to the establishment of sustainable conditions; and

''Whereas, conservation groups have now initiated litigation against the Chief of the U.S. Forest Service and the Supervisor of the Humboldt National Forest, requesting the federal court to prohibit the U.S. Forest Service from authorizing grazing permits in the Humboldt National Forest until certain alleged violations of the National Environmental Policy Act and other federal laws are resolved; and

''Whereas, this litigation threatens the livelihoods of farmers and ranchers, polarizes the various users of the public lands, limits constructive dialog directed toward solving actual problems and further diverts resources of the Humboldt National Forest from activities that would directly improve range conditions and promote compliance with grazing permits; and

''Whereas, the multiple-use concept requires all the various recreational, agricultural, educational and scientific users of the public lands to coexist, cooperate and compromise to their mutual benefit; Now, therefore, be it

''*Resolved by the Assembly and Senate of the State of Nevada, jointly,* That the members of the 68th session of the Nevada Legislature urge the Congress of the United States to support legislation that recognizes and preserves the value of ranching and farming to the economy and to the very fabric of rural communties; and be it further

''*Resolved,* That Congress is also urged to support legislation that streamlines the paperwork requirements of federal laws affecting the use of the national forests, such as the National Environmental Policy Act, especially legislation that would make the renewal of grazing permits categorically exempt from the requirements of the National Environmental Policy Act; and be it further

''*Resolved,* That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

''*Resolved,* That this resolution becomes effective upon passage and approval.''

POM–244. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Environment and Public Works.

''JOINT RESOLUTION NO. 26

''Whereas, the recent debates concerning certain resolutions may have been construed by those living outside Nevada as disagreement among Nevadans regarding whether the Federal Government should place an interim or permanent repository or other facility for the storage or transportation of high-level radioactive waste and spent fuel in Nevada; and

''Whereas, throughout the debate there was one principle that never varied and was agreed upon by an overwhelming majority of Nevadans and that principle was Nevada's forceful and unyielding opposition to the permanent storage of high-level radioactive waste and spent nuclear fuel in Nevada and any amendment of the Nuclear Waste Policy Act which would allow the siting of an interim storage program or monitored retrievable storage program in Nevada; and

''Whereas, the State of Nevada has studied the economic, social, public health and safety and environmental impacts that are likely to result from the transportation and storage of high-level radioactive waste and spent nuclear fuel and has conclusively determined that transforming this beautiful state into a nuclear waste disposal area would pose a severe threat to the health and safety of the current and future generations of Nevadans and have devastating consequences on the tourist-based economy of the State of Nevada; and

''Whereas, the environmental wonders of this state, from the rim of the Red Rock Canyon, the dramatic depths of the Lehman Caves, the lush alpine meadows and the clear mountain streams of the Great Basin National Park to the heights of the spectacular Ruby Mountains, through the wondrous Black Rock Desert to the emerald shores of Lake Tahoe Basin, through the plethora of wonderful wilderness areas to the glimmering waters of Lake Mead, are far too special a treasure to be spoiled by high-level radioactive waste and spent nuclear fuel; now, therefore, be it

''*Resolved by the Assembly and Senate of the State of Nevada, jointly,* That the Legislature of the State of Nevada hereby reaffirms its vehement opposition to the permanent storage of high-level radioactive waste in Nevada and its adamant opposition to any amendment of the Nuclear Waste Policy Act which would allow the siting of an interim storage program or monitored retrievable storage program in Nevada; and be it further

Resolved, That this Legislature hereby urges the Congress of the United States to take such actions as are necessary to ensure that the current practice of on-site dry cask storage of high-level radioactive waste is continued until such time as the available technology will allow for the recycling and reuse of high-level radioactive waste; and be it further

''*Resolved,* That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives and to each member of the Nevada Congressional Delegation; and be it further

''*Resolved,* That this resolution becomes effective upon passage and approval.''

POM–245. A joint resolution adopted by the Legislature of the State of Tennessee; to the Committee on Environment and Public Works.

''SENATE JOINT RESOLUTION NO. 12

''Whereas, the Aquatic Resources Trust Fund (Wallop-Breaux) was enacted by the U.S. Congress so that the safety and education of the nation's boaters would receive funding similar to that provided for fish and wildlife programs; and

''Whereas, Aquatic Resources Trust Fund monies are not general funds, but rather trust funds derived from the tax boaters pay on marine fuel and, therefore, represent a prime example of the user fee concept, i.e. user pays, user benefits; and

''Whereas, in Tennessee, these funds have helped to steadily decrease boating fatalities so that the past three years have been the lowest on record; and

''Whereas, the loss of these funds will be devastating to Tennessee's boating program by reducing the education and enforcement programs by nearly half; and

''Whereas, the current administration did not ask for these funds as a part of the proposed federal budget, thereby ending an enormously successful program engineered through the cooperative efforts of the American League of Anglers and Boaters, Fish and Wildlife Agencies, Congress, and others; and

''Whereas, these funds cannot be used for budget deficit reduction but rather will transfer to the Sport Fisheries account of the Aquatic Resources Trust Fund, thereby bypassing the intent of the enabling legislation; and

''Whereas, there was bipartisan support in the 103rd Congress in the form of HR 4477 to reinstate this vital funding on a sustained basis; and

''Whereas, there appears to be movement to address this same boating safety funding dilemma in the early days of the 104th Congress; now, Therefore, be it

''Resolved by the Senate of the Ninety-Ninth General Assembly of the State of Tennessee, the House of Representatives concurring, That this General Assembly hereby memorializes the United States Congress to enact legislation which would reinstate Aquatic Resources Trust Fund (Wallop-Breaux) monies on a sustained funding basis to assure the continued proven success of Tennessee's as well as other states', boating safety and education program, and be it further

''Resolved, That the Chief Clerk of the Senate is directed to transmit enrolled copies of this resolution to the Honorable Bill Clinton, President of the United States; the Speaker and the Clerk of the U.S. House of Representatives; the President and the Secretary of the U.S. Senate; and to each member of the Tennessee Congressional Delegation.''

POM–246. A joint resolution adopted by the Legislature of the State of Tennessee; to the Committee on Environment and Public Works.

''SENATE JOINT RESOLUTION NO. 11

''Whereas, the quality of Tennessee's water resources is critical to maintaining good health and maximizing recreational opportunities on our streams and reservoirs; and

''Whereas, there exists legislation on both the federal and state level which helps to maintain water quality by controlling the discharge of sewage from vessels; and

''Whereas, enforcement of Tennessee's marine sanitation law is threatened due to ambiguity of the language contained in the federal statute regarding ''preemption'' of state laws; now, Therefore, be it

''Resolved by the Senate of the Ninety-Ninth General Assembly of the State of Tennessee, the House of Representatives concurring, That this General Assembly hereby memorializes the U.S. Congress to enact an amendment to the ''Federal Water Pollution Control Act'' (popularly known as the ''Clean Water Act'') providing that the several states may enact and enforce their own marine sanitation laws, provided that such laws are consistent and uniform with the federal standards on marine sanitation set out at 33 U.S.C. Section 1322, and be it further

Resolved, That the Chief Clerk of the Senate is directed to transmit enrolled copies of this resolution to the Speaker and the Clerk of the U.S. House of Representative; the President and the Secretary of the U.S. Senate; and to each member of the Tennessee Congressional Delegation.''

POM–247. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Environment and Public Works.

''JOINT RESOLUTION NO. 40

''Whereas, the State of Nevada has a very strong commitment to protecting the public health and safety and the natural environment; and

''Whereas, the Nevada Legislature has proven this commitment in the area of solid waste management by enacting legislation and authorizing administrative regulations which are necessary to carry out the provisions of subchapter IV of the Resource Conservation and Recovery Act of 1976, as amended; and

''Whereas, the Nevada Legislature, nevertheless, finds the federal requirements in subchapter IV of the Resource Conservation and Recovery Act of 1976, as carried out through the regulations contained in 40 C.F.R. Part 258, too onerous, inflexible and unreasonable in this arid state, with many small population centers and agricultural operations situated far from urban areas; and

''Whereas, excessively stringent federal regulations, short time frames for compliance, small populations and a lack of technical and financial assistance have created an impossible situation for many of Nevada's small rural communities; and

''Whereas, in the absence of financial assistance to carry out the provisions of subchapter IV of the Resource Conservation and Recovery Act of 1976, the federal requirements truly represent an unfunded mandate which reorders valid local priorities; and

''Whereas, the President of the United States, in Executive Order No. 12866, dated September 30, 1993, recognized that the legitimate role of government is to govern in a focused, tailored and sensible way; and

''Whereas, the President of the United States, in his memorandum dated March 4, 1994, relating to the regulatory reform initiative, called for permit streamlining and paperwork reduction and directed federal agencies and departments to ''determine whether states can do the job as well; reward results, not red tape; and negotiate with the regulated community''; now, therefore, be it

''Resolved by the Assembly and Senate of the State of Nevada, jointly, That the members of the 68th session of the Nevada Legislature urge the United States Environmental Protection Agency to extend by at least 2 years the deadline for small, remote landfills in arid areas to comply with the federal regulations contained in 40 C.F.R. Part 258; and be it further

''Resolved, That this Legislature urges Congress to amend subchapter IV of the Resource Conservation and Recovery Act of 1976 as it applies to small, remote landfills in arid areas by establishing a ground-water monitoring exemption, requiring the United States Environmental Protection Agency to identify, with state participation, minimum performance standards and providing states the authority and flexibility to manage such landfills in a manner consistent with those performance standards; and be it further

''Resolved, That this Legislature urges Congress to appropriate money for grants to the states to carry out the mandates of subchapter IV of the Resource Conservation and Recovery Act of 1976; and be it further

''Resolved, That this Legislature urges the Division of Environmental Protection of the State Department of Conservation and Natural Resources to assert Nevada's authority and discretion over solid waste management programs within this state, propose reasonable regulations for the management of the smallest solid waste landfills and carry out a vigorous technical assistance program for small towns, rural areas and agricultural operations; and be it further

''Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Director of the State Department of Conservation and Natural Resources of the State of Nevada, the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

''Resolved, That this resolution becomes effective upon passage and approval.''

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURNS, from the Committee on Appropriations, with amendments:

H.R. 1817. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes (Rept. No. 104–116).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SHELBY (for himself, Mr. CRAIG, and Mr. HELMS):

S. 1050. A bill to promote freedom, fairness; and economic opportunity for families by reducing the power and reach of the Federal establishment; to the Committee on Finance.

By Mr. HATFIELD (for himself, Mr. STEVENS, Mr. COCHRAN, Mr. PELL, Mr. MOYNIHAN, and Mr. REID):

S. 1051. A bill to authorize appropriations for the American Folklife Center for fiscal years 1996, 1997, 1998, and 1999; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PELL:

S. Res. 154. A resolution expressing the sense of the Senate that the United States Government should encourage other governments to draft and participate in regional treaties aimed at avoiding any adverse impacts on the physical environment or environmental interests of other nations or a global commons area, through the preparation of Environmental Impact Assessments, where appropriate; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SHELBY (for himself, Mr. CRAIG, and Mr. HELMS):

S. 1050. A bill to promote freedom, fairness; and economic opportunity for families by reducing the power and reach of the Federal establishment; to the Committee on Finance.

THE FREEDOM AND FAIRNESS RESTORATION ACT

● Mr. SHELBY. Mr. President, I am proud to announce the introduction of the Freedom and Fairness Restoration Act in the Senate of the United States of America. Two years ago, the flat tax was not even considered as an alternative in the tax reform debate. One

year ago, thanks to the able House majority leader, the flat tax was introduced in the House of Representatives and took the country by storm. Today, I am here to tell the American people the flat tax has found a home in the Senate and the flat tax is not only a legitimate proposal for tax reform, it is the leading candidate.

When considering any proposal for tax reform, one has to ask the question, ''Should the Federal Government coerce free individuals by means of tax policy?'' I believe the answer is a clear and resounding ''No.'' In other words, tax policy should neither encourage nor discourage the personal decisions of free individuals in America. If one accepts this premise, one has to conclude the best alternative for tax reform is the flat tax. No other tax proposal, not the sales tax, and especially not the Gephardt un-flat tax, has the attribute of neutrality.

The Armey-Shelby flat tax taxes every dollar in the economy once and only once—all at the same rate. As a result, the Armey-Shelby flat tax does not coerce free individuals into making decisions to take advantage of a special interest tax break or to avoid some tax penalty. The basic premise of the Freedom and Fairness Restoration Act is that free individuals know best how to spend their hard-earned dollars.

The current Tax Code, while serving its purpose of revenue collection, has many problems. It contains high marginal rates as well as a hodgepodge of special interest deductions. In addition, the complexity of Federal tax laws cost taxpayers approximately 5.4 billion hours, or $150 billion, just to comply with the current Internal Revenue Code.

As a result, the time has come to abolish the old, inefficient tax system and adopt a new, strict flat tax—20 percent for the first 2 years, and 17 percent thereafter. Generous personal allowances—$31,400 for a family of four—will cut taxes for families and provide a level of progressivity many find essential for tax reform. The flat tax will eliminate the double taxation of savings and promote jobs and higher wages. These attributes of the Armey-Shelby flat tax are the keys that unlock the door to economic prosperity and assures freedom and fairness for all.●

By Mr. HATFIELD (for himself, Mr. STEVENS, Mr. COCHRAN, Mr. PELL, Mr. MOYNIHAN and Mr. REID):

S. 1051. A bill to authorize appropriations for the American Folklife Center for fiscal years 1996, 1997, 1998, and 1999; to the Committee on Rules and Administration.

THE AMERICAN FOLKLIFE CENTER RE-AUTHORIZATION ACT

● Mr. HATFIELD. Mr. President, as the Chairman of the Joint Committee on the Library of Congress, I am introducing legislation today to reauthorize the Library's American Folklife Center for fiscal years 1996 though 1999. I am pleased to have all the members of the Joint Committee on the Library and Senator REID join me in this effort as cosponsors.

The American Folklife Preservation Act of 1976 established the American Folklife Center at the Library of Congress with a mandate to ''preserve and present American folklife.'' This remarkable institution contains the nation's foremost collection of folklife materials, including over 1 million manuscripts, sound recordings, photographs, films, videos, periodicals, and other printed information which chronicle the grassroots cultural traditions of the American people. No other public or private establishment can compare to the Folklife Center's extensive accumulation of American folklife.

In addition to maintaining a comprehensive record of our Nation's diverse culture, the Folklife Center is also an interactive and widely used institution. The folklife reading room is the largest reading room in the nation with public access to folklife collections and publications. During 1994 the folklife reading room assisted nearly 9,000 researchers. Additionally, the Folklife Center is well known for its popular public exhibitions and presentations, such as the summer folklife music concert series in front of the Jefferson Building. This year the series opened with a performance of cajun zydeco and will close with the Argentine tango. The Folklife Center is also well known for its programs which have traveled throughout the United States. For instance, the Folklife Center's photographic exhibit ''Generation to Generation: Sharing the Intangible,'' which depicts grassroots culture bridging the differences between older and younger individuals, had a brief stay at the Hood River County Historical Museum in Hood River, OR.

Mr. President, the American Folklife Center accomplishes its broad mandate with minimal funding and through the efforts of creative individuals. The Folklife Center has a staff of only 15 and their authorization level has been frozen since 1992. However, in 1994 they raised $330,000—3 times the amount raised in 1990—in private funding and they have a multi-year plan to increase private funding. Consequently, the legislation I am introducing today provides a modest increase in their annual authorization from the current level of $1,120,000 to $1,187,000 for the next 4 fiscal years.

The American Folklife Center is an important investment in preserving our Nation's cultural background that will serve future generations as a historical reference and educational guide. I hope my colleagues will continue to support the Folklife Center by approving this legislation.●

● Mr. REID. Mr. President, I am pleased to join Senator HATFIELD as an original cosponsor to legislation which will reauthorize the American Folklife Center. The Folklife Center provides our country with the invaluable service of preserving the diverse cultures which makeup American folklife.

Folklife is defined as the grassroots cultural traditions maintained at the community level and expressed through family, ethnic, occupational, religious, and regional associations. It includes a wide range of creative forms including music, verbal traditions, crafts and dance. It is my strong belief that the preservation of America's heritage is worth funding.

The American Folklife Center contains by far the Nation's preeminent folklife collection comprising over 1 million items in every medium: manuscripts, sound recordings photographs, films, videos, periodicals, and other printed materials. No other institution, public or private, contains such a vast and comprehensive collection of folklife. Further, it is the sole institution in the Federal Government authorized to preserve and present American folklife.

The American Folklife Center's authorization level has been frozen at $1,120,000 since 1992. On this budget, the Center has maintained the largest reading room in the Nation with public access to folklife collections and publications and with formal public reference services, assisting nearly 9,000 researchers in 1994. The Center has provided for programs, presentations, field research projects, publications and exhibitions which strengthen public education about America's heritage and benefit hundreds of thousands of Americans annually. I believe it is time to increase the Center's funding, therefore, our amendment provides for the modest increase in authorization to $1,187,000 a year for the next 4 years. This money will allow the Center to continue with their important work in preserving America's heritage.

In 1976, the American Folklife Center was established with bipartisan support. However, the Archive of Folk Culture has been a part of the Library of Congress since 1928. This long history is evidence of our country's commitment to preserving its heritage.

The Center maintains a unique collection with items from all 50 States. My State of Nevada has diverse folk traditions which are preserved by the Center. Among its unique recordings are Ute, Northern Paiute, Wasoe, and other native American music recordings made by Omer Stewart in 1938 and Willard Rhodes in 1949. There are cowboy songs and stories by ''Powder River'' Jack H. Lee of Virginia City and oral histories and stories of traditional life made by Duncan Emerich in 1942 and 1950.

Between 1978 and 1982, the Center conducted the Paradise Valley Folklife Project to document and analyze the traditional life and work of a ranching community in Nevada. The project was developed in conjunction with the

Smithsonian Institution and the National Endowment for the Arts. Documentary materials from the project include field notes; sound, motion picture, and video records; and 30,000 black and white negatives and color transparencies. The project also resulted in a book, ''Buckaroos in Paradise: Cowboy Life in Northern Nevada,'' an exhibit of the same name at the Smithsonian Institution, and a videodisc, ''The Ninety-Six: A Cattle Ranch in Northern Nevada.''

In 1989 and 1990, the Center conducted a field research project documenting the culture and traditions of Italian-Americans in the West, which culminated in a traveling exhibition and companion book of essays. The documentary material created during the project includes recordings, photographs, architectural drawings, and other documents from central Nevada. These are just some examples of the work that the Center does in my State of Nevada. However, the Center provides this sort of work for each State's unique history.

The Center is not only a place where history is preserved, it is also a viable working institution which provides a wealth of information from where American artists can draw upon and use these valuable resources. Micky Hart, drummer for the Greatful Dead, has found unreleased and forgotten world music in the archives. This past spring he released his second CD of such sounds, ''Music of the Gods,'' a collection of gamelan music acquired from the Fiji Islanders just before World War II.

The Center is heavily used by artists, historians, and people who simply enjoy learning about our country's cultures. It has successfully performed its duties on minimal funding over the years, and has made great efforts in generating private funds. The Center has demonstrated its dedication to the preservation of American folklife and culture, and greatly deserves the reauthorization our legislation provides.●

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. LIEBERMAN, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 21, a bill to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina.

S. 607

At the request of Mr. WARNER, the names of the Senator from Alabama [Mr. HEFLIN] and the Senator from Arkansas [Mr. PRYOR] were added as cosponsors of S. 607, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify the liability of certain recycling transactions, and for other purposes.

S. 743

At the request of Mrs. HUTCHISON, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 743, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for investment necessary to revitalize communities within the United States, and for other purposes.

S. 770

At the request of Mr. DOLE, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from Delaware [Mr. ROTH] were added as cosponsors of S. 770, a bill to provide for the relocation of the United States Embassy in Israel to Jerusalem, and for other purposes.

S. 847

At the request of Mr. GREGG, the name of the Senator from Tennessee [Mr. FRIST] was added as a cosponsor of S. 847, a bill to terminate the agricultural price support and production adjustment programs for sugar, and for other purposes.

S. 955

At the request of Mr. HATCH, the names of the Senator from Illinois [Mr. SIMON] and the Senator from Alaska [Mr. MURKOWSKI] were added as cosponsors of S. 955, a bill to clarify the scope of coverage and amount of payment under the medicare program of items and services associated with the use in the furnishing of inpatient hospital services of certain medical devices approved for investigational use.

S. 959

At the request of Mr. HATCH, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 959, a bill to amend the Internal Revenue Code of 1986 to encourage capital formation through reductions in taxes on capital gains, and for other purposes.

S. 1000

At the request of Mr. BURNS, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 1000, a bill to amend the Internal Revenue Code of 1986 to provide that the depreciation rules which apply for regular tax purposes shall also apply for alternative minimum tax purposes, to allow a portion of the tentative minimum tax to be offset by the minimum tax credit, and for other purposes.

S. 1006

At the request of Mr. HATCH, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1006, a bill to amend the Internal Revenue Code of 1986 to simplify the pension laws, and for other purposes.

SENATE RESOLUTION 146

At the request of Mr. JOHNSTON, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of Senate Resolution 146, a resolution designating the week beginning November 19, 1995, and the week beginning on November 24, 1996, as ''National Family Week,'' and for other purposes.

AMENDMENT NO. 1801

At the request of Mr. LIEBERMAN the names of the Senator from Idaho [Mr. KEMPTHORNE] and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of Amendment No. 1801 proposed to S. 21, a bill to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina.

SENATE RESOLUTION 154—RELATING TO ENVIRONMENTAL IMPACT ASSESSMENTS

Mr. PELL submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 154

Whereas in 1978 the Senate adopted Senate Resolution 49, calling on the United States Government to seek the agreement of other governments to a proposed global treaty requiring the preparation of Environmental Impact Assessments for any major project, action, or continuing activity that may be reasonably expected to have a significant adverse effect on the physical environment or environmental interests of another nation or a global commons area;

Whereas subsequent to the adoption of Senate Resolution 49 in 1978, the United Nations Environment Programme Governing Council adopted Goals and Principles on Environmental Impact Assessment calling on governments to undertake comprehensive Environmental Impact Assessments in cases in which the extent, nature, or location of a proposed activity is such that the activity is likely to significantly affect the environment;

Whereas Principle 17 of the Rio Declaration on Environment and Development, adopted at the United Nations Conference on Environment and Development in 1992, states that Environmental Impact Assessments as a national instrument shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of the competent national authority;

Whereas on October 7, 1992, the Senate gave its advice and consent to the Protocol on Environmental Protection to the Antarctic Treaty, which obligates parties to the Antarctic Treaty to require Environmental Impact Assessment procedures for proposed activities in Antarctica; and

Whereas the United States is a signatory to the 1991 United Nations Economic Commission for Europe's Convention on Environmental Impact Assessment in a Transboundary Context, a regional treaty that calls for the use of Environmental Impact Assessments as necessary tools to minimize the adverse impact of certain activities on the environment, particularly in a transboundary context: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States Government should encourage the governments of other nations to engage in additional regional treaties, along the lines of the 1991 United Nations Economic Commission for Europe's Convention on Environmental Impact Assessment in a Transboundary Context, regarding specific transboundary activities that have adverse impacts on the environment of other nations or a global commons area; and

(2) such additional regional treaties should ensure that specific transboundary activities are undertaken in environmentally sound ways and under careful controls designed to

avoid or minimize any adverse environmental effects, through requirements for Environmental Impact Assessments where appropriate.

Mr. PELL. Mr. President many of my colleagues know of the interest that I have long had in the protection of the global commons. As early as 1967 I introduced resolutions containing draft treaty language that eventually resulted in treaties banning the emplacement of weapons of mass destruction on the seabed floor and the use of environmental modification techniques in warfare.

In 1978, a resolution that I had introduced in 1977 was adopted by the Senate, which called on the U.S. Government to seek the agreement of other governments to a proposed global treaty requiring the preparation of an international environmental assessment for any major project, action, or continuing activity which may be reasonably expected to have a significant adverse effect on the physical environment or environmental interests of another nation or a global commons area—Senate Resolution 49, May 18, 1978, Report No. 95–990, July 17, 1978

My proposed Environmental Impact Assessment Treaty did not aim to prohibit a state from carrying out activities, but rather required it to make a detailed assessment of the impact this activity would have, and to communicate this information to the affected countries. As such, it would play a crucial part in ensuring that the United States would not be negatively impacted by the activities of another state. Alternatively, when the activity was to have an impact on a global commons area, the United Nations Environment Programme [UNEP] was to be the recipient of that information.

The United Nations Environment Programme was created in the aftermaths of the United Nations Conference on the Human Environment, held in Stockholm in 1972. This conference represented the first concerted effort on the part of all nations to integrate human development and the protection of the environment and natural resources for future generations. UNEP has now become the legal entity where most international environmental programs are either initiated or hosted and, as such, is widely recognized as a useful and efficient arm of the United Nations.

The United States has truly been a visionary in this respect, as the ideas embedded in my 1978 resolution were later endorsed in a number of international environmental legal instruments. The United Nations Environment Programme itself endorsed this view when its governing council adopted a series of goals and principles that specify how important these assessments can be, and how and when they should be carried out.

Building on these goals and principles, the U.S. Government, along with other members of the United Nations Economic Commission for Europe, signed the Convention on Environmental Impact Assessment in a Transboundary Context, done at Espoo, Finland on February 25, 1991. While my 1978 resolution initially called for a global treaty applying to all activities worldwide, much of the reflection that followed led to a breakthrough in thinking with which I agree, namely that a regional approach would be more suited.

The Espoo Convention is a perfect example, as it embodies the commitment by member states to the U.S. Economic Commission of Europe to act in a precautionary manner when dealing with transboundary activities. The convention highlights how and when environmental impact assessments need to be carried out, and an annex to the convention lists the activities that will trigger their application. Because different countries in different areas of the world carry out different activities, separate regional conventions, along with specific lists of triggering activities, are more appropriate than one global treaty.

Even after the Espoo Convention was signed in 1991, other international legal instruments highlighted the need for Environmental Impact Assessments. In 1992, at the conclusion of the United Nations Conference on Environment and Development—the Rio Earth Summit—more than 180 participating nations adopted the Rio Declaration of Principles on Environment and Development. Principle 17 of the declaration states that environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

This was but the latest indication of the endorsement by the whole international community of environmental impact assessment as a means to ensuring that human activities with a view to enhancing human betterment are undertaken in environmentally sound ways.

On October 7, 1992, the Senate gave its advice and consent to the protocol on environmental protection to the Antarctic Treaty, signed in Madrid on October 4, 1991—Treaty Doc. 102–22. This protocol builds upon the Antarctic Treaty to extend and improve the treaty's effectiveness as a mechanism for ensuring the protection of the Antarctic environment. Among other obligations, it requires application of environmental impact assessment procedures to activities undertaken in Antarctica for which advance notice is required under the Antarctic Treaty. Annex I of the protocol sets out different environmental impact assessment procedures that apply according to whether the proposed activities are identified as having less than a minor or transitory impact, a minor or transitory impact, or more than a minor or transitory impact. This is a very rational approach to environmental impact assessment, an approach to which the Senate gave its advice and consent, and the same approach that my 1978 resolution embodied.

As previously noted, the United States has pursued the objectives of my 1978 resolution—Senate Resolution 49—by becoming a party to the Espoo regional convention of the United Nations Economic Commission of Europe. This convention represents the consensus between the United States and its industrialized allies that the best way to proceed is to require environmental impact assessments before transboundary activities are carried out. As I have explained before, regional treaties are the best possible approach because they allow taking into account the particularities of the region at hand. What the United States and its allies have achieved must now be duplicated by other states, in other regions, so that the adoption of environmental impact assessment truly becomes a standard precautionary measure.

Consequently, the resolution I introduce today builds upon my 1978 resolution—Senate Resolution 49—by urging the administration to encourage other states to pursue the negotiation of appropriate environmental impact assessment requirements in other regional treaties. My resolution acknowledges the history of international efforts carried out since 1978 and allows the Senate to endorse once more these important goals.

NOTICE OF HEARING

SUBCOMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. ROTH. Mr. President, I would like to announce that the Subcommittee on Post Office and Civil Service, of the Committee on Governmental Affairs, will hold a hearing on July 26, 1995. The Postmaster General of the United States will present the Annual Report of the Postal Service.

The hearing is scheduled for 9:30 a.m. in room 342 of the Dirksen Senate Office Building. For further information, please contact Pat Raymond, staff director, at 224–2254.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COHEN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, July 19, 1995, for purposes of conducting a full committee business meeting which is scheduled to begin at 8:30 a.m. The purpose of this meeting is to consider S. 852, the Livestock Grazing Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. COHEN. Mr. President, I ask unanimous consent that the Finance Committee be permitted to meet Wednesday, July 19, 1995, beginning at 9:30 a.m. in room SD–215, to conduct a hearing on Medicare.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. COHEN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, July 19, 1995, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COHEN. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Wednesday, July 19, at 9:30 a.m., for a hearing on the subject of criminal debt collection efforts.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COHEN. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Wednesday, July 19, at 2 p.m., for a hearing on the subject of criminal debt collection efforts.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. COHEN. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for an executive session, during the session of the Senate on Wednesday, July 19, 1995, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. COHEN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, July 19, 1995, at 9:30 a.m. to hold an open hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, PRIVATE PROPERTY, AND NUCLEAR SAFETY

Mr. COHEN. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety be granted permission to conduct a hearing Wednesday, July 19, at 9:30 a.m., on section 404 of the Clean Water Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO THE OUTGOING PRESIDENT OF THE AMERICAN SOCIETY FOR CLINICAL LABORATORY SCIENCE

● Mrs. MURRAY. Mr. President, I would like to take a moment to recognize the invaluable contributions that Dana Duzan, outgoing president of the American Society for Clinical Laboratory Science (ASCLS), has made to the clinical laboratory science profession.

In her leadership role with the Society, Ms. Duzan has dedicated herself to promoting the clinical laboratory profession and helping guarantee that the public has access to quality laboratory services. She has strengthened ASCLS's tradition of proactive involvement in government affairs and led the Society in its efforts to ensure that health care reform measures recognize laboratory testing as an integral part of health care delivery. During her tenure, ASCLS worked to maintain the integrity of the Clinical Laboratory Improvement Amendments (CLIA) and protect the laboratory and the public from potentially damaging reform measures such as co-insurance and competitive bidding. And in her efforts to promote the interests of the laboratory profession, she has remained an undaunted champion of patient interests, believing that all Americans have the right to quality, accessible laboratory services.

Ms. Duzan's leadership style reflects the team approach she takes in managing the hematology laboratory at the Sacred Heart Medical Center in Spokane, WA. Her dedication to coalition building can be seen in ASCLS's involvement with a variety of colleague health care organizations, in the Society's commitment to bringing the clinical laboratory industry together as a united front, and in ASCLS's unique partnership with industry leaders.

As president of the Society, Ms. Duzan has worked to further the mission of the Society, including promoting high standards of practice in the workplace, advocating professional autonomy, ensuring professional competence, supporting continuing education, and enhancing the public's understanding and respect for the profession and its practitioners.

In conclusion, Ms. Duzan's love of science, her tireless service to ASCLS and the laboratory profession, and her dedication to making laboratory services available to all make her an inspiration to her professional peers. She is to be commended for her valuable contributions and personal commitment to her work.●

TRIBUTE TO JUDGE MacKINNON

Mr. LEVIN. Mr. President, I rise here today to pay tribute to Judge George Edward MacKinnon. Judge MacKinnon died at his home on May 1, 1995, at the age of 89. In life, Judge MacKinnon was a model public servant, and in death, his work will be remembered and his efforts continued.

Judge MacKinnon served on the U.S. Court of Appeals for the District of Columbia for 25 years. He was named to the appellate bench in 1969 by President Nixon, where he served until shortly before his death. Judge MacKinnon was a dedicated jurist. He spent 6 years serving on the U.S. Sentencing Commission, contributing to the creation of the national uniform-sentencing laws for convicted criminal offenders.

My own association with Judge MacKinnon stemmed from his work as presiding judge of the special court that oversees the independent counsel law. In the 7 years he presided over the three-member court, Judge MacKinnon was instrumental in the successful enforcement of the independent counsel law and helped establish its constitutionality.

Equally important, the judge made the law work on a day-to-day basis, from setting up filing systems and getting a court clerk, to working out conflicts-of-interest for independent counsel and suggesting legislative improvements to the law. Judge MacKinnon ran the court efficiently and effectively. He worked with Congress in an open and constructive manner. In an age of political gamesmanship, he was a civil, bipartisan, and warm spirit. It was his evenhanded, commonsense approach which resulted in great public confidence and the ultimate success of the independent counsel law.

Judge MacKinnon's career in public service did not begin with his 1969 appointment to the bench. Prior to his term as a judge, he served as Assistant to the U.S. Attorney General, U.S. attorney for the District of Minnesota, a Minnesota Representative in the U.S. House, and a Minnesota State representative.

Judge MacKinnon is survived by his wife, Elizabeth MacKinnon; his daughter, Catharine MacKinnon, a noted professor of law at the University of Michigan; two sons, James and Leonard MacKinnon, both of Minneapolis; and four grandchildren.

Judge MacKinnon devoted his entire career to public service. And his lifelong actions for the good of the American people will not be forgotten. It is with this in mind that I pay tribute to Judge George Edward MacKinnon and his family.

ORDERS FOR THURSDAY, JULY 20, 1995

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9 a.m. on Thursday, July 20, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day; there then be a period for morning business until the hour of 10 a.m., with Senators permitted to speak for up to 5 minutes each with the following exceptions: Senator THOMAS, 30 minutes; Senator DASCHLE or his designee, 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DOLE. Let me again just quickly recap: The legislative branch appropriations. We hope we can get a waiver on the military construction appropriation bill. We hope that we will be closer to some agreement on S. 343. I know there have been good-faith negotiations throughout the day by different groups, and we hope that could be concluded successfully.

As I indicated earlier, I visited with the President by telephone about Bosnia, and I indicated to him I would discuss that with the Democratic leader tomorrow morning and see if we could not reach some agreement.

For the information of all Senators, it is my intention to turn to the consideration of H.R. 1854, the legislative branch appropriations, at 10 o'clock tomorrow, unless there is objection.

ORDER FOR RECESS

Mr. DOLE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order following the remarks of the Senator from Wisconsin, Senator FEINGOLD.

The PRESIDING OFFICER. Without objection, it is so ordered.

BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT

Mr. FEINGOLD. Mr. President, my comments are about support of this resolution concerning the arms embargo. I know the hour is late, but this is a very, very important subject that has concerned me, as it has concerned so many Members of the Senate, for several years. I am hoping that we come to some resolution of this matter on this occasion.

I understand the majority leader's desire to consider the President's request. I look forward to the results of that discussion and the decisions that come from it. But I do rise tonight in support of the Dole-Lieberman resolution. Let me begin by mentioning three reservations I have about taking this position.

First of all, I think the truest words of the day were those of Senator COHEN of Maine who said, ''No one can predict with complete confidence whether our action in this case or inaction in this case will turn out the way we want.'' This is a situation that requires the greatest humility on the part of a Senator because we cannot know for sure and because it does involve what is obviously life or death for many, many thousands of people in the former Yugoslavia. The facts are about as complex as they can get in a foreign policy situation.

My second reservation in supporting the resolution is that basically I think the President should be our leader in conducting foreign policy, with the assistance of Congress in certain cases; in some cases only with congressional approval. I happen to believe, under the War Powers Act, and article I of the Constitution, that we have a preeminent role in making sure that we do not commit troops without congressional approval. But, generally speaking, I prefer to defer to the President, especially Democratic Presidents, on this kind of an issue.

Third, although I have tremendous respect for the majority leader, I have generally preferred the foreign policy approach of our current President. This President has kept American youth out of wars. He has resisted the temptation to send us into adventures and to take every opportunity to police the world as, unfortunately, other Presidents have failed to do. The President has shown a steady hand and does not believe that we can afford or want to shed the blood to be the policemen of the world.

But, despite these reservations, and while I think the majority leader is a great Senator and I hope he continues in that capacity for many, many years, I have long supported his view that we should lift the arms embargo on Bosnia and we should do so unilaterally, if necessary. I do think it is necessary, and I do think the time is now.

In fact, my hope has been and continues to be that this will truly be a strong bipartisan vote. In fact, when I first got here, Mr. President, long before I realized the majority leader's position, before he was the majority leader, my first resolution as a United States Senator made one simple request: That the arms embargo be lifted for the Bosnian people. That was in March 1993.

Even prior to the election in 1992, before I was a Member of this body, I followed the work of the Senator from Delaware, Senator BIDEN, who had already, before almost anyone else, understood that the key to this situation was not talking about certain American air raids or sending American troops to Bosnia, but giving them the ability to defend themselves.

One of the most stimulating comments of the day, and I listened to a lot of the debate, was that of the Senator from Massachusetts, Senator KERRY, who spoke of lifting the arms embargo, and indicated, as I have heard him say on many occasions, that he supports lifting the arms embargo if we can. But the Senator from Massachusetts indicated that lifting the arms embargo is not a policy.

I am not so sure. In fact, after scores of conversations with people, experts in foreign policy, and the military, my constituents, and especially the leaders of Bosnia itself, I feel, with all due respect, that all signs point to the conclusion that lifting the arms embargo unilaterally is not only morally right, but a very sensible policy, both for the United States and for Bosnia.

I am sure the opposition to lifting is in good faith. But after 2½ years I almost stopped asking questions on the committee where we serve together, the Senate Foreign Relations Committee. I grew weary at the committee meetings and the briefings of the constantly shifting series of excuses for not doing what is right in Bosnia.

The opposition to lifting the arms embargo has been done in a very clever way. It is opposition by question, hundreds of questions, hundreds of scenarios, always the worst-case scenario. It is the most amazing variety of reasons I have ever seen. There are too many reasons being given, too many shifting back and forth, and sometimes contradicting each other. It does not seem credible.

We even heard in the Senate Foreign Relations Committee at a hearing the claim that lifting the arms embargo would lead to an Islamic jihad. Some of these arguments are just way beyond the pale. We are subjected to an astonishing parade of ''horribles.'' But, Mr. President, what is actually happening—not what is projected—is what is horrible and actual unending inhuman horror.

We are urged on the floor today to try one last time. We are told that lifting the arms embargo is just like giving up. But to many Americans, it just makes sense. It looks like to many Americans that we never even got started helping the Bosnians if we could not do the most simple thing, which is to lift the arms embargo. We have never taken the first step and the most important step. We have never lifted the arms embargo so that we have the opportunity not to work with a captive and defeated Bosnia, but with an increasingly viable country, an increasingly viable military, working to defend itself and working perhaps to push back the Serbians to the lines where they were before.

In fact, Mr. President, the comments that I have heard most from all of my constituents is, ''Why in the world don't we simply let these folks try and defend themselves?''

Mr. President, other Members of this body did a very good job today answering some of these objections. But I think we ought to reiterate it a little bit. I want to give again the scope of all of the excuses being given for not lifting the arms embargo. Naturally, we have a tendency to want to defer to those who have military expertise. But in some of these cases the answer is very easy and obvious.

For example, there is the claim that lifting the arms embargo will mean that the United Nations will be put in a position where none of its resolutions will be respected; the claim that this is, in effect, thumbing our nose at the United Nations and the Security Council. But the Senator from New York has made the point well that no other situation, no other resolution is in this status. This one involves the violation of article 51 of the U.N. Charter which calls for the right of self-defense for all countries. That is legally superior

under the U.N. charter to any particular resolution of this kind.

In other cases, such as Rwanda or Angola or the Sudan, there are arms embargoes but those involve civil wars, internal strife. They do not involve a clear situation of one sovereign entity being involved in attacking another. Mr. President, that argument does not hold water.

Another argument that I have heard and the question that is constantly asked is, ''Well, if they get the arms, how are they going to get trained? How are they going to know how to use the guns?''

I sat in a private briefing a couple of weeks ago with a number of Senators and with the majority leader. And the majority leader asked that question of Haris Silajdzic, the Prime Minister of Bosnia. He said, ''We know how to use these arms. We are trained. We are not asking for the most sophisticated aircraft.'' They are simply asking for the normal weaponry of a ground war.

I have here a list of what has actually been requested—certain kinds of defense arms, means of communication, electric power, health, satellite links, various types of vehicles, generators, clothing, surgical equipment. These are the kinds of things that are being requested. The notion that somehow massive special training is necessary is not valid.

Another argument that comes up: ''How are the arms going to get there in this difficult situation?'' Well, it is a difficult situation. But arms are already getting there despite the embargo to some extent. How do people think the Bosnian Muslims are fighting? Some have gotten through, and particularly with the alliance between Croatia and Bosnia, that sealane. The necessary access to the sea through Croatia would be available to provide the arms.

Another argument made: ''We will have to pay for all these arms. It is going to be expensive.'' It is true. If we want to supply the arms, it will cost something. Senator BIDEN's amendment a few years ago provided for 50 million American dollars. But there is nothing in this resolution that says we have to supply the arms. Other countries are ready do it. I think it is a good idea if we participate. It is not a choice that it is an open checkoff. It simply says they are permitted to obtain arms. There is nothing in this resolution that requires that.

Mr. President, in addition to these examples of sort of legal or tactical questions, there has been very heavy emphasis today on two other arguments. One is, ''This is not the right time.'' And the other is, ''This action will 'Americanize' the war.'' To me, these are probably the two most troubling arguments I have heard lately. They remind me of double talk, or maybe worse. They remind me, in George Orwell's words, of ''double speak.''

First of all, this notion that it is not the right time—I was told the first time I mentioned this issue in early 1993 that if we would just hang on, ''The change is right around the corner; we are going to work this out; we should not lift the arms embargo; it will cause a terrible problem.'' But after each tragedy we get the same excuse, the same flutter of activity. Things die down for a while, and we are told again that we should wait.

It is also troubling to me that we learn the names of these little towns in Bosnia and witness the tragedy, and then a few days later we do not even remember where the last tragedy occurred. But we are still told, ''Wait a little longer; wait until a few more towns go down the tubes.''

It has been 30 months. How can someone talking in any way that would be considered straight say that we have to wait longer? How many times must U.S. Senators speak until the message gets through?

I just had my staff tally up how many speeches have been given on this subject since 1993. Just in the U.S. Senate alone, there were 210 speeches by Senators. Almost, I say, the vast majority of them were in favor of lifting the arms embargo.

Mr. President, what are we waiting for? Are we waiting for perfect weather conditions? This is not a moon shot. This is an ongoing, horrible tragedy. And anyone can construct a reason why we should wait. But you cannot wait any longer when you witness every day on the television what can only be described as genocide.

What about this second argument, this mantra, ''This is going to Americanize the war''? This one really bothers me. It is a slogan. People say we are committed, we are obligated to send 25,000 ground troops into Bosnia if we lift the arms embargo. When do we vote on that? When did Congress authorize 25,000 troops going into Bosnia? Under my view of the law and the Constitution, the Chair and I should have had a chance to vote on that. We did not do it. We did not make that commitment.

And again, it is the ultimate in double speak to suggest that giving people the right to defend themselves is the thing that will cause us to have to go and defend them. That is what we are being told, that somehow giving them some guns or making sure they can buy some guns is the way to guarantee that all the rest of us would have to go over there and get involved. That is just nonsense. It is the opposite. Lifting the arms embargo is the best way to ensure that American men and women will not have to spill their blood. This is a lesson that the State of Israel has understood very well since 1948.

The one thing that Israel always said is, ''We want help in terms of arms, logistical help, but we do not want American men and women to come here and fight on our soil.'' We always appreciated that sentiment, but it is not just to be nice. It is because the Israelis know that if we send troops onto Israeli soil and American men and women die, the obvious result will be probably a reduction in American support for that effort. That it will turn people off. They will say, ''Why help Israel?''

All you have to do is reference Somalia. It is exactly what happened in Somalia. People had compassion. They cared about the people in Somalia. They wanted to help them eat. But when it came to American men and women dying, they really had to question whether we could police the entire world.

Well, the Bosnians understand this. And that is why they are sincere when they say that they did not want our troops. They want some help or at least not have us prevent them from getting the arms to defend themselves. Why can we as a nation say in some instances, ''This we can do. We can do no more. But we will do this.''?

We do not want to police this situation. The American people will not support this as the absolute core of our national security. We probably are not ready to say in the case of Bosnia that we will bear any burden. But we are ready to do something as a people. We do want the Bosnians to be free. We do want them to be able to turn back Serbian aggression.

So, Mr. President, this is the opposite of the Americanization of the war. This is how Bosnia determines its own destiny.

Mr. President, maybe what has bothered me even more than these more convenient arguments is my problem with the position that the administration has taken when it says over and over again, ''We support lifting the arms embargo, but only multilaterally.'' But they are against unilateral lifting. And time and time again there have been statements from the administration indicating support, not for unilateral but for multilateral lifting of the arms embargo.

A relatively recent example was March 20, 1995, where Mr. Richard Holbrooke stated:

> Only a negotiated settlement has any chance of lasting. This administration is committed to pursuing that goal. What we must not do is worsen the situation by unilaterally lifting the arms embargo. We have always believed the embargo is unfair and worked to end it multilaterally.

This has consistently been the statement of the administration. They oppose unilateral, but they are for the multilateral lifting of the arms embargo. But usually when you look at the actual reasons why they are against the unilateral lift, they are just as true of the multilateral lift. Again, it is halfhearted arguments to justify a policy.

And I know why the administration wants to do this. It is not a bad reason. They do not want to break faith with their allies, the British and the French, in particular, and even our relationship with the Russians, who do not want us

to lift the arms embargo. That is the real reason. What they say is they are for lifting the arms embargo if only they could get the French and the British to go along.

Well, Mr. President, it does not hold up. For example, they say if you lift the arms embargo unilaterally, the allied troops will be in danger. Well, what is going on right now? Multilateral action there. And my figures indicate May 28, 377 peacekeepers taken hostage. Just last week at Srebrenica, the attack on the Dutch peacekeepers.

The fact is that under either scenario, unilateral or multilateral, these folks are in danger. They are in danger now, and they would be then. At least if the Bosnians were properly armed, maybe those Serbians who like to go into the safe havens and attack peacekeepers and civilians would think twice if they knew there was a force to oppose them, not just a bunch of U.N. peacekeepers who are not allowed to do anything about them.

Second, it is said that a unilateral lift would upset the Russians. My feeling about that is that that is a completely disingenuous argument because everyone knows the Russians can veto a multilateral lifting request. So the administration knows that is not going to happen. And certainly the Russians did not pay any attention to our feelings about this type of issue when they did their actions in Chechnya.

A third argument is, if you lift the arms embargo, the Serbians will get arms too. Well, they may. But the fact is, they are already very well armed. They were the beneficiaries of the fifth largest stockpile of arms in all of Europe because of this foolish arms embargo.

How would this be different with a multilateral lift? Surely, if there is a multilateral lift and the Serbians want to get more arms, they will get it that way just as they will with the unilateral lifting of the arms embargo.

Finally, the incredible claim that under the unilateral lifting, the war will spread, and to somehow suggest that the war will not spread if we have a multi-lifting of the arms embargo. Why? Why is that the case? Surely it would spread either way to some extent.

So I do not understand how the administration can claim that there is a difference between unilateral and multilateral. And that is deeply troubling to me. I think the administration simply opposes lifting the arms embargo and should be straightforward about it so that the Bosnian people and the Members of Congress could know where they really stand.

So, Mr. President, why? Why have we been subjected to this avalanche of arguments, this manufacturing of arguments to stop lifting the arms embargo? It is to block the lifting of the arms embargo, obviously. But I think it is a symptom of what I like to call the all-or-nothing attitude about the military role of the United States in this world. Either we have to do everything, that our credibility says that if we do one thing we have to send in troops later on or our credibility is shot. I do not buy that. In some cases that may be true. In an alliance with NATO, you bet. That is the pledge. But America cannot and certainly has not signed on to the notion that every time we help somebody do something to defend themselves, we therefore have to commit the entire force of our country. That is not the case. And I do not think it is what the Bosnian people expect.

What is our end game? Are we going to just defend Bosnia and somehow broker a peace agreement and then leave this morsel of a country with no defense, to do what? Are we going to have a permanent U.N. force there? Are we just going to leave someday and hope the Serbians are nice to them?

There is a better scenario, and that scenario is, let these folks continue to learn to defend themselves, to actually defend themselves, to have the pride of having protected their nation. You know, that is how we got started. That is how Israel got started in 1948, and it made all the difference that they won their own freedom. Yes, maybe with other people's arms but with their own strength and courage—and, of course, sacrifice.

What is our plan? To make Bosnia one big safe-haven forever? A country that is going to be free has to be able to defend itself and it has to know how to defend itself. And you need arms in order to do that.

Mr. President, I think lifting the arms embargo is the key to the permanent freedom of Bosnia.

Finally, Mr. President, the question for me more than anything else is, where did anyone get the idea that we have the right to stand in the way of a self-defense of a free people that we have recognized as an independent country? What did we do in 1776? We were not even free. We were supposedly pledged in loyalty to the King of England. We decided we wanted to make our own self-determination. Somebody helped us get some help and some arms because we were standing for our own freedom.

Mr. President, what is the second amendment all about, the U.S. Constitution? I happen to be a believer that that second amendment of the U.S. Constitution is important. I think we do have a right in this country or a reasonable opportunity to defend ourselves. And the reason for that amendment more than anything else was that the right of a people to keep and bear arms is necessary for a free people. That is what this is about, too. It is not just Americans who feel this way about self-defense. It is people in every country, including Bosnia.

Mr. President, do we not remember appeasement in Europe? Do we not remember the constant embarrassment that we were taken in by the Nazis, that we actually believed—speaking here more of Britain than ourselves, of course—but we actually believed they were going to take this much space, just the Sudetenland, just Czechoslovakia, just Poland.

What we are dealing with here are people who—apparently the leaders of Serbia—who want a greater Serbia. They will not stop if we continue to appease them.

Mr. President, do we not remember the Warsaw ghetto? We acknowledged the 50th anniversary of the uprising of the Warsaw ghetto against the Nazis. Did we say, would it not be better if they had not resisted? There would be less bloodshed if they had not taken up arms against the Nazis. That is not what we said. We commemorated the heroism and the courage of people in a concentration camp who, knowing they were going to die, decided to die with dignity.

Mr. President, when I was a teenager I was given a book called ''While Six Million Died.'' The book told a tough story for a young kid who was a Democrat, and still believes that Franklin Roosevelt was the greatest President in this country. It told of how that administration knew of some of the things that were going on to the Jews and others in Europe. It told how we did not really do everything we could do.

Mr. President, I recently toured the Holocaust Museum again, and they talked about the difficulty of President Roosevelt's decision not to, for example, bomb some of the concentration camps. Well, at least in that case Franklin Roosevelt knew what he was trying to do. He believed, for the greater good of this world, that he could win the war and defeat the Nazis. He had a plan. And with Winston Churchill and others the plan was effective.

But, Mr. President, we cannot use that excuse here. We have no plan. We have no intention of actually stopping Serbian aggression. So it is not understandable why we sit back and wait.

Finally, Mr. President, when all is said and done, should not we ask the Bosnians themselves what they want? Should we impose upon them the notion that we are going to just keep these U.N. forces there for their own good?

I think it is condescending, humiliating, and patronizing to the Bosnian people to suggest that we know better, that it is for their own good that we not lift the arms embargo.

Let me conclude by just reading three statements from the Prime Minister of Bosnia that I think symbolize this issue better than anything else and the need for lifting the arms embargo.

The prime minister has said first that:

> If the Serbs' aggression continues, we prefer military help over food for dead people. The aggression, plus the arms embargo, plus the nondeliverance of aid means death to Bosnia.

And he said in March 1993:

We would prefer doing it ourselves, but for that we need arms. The arms embargo is what is humiliating. The humiliation is to be slaughtered like an animal and not be able to defend yourself like a man.

Finally, Mr. President, very recently, May 28, 1995, Mr. Silajdzic just laid it on the line, as he has tried time and time again to do. He means it. He does not want American soldiers there. He does not want the Americanization of the war. This is what he wants and this is what he will do. He says:

The Army of the Republic of Bosnia and Herzegovina is perfectly willing and able to defend our country and our citizens. We do not now, nor have we ever, asked for any ground forces from any country in the world to do our fighting for us. We have the men. We have the courage. But we do not have the means.

That is all they are asking, Mr. President, a chance to protect their own lives, their own women, their own children, and to do something about this heartless Serbian aggression.

So, Mr. President, although I again am eager to hear the outcome of the talks between President Clinton and others in the Congress, I do believe we should move forward as soon as possible to pass this resolution to unilaterally lift the arms embargo.

I thank the Chair and everyone for their patience.

I yield the floor.

RECESS UNTIL 9 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 9 a.m., July 20.

Thereupon, the Senate, at 9:01 p.m., recessed until Thursday, July 20, 1995, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 19, 1995:

DEPARTMENT OF EDUCATION

THOMAS R. BLOOM, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF EDUCATION, VICE JAMES BERT THOMAS, JR., RESIGNED.

COMMODITY CREDIT CORPORATION

JILL L. LONG, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF COMMODITY CREDIT CORPORATION, VICE BOB J. NASH, RESIGNED.

THE JUDICIARY

SIDNEY R. THOMAS, OF MONTANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE DOROTHY WRIGHT NELSON, RETIRED.

EXTENSIONS OF REMARKS

FREEDOM AND FAIRNESS RESTORATION ACT

HON. RICHARD K. ARMEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. ARMEY. Mr. Speaker, today I am introducing with Senator SHELBY the Freedom and Fairness Restoration Act, which features a flat tax on all income as a complete replacement for today's complex, archaic Tax Code.

I first introduced this bill June 16, 1994, and since that time have received over 5,000 letters of enthusiastic support. They include such phrases as ''Yes! Yes! Yes!'' ''It's about time'' ''Hallelujah'' ''Let's do it'' and ''Amen!''

In my view, the American people support the flat tax because of four chief virtues—it's simple, honest, progrowth, and fair. It's simple enough Americans can file their taxes on a return the size of a postcard. It's honest because it shows us right up front how much Government is costing us. It will promote economic growth and raise living standards because it eliminates the bias against saving, slashes marginal tax rates, and allows resources to seek their most efficient use. Finally, it's fair because it is true to the uniquely American definition of fairness: Everyone should be treated the same.

Mr. Speaker, the flat tax is more than just a tax system which provides Americans the convenience of filing postcard-sized returns. It's also a vision of what America can be again—a formula for rejuvenating our economy, freeing our entrepreneurial talent, and reviving stagnant family wages. It's a commonsense plan for returning to a Government that is simple, honest, and fair to all our citizens. And who knows? It might just restore people's ability to trust their Government. And this is why the flat tax is in America's future.

Mr. Speaker, I ask that the summary of my bill be included in the RECORD following my statement.

AMERICAN DREAM IN DANGER

WHY WE NEED THE FREEDOM AND FAIRNESS RESTORATION ACT

Our government is too big, and it spends, taxes, and regulates too much. This is the central crisis facing America today. Consider . . .

More Americans work for government than are employed in manufacturing.

The U.S. public sector is now larger than the entire economy of any country in the world except Japan and the United States itself.

The average American family pays more in taxes than it spends on food, clothing, and shelter combined.

Every American works from January 1 to July 10, more than half the year, not to support a family, but just to pay the costs of government taxes and regulation.

AN UNFAIR TAX SYSTEM

Perhaps the greatest ball-and-chain on America's freedom and prosperity is the income tax. After eight decades of being ''reformed,'' our tax system is so complex . . . Even the Internal Revenue Service can no longer give accurate advice on it.

The IRS sends out eight billion pages of forms and instructions each year. Laid end to end, these would stretch 28 times the circumference of the earth.

Americans spend 5.4 billion man-hours each year calculating their taxes—more man-hours than it takes to build every car, truck and van produced in the United States.

The tax code puts a drag on our economy worth an estimated $232 billion a year in compliance costs, an amount equal to $900 for every man, woman, and child in the country.

A FUNDAMENTAL CHOICE

Government has become America's number one growth industry—and a danger to the American Dream. As a nation, we face a fundamental choice: Should the government become ever larger as our freedom diminishes? Or should we take dramatic action now to halt the growth of government and restore greater freedom for our citizens? The Freedom and Fairness Restoration Act says, Enough is enough. Its authors believe ordinary Americans are better equipped to make their own financial decisions than politicians and tax lobbyists in a far-off capital. More than a sweeping overhaul of the tax code, the FFRA is a comprehensive assault on oversized government, designed to halt its growth, expose its true cost, and limit its influence on the lives of free Americans. It would radically reorder the tax and spending activities of the government. Here's what it would mean for America:

1. Creates a flat tax

Simple. Replaces the current complicated tax system with a flat tax so simple Americans can file their taxes on a form the size of a postcard.

Fair. Repeals special preferences in the tax code and is true to the uniquely American definition of fairness: Everyone should be treated the same.

Pro-growth. Ends double taxation of saving, thus promoting investment and job creation. Rewards work by lowering marginal tax rates. Creates a neutral tax system which will liberate individuals to make financial decisions based on common sense economics, not arcane tax rules.

Pro-family, Eliminates the marriage penalty. Effectively doubles the deduction for dependent children. By ending the double taxation of savings, provides all Americans with the tax equivalent of an unlimited Individual Retirement Account.

Pro-taxpayer. Protects taxpayers by requiring a supermajority of Congress to raise the tax rate or add loopholes.

Paid for. Raises nearly as much money as the current tax system, while providing the American people with a modest tax cut, paid for with spending cuts.

2. Controls spending

Sets rigid spending caps. Sets unbreachable caps on federal spending that will ensure spending growth is limited and the federal budget reaches balance by the year 2002.

Sunsets most programs. Genuinely reinvents government by ending the legal authorization for most federal programs, thus requiring Congress to fundamentally reexamine programs before spending taxpayer dollars on them.

THE FREEDOM AND FAIRNESS RESTORATION ACT

BILL SUMMARY

History. The FFRA was introduced by Rep. Dick Armey of Texas on June 16, 1994, and subsequently introduced in the 104th Congress by Congressman Armey and Sen. Richard Shelby of Alabama on July 19, 1995. Copies of the bill, which is designated H.R. 1060 in the House and S. 1050 in the Senate, may be obtained by calling the House Document Room at (202) 225–3456. The bill is divided into two sections, called titles.

TITLE 1—A NEW, FAIR TAX SYSTEM

Replaces the income tax with a 17 percent flat tax

The bill repeals today's complicated income tax system in toto and replaces it with a low, simple flat tax. Under the bill, every dollar of income in the economy is taxed, with wage and pension income collected from individuals and all other income collected from businesses. Individuals pay 17 percent of wage income calculated on a return so simple it can fit on a postcard. Businesses pay 17 percent of business income, calculated on an equally simple return.

Individual Wage Tax. Individuals pay 17 percent of all wages, salaries, and pensions, after subtracting family allowances. When fully phased in in 1998, the family allowances will be $11,350 for a single person, $22,700 for a married couple filing jointly, and $5,300 for each dependent. These allowances are indexed to inflation. The flat tax replaces the current income tax system, but not Social Security and Medicare payroll taxes. Social Security benefits would not be taxed.

Business Tax. All business income, whatever the source (corporate, partnership, sole proprietor, professional, farm, and rental profits and royalties) is taxed at the one low rate. Businesses pay 17 percent of the difference, if positive, between revenues and expenses. Expenses are defined as purchases of goods and services, capital equipment, structures, land, wages and contributions to employee retirement plans. No deductions are permitted for fringe benefits, interest, or payments to owners. Collecting business income earned by individuals at its source—the business—allows for a simple, airtight system that ensures all income in the economy is taxed.

Benefits of the flat tax

Simplicity. Because the existing system's maze of exemptions, loopholes, depreciation schedules, graduated rates, and targeted tax breaks is eliminated, taxpayers will save countless hours and expense in filing their yearly tax returns. The Tax Foundation, a Washington, D.C.-based nonprofit organization which closely monitors federal tax policy, estimates the flat tax would reduce compliance costs by 94 percent.

Fairness. The flat tax will restore fairness to the tax law by treating everyone the same. No matter how much money you make, what kind of business you're in, whether or not you have a lobbyist in Washington, you will be taxed at the same rate as everyone else. While applying only the single rate to all income, the flat tax is also progressive—thanks to the generous family allowance. A family of four earning $30,000 would pay no income tax, the same family earning $50,000 would pay 6 percent, and the

family earning $200,000 would pay 14 percent. The family allowances also take millions of lower-income taxpayers off the tax rolls entirely.

Economic Growth. By eliminating the bias against saving, slashing marginal tax rates, and allowing resources to seek their most efficient use, the bill will spur productive investment and economic growth. If the bill passed this year, it would increase the annual income of the typical American family by $4,300 by 2002.

Protects against higher deficits

The bill is carefully designed to safeguard taxpayers against higher deficits. In the first year after enactment, the tax rate is set at 20 percent to provide modest tax relief while limiting initial revenue loss. This initial tax cut is fully paid for with cuts in federal spending. In the third year, the rate is lowered to 17 percent, providing additional tax relief. Lowering the rate will be possible for two reasons. First, the bill's low marginal rate and neutral treatment of saving will spur economic growth and thus expand revenue to the Treasury. Second, the bill's spending reforms, detailed in Title 2 below, will reduce expenditures. In short, higher revenue coupled with lower spending will reduce future deficits, free up resources to be returned to the American people, and thus permit a freedom dividend to the American taxpayer in the form of a lower tax rate.

Guards against higher taxes

To help prevent a future Congress from raising taxes, rewarding a special interest, or complicating the tax code, the bill contains a provision which requires a 60 percent supermajority of the House and Senate to (1) raise the tax rate, (2) create multiple tax rates, (3) lower the family allowance, or (4) add a loophole.

TITLE 2—REAL SPENDING RESTRAINT

Sunsets most federal programs

All discretionary and unearned entitlement programs are sunset, i.e., set to expire automatically, within two years of enactment of the bill, and again following each decennial census thereafter. The following earned entitlements are not sunsetted: Social Security, Medicare, veterans' benefits, federal retirement. Across-the-board sunsetting will force Congress to reexamine every program individually and decide which ones deserve to be continued rather than which ones should be cut—the true way to reinvent government.

Caps entitlement spending

The bill provides that the total level of entitlement spending, excluding Social Security, may not exceed the increase in inflation as measured by the consumer price index, plus the growth in eligible population. If the increase in these programs, exceeds this level, an automatic entitlement sequester to eliminate the excess spending will fall on all entitlements except Social Security.

Entitlement spending now accounts for more than half of all federal spending and is the fastest growing portion of the budget. The entitlement sequester will place strong pressure on Congress to make genuine reforms when reauthorizing sunsetted programs.

Caps total federal spending

The bill sets caps on overall federal spending, bringing the federal budget to balance by the year 2002. If spending exceeded the maximum spending amount established in law, an across-the-board sequester would cut 80 percent from domestic discretionary spending and 20 percent from defense spending.

The bill also contains a ''look-back sequester.'' On July 1 of each fiscal year, the President's Office of Management and Budget is required to determine the extent to which the spending cap may be exceeded. If OMB finds the limit will be exceeded, a look-back sequester will eliminate the excess spending under the same 80-20 formula.

Brings the President back into the budget process

The bill restores the President to full participation in the annual budget process by requiring that Congress pass a joint resolution, which requires his signature, rather than a concurrent resolution, which does not require his signature, at the beginning of the process each year. Requiring a joint resolution not only restores some of the President's lost influence over spending, but it prevents the House and Senate from disregarding the budget resolution, because a joint resolution, unlike a concurrent one, has the force of law.

TRIBUTE TO ZELMAR STEVENSON GORDON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Mrs. Zelmar Stevenson Gordon as she celebrates her retirement from Browne Junior High School in the District of Columbia.

Mrs. Gordon was born in Florence, SC, to the late Rev. Leo T. Stevenson and Mrs. Utensile Jackson Stevenson. She was educated in the Florence County public schools and later received her bachelor of science degree from Savannah State College. Mrs. Gordon continued her post graduate studies at the University of the District of Columbia.

Mrs. Gordon's teaching career began in Georgia as a classroom teacher. In 1964 she moved to Washington, DC, and began her career with the District of Columbia public schools. After more than 30 years of service in education, she is retiring from Browne Junior High School, where she has served as a teacher and assistant principal. Truly, her commitment to education has taken her well beyond the call of duty. In addition to her duties as assistant principal, Mrs. Gordon sponsored many after-school programs designed to keep children from the ills of society, including school trips and educational enrichment.

Active in her community, Mrs. Gordon is a member of Trinidad Baptist Church, where she sings in the gospel chorus and works diligently to serve the church and community. Her civic and professional affiliations include: Delta Pi Epsilon National Professional Honorary Society for Business Education, Alpha Kappa Alpha Sorority, and the Fort Washington Area Boys and Girls Clubs.

A dedicated family person, she is married to John Gordon and is the mother of three sons, Jeffrard, Jon, and Jason. Mr. Speaker, I congratulate Mrs. Zelmar Stevenson Gordon on her retirement and join her family and friends in saluting her on July 22, 1995, at the Trinidad Baptist Church in Washington, DC.

ATTITUDES TOWARD EDUCATION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, July 12, 1995 into the CONGRESSIONAL RECORD.

HOOSIER ATTITUDES TOWARD EDUCATION

One of the more interesting questions to ask Hoosiers is what they expect from the public schools. My general impression is that Hoosiers have a favorable opinion of public education in their own community, but they have many opinions about improving the quality of education.

Teaching the basics: Hoosier parents strongly support effective teaching of the basics. They want their children to master the essential skills of the ability to read and write English, to do arithmetic, and to have a good basic understanding of science, history and geography.

I find that Hoosiers generally give their local elementary and secondary schools high marks and think very well of the teachers, principals, programs and overall effort. Most parents believe that their children are well prepared for work and higher education.

Employers and college educators do not always agree. They frequently find missing the discipline and dedication to learning, and proficiency in the basic literary and computational skills. They also want to see more emphasis on standards of behavior, such as how to speak and dress properly, and how to be punctual.

I am always impressed by how traditional Hoosiers are in their approach to education. Adults seem to think they got a better education in the basics than children are getting today. They certainly want to see academic standards raised and they believe that schools should hold students accountable for doing their best.

I also find among Hoosiers some discomfort with the new teaching methods that educators often espouse, such as the teaching of English composition by encouraging students to use the written word early and often with less emphasis on spelling and grammar; or the new math which places more emphasis on teaching theories and concepts as opposed to learning by rote.

Discipline and safety: Parents emphasize repeatedly the importance of schools providing a safe and orderly environment in which education takes place. Their biggest concern is the lack of discipline in the local school system and they always put discipline as the most important factor needed for a student to learn along with good teaching.

Parents recognize that providing a safe and orderly environment conducive to learning is a much more difficult task today than it was in their generation. They believe that the schools have to be very tough in emphasizing good habits such as being on time and being disciplined and dependable.

Across the country there is deep concern about drugs and gun violence in the nation's schools. I really do not find much emphasis on that in talking with Hoosiers about Indian schools but there is some concern about gangs, fighting and other disciplinary problems. They certainly do not approve of students bringing drugs or weapons to school.

Traditional values: I have been especially interested in the attitude of Hoosiers toward the teaching of values, morals and character. Parents want public schools to teach values, but they put strong emphasis on tolerance. Hoosiers understand, however, that the best

schools cannot take the place of a strong and loving family.

Parents are quite clear about the values they want taught: honesty, respect for others, solving problems without violence and a heavy emphasis on equality, fairness and getting along with other students. They like the idea that all of us should live together harmoniously and believe schools have to teach values which unite us as a nation, rather than divide us on racial and ethnic lines.

Most seem to favor teaching specific moral values in the classroom, but when it comes to a broad concept of character education Hoosiers seem divided, many of them supporting it but many of them saying it should be left to the parents and the churches.

Federalism issues: Hoosiers favor the longstanding approach of having state and local governments take primary responsibility for elementary and high school education. They believe that decisions on school curricula, administration and organization should be made at the state and local levels, not in Washington. They reject the federal government mandating education goals and standards.

Hoosiers strongly favor federal support for higher education, particularly in providing grants, loans and other federal assistance to students from moderate income families. Many parents tell me of the importance of sending their children to college, but express concerns about the rising costs of a college education. For many families, federal education assistance makes a difference in whether and where a child can go to college.

Conclusion: A strong education system in Indiana and around the country is important for many reasons. It helps boost the productivity of our economy, which means higher living standards for workers and their families. It also means Americans better able to participate in the workings of democracy, and, most importantly, an improvement in the quality of individual lives. One of the best investments our country can make is in education.

I share the priority Hoosier parents give to education. I agree that state and local governments must take the lead on education issues. The federal government can, where appropriate, lend a helping hand, but should focus its main efforts on providing a strong and healthy economy which can free up resources at the state and local level for education programs.

I do not believe Congress should meddle in the educational affairs of the nation's schools. It should not write guidelines for instruction, textbooks or tests, or teacher preparation, or other matters. Congress must be extremely careful that in pushing for national standards it exercise restraint, and not try to direct what is taught, how it is taught, and how it is tested. Schools work best when they are managed by people closest to them.

PERSONAL EXPLANATION

HON. SUE MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mrs. MYRICK. Mr. Speaker, on June 21, 1995, during consideration of H.R. 1854, the Legislative Branch Appropriations Act for fiscal year 1996, I am on record as having voted ''nay'' on rollcall vote No. 402, offered by Representative MICHAEL CASTLE. This amendment addressed funds for Members' official mail expenses, reducing them by $4.6 million. The Castle amendment was offered as a substitute to Representative MARK NEUMANN's amendment, which would have reduced Members' representational allowances by $9.3 million.

I felt Representative NEUMANN's amendment was a more fiscally responsible proposal, as it offered a greater reduction in funding—and did not focus solely on Members' official mail expenses. I, therefore, voted against the Castle substitute, and intended to vote in favor of the Neumann amendment when it was brought up for a rollcall vote.

Unfortunately, a recorded vote was not allowed on Representative NEUMANN's amendment, due to a technical parliamentary procedure and the Chair failed the amendment by a voice vote. Therefore, I would like to state for the record, Mr. Speaker, that had a recorded vote been called for the Neumann amendment—reducing funds in the legislative appropriations bill for Members' representational allowances by $9.3 million—I would have voted ''aye.''

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 1995

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 1977), making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

Mr. CUNNINGHAM. Mr. Chairman, today I rise in opposition to any effort to alter the longstanding ban on offshore oil drilling on the California coast.

As I am sure that you are well aware, the House Appropriations Committee voted on June 27, 1995, by a 33 to 20 margin, to continue a ban on oil and gas drilling operations on the Outer Continental Shelf. The vote reversed an earlier vote by the Appropriations Interior Subcommittee to remove the moratorium, which has been maintained for the last several years as part of the annual Interior Department appropriations bill.

I have been closely following this issue for many years. I have written to Chairman LIVINGSTON, Appropriations, Chairman REGULA, Subcommittee on the Interior, and to Chairman YOUNG, Resources, to maintain the ban. I have tried to encourage members of Appropriations, and whoever would listen to my pleas, to include the ban in their appropriations bill.

I believe that the Congress must operate in accordance with California's interests in this regard. Governor Wilson has made it clear that Californians are in favor of the moratorium. In fact, the State of California recently enacted a permanent ban on all new offshore oil development in State coastal waters. Californians agree that the environmental sensitivities along the entire California coastline make the region an inappropriate place to drill for oil using current technology. The 1989 National Academy of Sciences [NAS] study confirmed that one exploration and drilling on existing leases and on undeveloped leases in the same area would be detrimental to the environment.

The findings of the NAS study encouraged me to introduce legislation on the opening day of this Congress to address the offshore oil drilling issue for California. My bill, H.R. 219, would prohibit the sale of new offshore leases in the southern, central, and northern California planning areas through the year 2005. In other words, H.R. 219 will ensure that there is no drilling or exploration along the California coast unless the most knowledgeable scientists inform us that it is absolutely safe to do so.

Unfortunately, the moratorium, as included in the Interior appropriations bill, is only extended through October 1996. Therefore, I am hopeful that my legislation will allow for the moratorium to be extended on a longer-term basis until environmental and economic concerns can be addressed.

For all these reasons, I commend the committee for including the moratorium and will oppose any effort that would allow for oil and gas drilling on our U.S. shoreline.

COMPREHENSIVE TELECOMMUNICATIONS REFORM

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. GORDON. Mr. Speaker, as we begin debate on comprehensive telecommunications reform, this statement offers a unique perspective on one aspect of the industry.

GOVERNMENT CAN CONTINUE SERVICES WITH PAY-PER-CALL

(By Richard J. Gordon, Chairman, Teleservices Industry Association)

When Abraham Lincoln was President there were no telegraph machines in the White House. To receive reports from his generals on Civil War battlefields, the President had to walk to the building next door. That building housed the federal government's only telegraph equipment, equipment already commonplace to the railroads and a good many private businesses.

Until Herbert Hoover was President, the Oval Office did not have a telephone. By the time there was one on the President's desk, millions already were in heavy use by businesses and private citizens.

American businessmen have long been ahead of their governments in accepting, developing and using the latest technology.

Today, audiotext, already a four-billion-dollar business in the private sector, finally is getting attention in the public sector. Both state and federal government agencies, such as the Occupational Safety and Health Administration, are taking advantage of pay-per-call.

At the Office of Planning and Building in Sacramento, California, citizens can telephone a 900 number, request information by punching in their fax numbers and receive copies of requested documents in about the time it will take the reader to finish this article.

Moreover, to provide information on over one million corporations, New York's Department of State operates a 900 number that costs a caller $4.00 per call. This ''teleservice'' keeps seven people busy answering some 500 calls per day. What once cost the State $250,000 yearly to answer telephone inquiries, now is a faster service whose users bear the costs.

To appreciate the value of teleservices, one only has to visit his local Department of Motor Vehicles, Post Office or wait in line or on ''hold for the next available customer service representative.'' To all for whom time is money, pay-per-call to access government is an attractive and economical option.

It is not a new idea that those most benefiting from government services should pay a charge. For nearly forty years, gasoline taxes and license fees have, in whole or in part, financed state and federal highway systems.

Why do trucks pay higher fees than automobiles? Everyone seems to accept the logic of the answer: they use the highways more and wear them out faster.

It is difficult to determine why it has taken so long for government to serve its ''customers'' with efficient pay-per-call applications.

Perhaps citizens had become too accustomed to free access, free information and even free publications from their governments.

Ironically, we have come to accept that banks and other businesses bill for a myriad of services which were once free-of-charge. Customers now accept that service, and more specifically ''fast'' and ''express'' services, have monetary value.

The Contract with America, passed by the new majority in Congress, cuts the cost of government by reducing services. Deferring costs by requiring users to pay for ''instant'' service may be the only way for some government agencies to justify their continuance.

Another boost to government lethargy has been the bad rap given the 900 industry through its early and nearly-exclusive use as an adult service.

Because of the industry's own determined efforts to protect its services from improper and illegal usage, adult services using 900 numbers virtually have disappeared. Most applications that utilize a 900 number now fall under the category of Business-to-Business Teleservices.

Today, every touch-tone telephone is a miniature market. With access to 800 and 900 numbers, callers can order merchandise, obtain personal bank balances, have their voices heard or their votes tallied, and be talked through astonishingly complete menus for ordering an amazing array of goods and services.

Once again, the private sector has embraced a new technology, enhanced it with countless unique and practical innovations, significantly improved lives and created profits.

Now it is past time for government to assess its own timid samplings, to observe the widespread public uses and applications, and to bring to citizens and taxpayers the efficiencies and economies of broader use of pay-per-call services.

100 BLACK MEN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. THOMPSON. Mr. Speaker, I rise today to congratulate the 100 Black Men of Jackson, MS who hosted the 100 Black Men of America National Convention July 10 through 15, 1995 in Jackson, MS. This organization is a welcome force in the Jackson community. Members volunteer their time and effort to work with economically disadvantaged youths. They visit schools, take students to their place of employment and entertainment events that introduce them to a segment of life that they would not ordinarily get an opportunity to come in contact with. Members of the Jackson, MS chapter include college presidents, a congressman, businessmen, clergymen, doctors, lawyers, and many other professionals.

The national organization was founded in 1976, and strives to improve the quality of life for African-Americans and other minorities. This organization, not only defines problems but attacks them head on. Through its mentoring program, the organization serves as role models for low-income African-American males from single parent households. Many of these youths are becoming first generation college students.

The African-American community is plagued by alarming statistics indicating that 50 percent of U.S. black males drop out of high school and that, more black males are involved with the criminal justice system, either in prison, on probation or parole, than in college. These statistics emphasize the need more than ever for the 100 Black Men.

Please join me in saluting the 100 Black Men of Jackson, MS.

PERSONAL EXPLANATION

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. HASTERT. Mr. Speaker, due to the fact that I was unavoidably detained last evening, I missed the rollcall vote on House Resolution 192, which called for the House Inspector General to complete a more detailed audit of the House. Had I been present on rollcall vote No. 525 I would have voted ''yes.''

TRIBUTE TO ALMENIA STEVENSON WILLIAMS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Mrs. Almenia Stevenson Williams as she celebrates her retirement from Anacostia Senior High School in the District of Columbia.

Mrs. Williams was born in Florence, SC to the late Reverend Leo T. Stevens and Utensile Jackson Stevenson. She was educated in the Florence County public schools and later received her bachelor of science degree in business education from Savannah State College and master of arts degree from the Catholic University of America. She furthered her studies at the University of the District of Columbia, Howard University and Trinity College.

Mrs. Williams began her teaching career in the public schools of Cedartown, GA. In 1966, she began her 29-year career with the District of Columbia public schools, serving at Anacostia Senior High School for the past 16 years. Mrs. Williams' dedication to students is not limited to the confines of classroom instruction. She served as the Student Government sponsor and worked with the Future Business Leaders of America.

In addition to dedicated service to her profession, Mrs. Williams is active in numerous civic and professional organizations including the National Business Education Association, Ladies First Aid Union of Churches, and Alpha Kappa Alpha Sorority. She is also a longtime member of Trinidad Baptist Church, where she is the business manager for the chorus choir and the recording secretary for the nurses unit. Mr. Speaker, I congratulate Mrs. Almenia Stevenson Williams on her retirement and join her family and friends in saluting her on July 22, 1995 at Trinidad Baptist Church.

THE SUPREME COURT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, July 19, 1995 into the CONGRESSIONAL RECORD.

THE SUPREME COURT

The U.S. Supreme Court recently completed its 1994–1995 term. While the subject of the Supreme Court doesn't come up very often in my discussions with Hoosiers, the Court's actions have a significant impact on the lives of all Americans.

This term was marked by the emergence of a strong and unified conservative majority on the Court. The conservatives displayed a desire to reconsider long-settled constitutional principles on everything from race and religion to federalism and privacy. This is a Court with an activist's appetite and reach. It is the political conservatives on the Court who are casting aside precedents and making new law. It is the so-called liberals who are constantly pushing judicial restraint and respect for continuity. The conservatives on the Court who for years have been deploring judicial activism are now judicially very active.

It is premature to say whether this conservative brand of judicial activism will continue in future years. The conservative majority holds a narrow 5–4 edge on the Court, and two of the Justices, O'Connor and Kennedy, appear to be reluctant activists, struggling where possible to find common ground with their more liberal colleagues; and Chief Justice Rehnquist is likely to retire in the near future. Even so, the conservatives are, at least for the time being, making their mark on the Court.

What follows is a summary of the key decisions from this term.

AFFIRMATIVE ACTION

The Court issued several decisions which weaken the legal underpinnings of affirmative action. While all the cases were decided by narrow 5–4 majorities, they reflect a strong aversion to affirmative action programs and will have wide-ranging consequences.

In a case involving a federal highway construction project, the Court held that federal programs designed to benefit minorities are unconstitutional unless they serve a compelling government interest and are narrowly tailored to address past discrimination. The ruling will almost certainly have the effect of curtailing such programs.

In a second case involving the Kansas City school system, the Court ruled that the lower federal courts in Missouri had improperly ordered the state to help pay for a major

school integration plan. The decision underscored the Court's impatience with continued federal court involvement in school desegregation cases.

In a third case involving a Georgia redistricting plan, the Court held that the use of race as a ''predominant factor'' in drawing district lines makes the districts presumptively unconstitutional. Many states, particularly in the South, had created majority-black or hispanic districts in the last round of redistricting in an effort to comply with the federal Voting Rights Act. The Court's decision, however, raises doubts about the constitutionality of most, if not all, of these plans, and may lead to the election of fewer blacks to Congress.

FEDERALISM

The Court also addressed fundamental questions about the distribution of power between states and the federal government. In one case, the Court overturned a federal law banning gun possession within 1000 feet of a school. Congress, in passing the law, had relied on its constitutional powers to regulate interstate commerce. The Court said Congress failed to prove that gun possession at or near schools had enough bearing on interstate commerce to justify federal involvement. The decision marked a striking departure for the Court, which has, for the last 60 years, tended to defer to Congressional judgment in this area. It is uncertain, however, whether the decision signals a broader attack on federal regulation under the Commerce Clause, or merely singles out a poorly drafted law.

In another, closely-watched case, the Court ruled that in the absence of a constitutional amendment, states may not limit the number of terms that members of Congress may serve. The decision had the effect of overturning term-limit measures approved in 23 states. The Court reasoned that the Constitution had clearly set forth the qualifications for service in Congress—age, residency and citizenship—and those qualifications could not be further restricted by the states. The House defeated a term limits amendment earlier this year, but the issue will likely be revisited next year.

OTHER KEY DECISIONS

The Court issued several other groundbreaking decisions this term. In one case, which will certainly have an impact on high schools in Indiana and around the country, the Court held that a school district may require that all students take drug tests as a condition of playing sports. In a victory for environmentalists, the Court held that federal regulators may stop private landowners from developing their property in ways that could destroy the habitat of endangered wildlife species.

Two religion cases opened the door to greater government accommodation of religious speech. First, the Court held that the University of Virginia must provide a financial subsidy to a student religious publication on the same basis as other student publications. This marks the first time the Court has ever approved government funding for a religious activity. Second, the Court ruled the Ku Klux Klan had a free speech right to erect a cross in a state park in Ohio.

CONCLUSION

This Court is engaging in a very fundamental debate on the very nature and source of the legitimacy of the national government. Several of the Justices have said that the federal government exists only to the extent that the states permit it to do so. This Court has a very deep skepticism about federal power.

Conservatives now control the Court, and even the left leaning Justices are hardly in the same camp as Blackmun, Brennan or Marshall. The Clinton appointments, Ginsburg and Breyer, are moderate on economic issues and fairly liberal on social issues. What's missing is a justice who sees the Court as a way to promote social justice. The new left is much more pragmatic than the old left.

Whatever the center of the Court ideologically speaking, it can be said that the present majority is fragile. The replacement of a single justice could make a big difference in the dynamics of the Court.

TRIBUTE TO MIGUEL ANGEL AMADEO

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. SERRANO. Mr. Speaker, today I join the community organization 52 People for Progress, Inc., to do honor to Mr. Miguel Amadeo for his noteworthy musical and public accomplishments. Mr. Amadeo is a dear personal friend and an invaluable member of our South Bronx community.

Better known as Mike, he started his musical career at the age of 16. Since then, he has composed over 200 songs. A humble man, his talent has been shared with various prominent Latino artists such as Johnny Albino, Cuarterto Los Hispanos, Héctor Lavoe, Andy Montanez, Willie Colon, and Celia Cruz, among others.

Besides being a gifted and prolific composer, Mr. Amadeo is also a dedicated member of our South Bronx community. He has been a longtime supporter of the organization 52 People for Progress which aspires to improve the conditions of the community through music, culture, and art. He worked for 40 years serving customers at his record store, Casa Amadeo, in the South Bronx. Indeed, in the late 1970's when businesses were fleeing, Mike stayed, endured and continued to write his songs and serve his loyal clientele.

The music of Miguel Amadeo has enlightened and brought hope to thousands of listeners. His gentle nature has changed the lives of many individuals who have been touched by him. It is not frequent that we find both, musical talent and commitment to the community, in one individual.

Mr. Speaker, I am proud to recognize citizens like Mr. Amadeo, who with their talent, fortitude, diligence, and relentless dedication give back to their community and set an example for others to follow. Today, Mike will receive a well deserved public recognition in the same community theater he helped to build. I ask my colleagues to join me and the South Bronx community in conveying best wishes and deep gratitude to Mr. Miguel Amadeo.

CONGRESS' CONSENT IS NEEDED BY THE HISTORIC CHATTAHOOCHEE COMMISSION

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. EVERETT. Mr. Speaker, today I, along with members of the Alabama and Georgia delegations, rise to introduce a measure on behalf of the Historic Chattahoochee Commission, a State agency of both Alabama and Georgia.

On October 14, 1978, President Carter signed Public Law 95–462 which granted the consent of Congress to the Historic Chattahoochee Compact between the States of Alabama and Georgia. Earlier, both States had passed identical legislation to authorize the creation of this compact for the operation of the Historic Chattahoochee Commission. The Commission, a bi-State heritage tourism agency, serves 11 Georgia and 7 Alabama counties along the lower Chattahoochee River.

At present, the Historic Chattahoochee Commission's board nomination process is cumbersome. The commission's 28 board members—14 from each State—are appointed ''* * * by the historical commission or organization or similar historical body or other designated authority in each of the counties represented by the Commission who shall be bona fide residents and qualified voters of the party states.'' In some counties, there are no historical or preservation groups and organizations. In other countries, there are two or three historical or preservation organizations. County or city governments and even some tourism or commerce organizations have been called upon to nominate board members in counties without historical or preservation groups. This process is often confusing and time consuming. In an effort to resolve this inefficiency, the Historical Chattahoochee Commission's board of directors proposed to amend the interstate compact to simplify the commission's board selection procedures. This legislation seeks to ease this process.

In 1993, the Alabama Legislature approved Act 93–643 and the Georgia General Assembly endorsed Act 326 which amended the Historical Chattahoochee Commission's interstate compact to provide for a different board selection process. This amendment, and the legislation I am introducing today, specifies that

> The Commission shall consist of 28 members who shall be bona fide residents and qualified voters of the party states and counties served by the Commission. Election for vacant seats shall be by majority vote of the voting members of the Commission board at a regularly scheduled meeting.

On August 19, 1993, the Alabama Attorney General's office rendered an opinion that the Historical Chattahoochee Commission,

> * * * cannot use the amended version of the enabling legislation to select new board members until the consent of Congress is given by the amending of Public Law 95–462.

On February 2, 1994, the Georgia Attorney General's office issued an opinion that:

> * * * the Georgia amendment expressly requires that both the Georgia and Alabama amendments of the Historic Chattahoochee Compact be approved by Congress prior to becoming effective. Without such approval, the Commission does not have the authority to act under the Georgia or Alabama amendment.

With this requirement in mind, it is with pleasure that I join with my colleagues Representative BEVILL, Representative BISHOP, Representative BROWDER, Representative CRAMER, and Representative HILLIARD in seeing that the amendment to the Historical Chattahoochee Commission's interstate compact becomes effective. Senator SHELBY has introduced S. 848 in the Senate and he is joined

in support by Senators HEFLIN, COVERDELL, and NUNN.

During the 104th Congress, I look forward to gaining the support of the House in advancing this legislation expeditiously, as it has already been approved by the States of Alabama and Georgia.

SYLACAUGA, AL, HONORS SINGER, ACTOR JIM NABORS AS NATIVE SON

HON. GLEN BROWDER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. BROWDER. Mr. Speaker, Sylacauga, AL, is an exceptionally pleasant, attractive community in the Third District of Alabama, which I have the honor to represent in this House of Representatives. Members of the House may be familiar with the fact that the Capitol contains marble from Sylacauga. So does the U.S. Supreme Court, the Lincoln Memorial and a number of other beautiful buildings across America.

Sylacauga is a small, progressive city with almost 25,000 residents. It has good schools, libraries, museums, parks, churches, and a diversified industrial base—all of the things that would make a person want to call Sylacauga home.

One of the city's best known native sons is Jim Nabors, who will be coming back home to Alabama on July 28. The occasion will be Jim's presentation of the memorabilia from his career in entertainment to the native son collection at Sylacauga's Isabel Anderson Comer Museum.

Jim's collection was assembled during more than 35 years as a singer, actor, and comedian. As many of us remember, Jim appeared for years as the star of ''Gomer Pyle USMC'' and later in the ''Jim Nabors Hour,'' where his remarkable singing ability was featured.

Despite his international fame as a singer and entertainer, Jim has always taken pride in introducing himself to the world as a small town guy ''from Sylacauga, AL.'' Obviously he has not forgotten where he came from and it is equally apparent that Sylacauga has not forgotten him.

In addition to the presentation and reception at the museum, Jim will participate in the grand finale of Sylacauga's outstanding program in commemoration of the 50th anniversary of the end of World War II. He will open the celebration with his popular rendition of the Star Spangled Banner. He also will present awards and certificates of appreciation to veterans of World War II.

I want to take this opportunity to congratulate the city of Sylacauga on this valuable gift of Jim Nabor's memorabilia and to commend Jim for being the kind of person that his hometown is proud to remember.

FOURTH ANNIVERSARY OF UKRAINIAN INDEPENDENCE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. GILMAN. Mr. Speaker, on July 16 I had the privilege of addressing a group of Ukrainian-Americans in Glen Spey, NY, concerning developments in the New Independent State of Ukraine.

In honor of the upcoming fourth anniversary of the independence of Ukraine, I would like to insert some of my remarks into the RECORD at this point for the review of my colleagues.

As we approach the anniversary of Ukrainian independence this August 24, I invite my colleagues to join me in expressing our very best wishes for the success of political and economic reforms in that important European State.

Mr. Speaker the text of my speech follows. I am hopeful that my colleagues may find it of interest.

It is good to be here with some of my good friends from the Ukrainian-American community.

I would like to take a moment to say a few things about Ukraine, now approaching the fourth anniversary of its independence.

The last few years have not been easy ones for the Ukrainian people.

Despite Ukraine's natural weath—particularly in its agricultural resources—it has suffered greatly from its dependence on trade links purposely created by the former communist regime to control Ukraine—and from the physical and psychological residue left in the wake of many decades of communist repression, propaganda and corruption.

By no means, however, can Ukraine be considered as down and out.

As we all well know, Ukraine and its people have weathered far worse times—times of world war, times of civil war, times of mass starvation, and times of fascist and communist dictatorship and atrocities.

I am very confident that, with the help and understanding of its friends—particularly that of the United States—Ukraine will begin to gain its feet and move forward to the long-term prosperity and democracy it richly deserves.

I am more confident of this than ever before, given the strong leadership of Ukrainian President Leonid Kuchma.

Since his election last year, President Kuchma and his government have moved with determination to implement the economic reforms that Ukraine so badly needs.

In closing, let me note how the United States has helped and is continuing to help Ukraine in this difficult time.

We have provided vital assistance to Ukraine to help it begin retraining its military forces and to settle and retrain those of its troops that are demobilized as Ukraine dismantles its soviet-era nuclear missiles.

We have assisted Ukraine in arriving at agreements with Russia concerning Russian compensation for Ukrainian nuclear warheads and concerning Russian energy supplies for Ukraine.

I am also certain that at this time our government is continuing to advise the Ukrainian government on how to arrive at an acceptable agreement with Russia concerning the division and basing of the Soviet-era Black Sea Fleet.

The United States quite frankly played a crucial role in arranging the recent agreement of Ukrainian debt rescheduling.

That agreement helped Ukraine qualify for the billions of dollars in loans and credits it is now receiving from international financial institutions.

Finally, assistance from the United States in support of economic reforms in Ukraine is helping that country in several very important ways.

The United States is helping the Ukrainian government target its limited resources to best help the most needy segments of its population during the transformation to a market-based economy commences.

It is helping train Ukrainian entrepreneurs, bankers, businessmen and students.

The United States is helping transfer state-owned enterprises to private ownership by Ukrainian citizens.

It is helping Ukrainian energy industries to become more efficient and productive.

We are helping the Ukrainian government and the Ukrainian Parliament to better organize themselves and operate in a manner that will fulfill their proper roles in a democratic government.

The United States is helping Ukraine find the means to shut down the dangerous reactors at Chernobyl—and to help the unfortunate victims of radiation poisoning from the 1986 reactor explosion, both in Ukraine and in neighboring Belarus.

Perhaps most important, United States assistance is helping fund programs to explain to the Ukrainian people the changes that are underway and how they will help build a better Ukraine for them and their children.

In closing, let us, as we look to the future, realize that we must continue to work to ensure the stability of Ukraine—because the stability of all of Europe may depend upon it.

In that regard, it makes a great deal of sense for us to continue assisting Ukraine and to work to see that Ukraine takes its rightful place in Europe, particularly with regard to organizations such as the European Union and NATO.

May God Bless America.

And, may God bless peace, democracy, and prosperity for Ukraine.

MISSED VOTE ON HOUSE RESOLUTION 192

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. TIAHRT. Mr. Speaker, due to the fact that I was unavoidably detained last evening, I missed the rollcall vote on House Resolution 192, which called for the House inspector general to complete a more detailed audit of the House, Had I been present on rollcall vote No. 525 I would have voted ''yes.''

LEGISLATIVE ACCOMPLISHMENTS OF THE REPUBLICAN LED CONGRESS

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. PACKARD. Mr. Speaker, I would like to take this opportunity to taut a few of the accomplishments of the 104th Congress. Contrary to the claims of the Democratic Leadership Council that despite all the hype about the Republican revolution, the Republicans have offered very little, the Republican led Congress has ended business as usual in Congress and continues to lead the charge in implementing the changes mandated by the American people last November.

On the first day of the 104th Congress we passed the Congressional Accountability Act so that Congress applied all laws to itself that

it imposes on everyone else. The House then proceeded to eliminate three committees and 25 subcommittees, to cut one-third of committee staff, to implement truth-in-budgeting baseline reform, to limit the terms of the Speaker and the committee and subcommittee chairmen, to ban proxy voting in committee, to open committee meetings to the public and to order first every comprehensive audit of its books.

The House for the first time ever approved a balanced budget amendment. Even though the Senate failed to pass the amendment, the House GOP committed to balance the budget by the year 2002. Six separate bills were passed to undo last year's flawed Clinton crime bill. The House passed a sweeping welfare reform bill that ends welfare as we know it by rewarding the dignity of work and self-respect over illegitimacy, family disintegration, and non contribution to society.

We provided much needed tax fairness to families so they can keep more of their hard earned money. We repealed the unfair Clinton tax hike on Social Security benefits, raised the earning limitations on seniors who work past the age of 65 so they are not punished for staying in the work force and provided tax incentive for long-term care coverage.

The Clean Water Act continues Congress' commitment to the environmental protection of our Nation's waterways while restoring common sense to environmental protection. We have undone Clinton's efforts to hollow out the military and restored some money cut out over the past 2 years to ensure military readiness and modernization. We have eliminated and prioritized our Nation's overseas interests. We continue our commitment by eliminating three Federal agencies and two dozen foreign aid programs.

The rescission package is a first step toward a less costly Government. We cut $16.4 billion in wasteful spending by eliminating unauthorized programs and consolidating duplicative programs. And we slashed our own spending in Congress by $155 million.

Mr. Speaker, I venture to say that in 40 years of Democratic control, the Congress never accomplished as much as the Republican led 104th Congress. I would suggest our friends at the DLC take a closer look at their facts.

UPCOMING INTERNATIONAL CONFERENCE ON WOMEN

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. SMITH of New Jersey. Mr. Speaker, yesterday the Subcommittee on International Operations and Human Rights, which I chair, held a hearing on the upcoming Fourth International Conference on Women, currently scheduled to be held in Beijing later this summer.

Numerous eloquent witnesses called attention to certain features of the draft document that this conference will almost certainly adopt. While there is much that is positive in the document, there is also a systematic denigration of marriage, childrearing, and family. As was pointed out at our hearing by Cecilia Royals of the National Institute of Womanhood, the document disparages a central life experience of 90 percent of the world's women, and attempts to turn women who emphasize family life into a new marginalized class.

I would like to put before my colleagues the testimony of another witness: Diane Knippers, president of the Institute on Religion and Democracy, and cochair of the Ecumenical Coalition on Women and Society [ECWS] Beijing team. Ms. Knipper's testimony offers several reasons for doubting the draft document's effectiveness as a tool for promoting the human rights of women.

TESTIMONY OF DIANE L. KNIPPERS

The adoption of the Universal Declaration on Human Rights in 1948 gave the world a powerful mechanism for holding nations accountable for the basic rights of all persons. Sadly, in recent years we have seen efforts to erode these basic standards as authoritarian governments argue that human rights are not universal, but are culturally relative. But another form of erosion is more subtle, more insidious, and more dangerous. It is the trend toward defining every conceivable social goal as a human right—whether or not these social goals are properly the responsibilities of governments and whether or not they are even obtainable. The result is obvious. When everything is considered a right, finally nothing can be defended as a right.

The Fourth World Conference on Women and its draft Platform for Action offer prime examples of this erosion. The adoption of this platform will undermine the pursuit of basic human rights. Even more troubling, it will also sacrifice efforts on behalf of women whose rights are the most repressed and abused in favor of the controversial social goals of Western gender feminists. This is a tragedy.

Let me cite several examples of the human rights flaws in the draft Platform for Action and the conference itself.

A. The draft Platform's commitment to universality is unsure.

Every reference to universal human rights is bracketed. If this document does not affirm universality it will mark a serious regression in the progress toward human rigths within the international community.

B. The call to address the basic rights of women is blurred and minimized in the draft Platform's context of social engineering and expansive and questionable goals.

Serious abuses of rights of women, even when mentioned in the document, are diminished in the context of grandiose plans for re-engineering society. For example, achieving for all women the basic right to vote and participate in elections is a much more urgent task than working to ensure equality of outcomes such as equal numbers of men and women in all parliaments.

Let me offer examples of abuses of women that are mentioned in the draft Platform, but diminished by the larger context. There is the urgent need to combat prostitution and pornography, particularly involving children. A recent report of a religious group which operates ministries in Thailand to young women who have been forced into prostitution tells of girls as young as 12 sold to brothels. One child said the brothel owner would beat her to make her stop crying while she was ''entertaining'' customers.

Another example is slavery, which has not been eradicated but is still practiced in nations such as Mauritania and Sudan. A recent fact-finding team organized by Christian Solidarity International reports that local officials estimate that some 1,000 women and children have been taken into slavery in the last five years from one Sudanese town alone. Team members met a 14-year-old Sudanese girl who had been kidnapped and sold into slavery when she was seven. Yet the atrocity of human slavery gets only passing mention in the 121-page Platform for Action.

Such blatant and egregious human rights abuses are trivialized in the context of a document that takes on the grandiose aim to redefine gender roles in every society with no reference to biological differences between men and women.

C. The Platform will result in the expansion of the coercive and intrusive powers of governments and international agencies in the lives of individuals and families.

The goals of the draft Platform for Action—particularly (1) defining equality as outcome rather than opportunity and (2) obliterating any distinctive male or female roles—will lead inexorably to the expansion of the coercive power of governments. There is no question that this will contribute to anti-democratic practices. It will also undermine the rights of individuals and families (beginning with the rights of parents to train their own children).

D. Serious human rights abuses, such as religious repression, are ignored.

The most serious omission in the draft Platform is any acknowledgement of freedom of conscience or of religion for women. Throughout the document, religion is cited as a source of repression of women. There is only one brief (and still bracketed) acknowledgement of the spiritual needs of women. But nowhere in 121 pages does the document call for religious freedom for women.

Women should have the right to engage in religious practice, to change their religion, and to propagate their religious faith, particularly to their children. Women who change their religion should be free of the threat of state-imposed divorce or the threat of having their children taken from them. The irony is that this conference on women is being held in a country which currently imprisons women for practicing their faith.

E. Holding the Fourth World Conference on Women in China also serves to undermine international human rights standards.

The Ecumenical Coalition on Women and Society is calling upon the U.S. government to boycott the Beijing women's conference unless two conditions are met. The first is that Harry Wu must be freed from prison. The second is that our government must obtain assurances from the Peoples Republic of China that U.S. citizens and other UN conference participants will enjoy the basic rights of freedom of conscience, freedom of opinion and expression, and freedom of peaceful assembly as guaranteed in the Universal Declaration of Human Rights.

Women in non-governmental organizations going to Beijing are being told that they risk interrogation if they meet in groups of more than five, that they cannot meet in hotel rooms, they can't unfurl banners, they can't take in religious literature, they can't engage in corporate prayer outside a special tent, they can't take unregistered computers or fax machines into hotel rooms. How can we begin to discuss human rights in a climate in which those rights are ignored and abused? It would be unconscionable for the United States to participate in such a sham.

CONCLUSION

Women are brutally denied basic human rights in many parts of the world. Women suffer denial of educational opportunities and property rights, forced abortion and forced sterilization, genital mutilation, prostitution, rape, female infanticide, the threat of execution for apostasy or blasphemy, slavery—the list goes on and on.

The campaign to combat the truly horrible abuses of women is undermined by linking women's rights with highly questionable economic, social, and environmental theories.

The Beijing agenda goes far beyond basic rights for women. The draft Platform claims that peace and development cannot be achieved unless women represent 50 percent of all national and international political and economic agencies. How or why women are uniquely capable of bringing in this utopia is never explained.

The danger of the Beijing women's conference is that it attempts sweeping and unnecessary social change—change that will undermine rather than enhance the rights of women. The draft Platform for Action equals or surpasses the Marxist-Leninist experiment in its ambition. The draft Platform for Action calls for the most intrusive, arrogant, and radical restructuring of the social order in human history—all on the baseless assumption that this will produce a just, prosperous, and peaceful world. I'm convinced of the opposite. It is the road to tyranny and oppression for women and for men.

ENVIRONMENTAL POLICY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, July 5, 1995, into the CONGRESSIONAL RECORD.

ENVIRONMENTAL POLICY

U.S. environmental policy is at a crossroads. On the 25th anniversary of Earth Day, we can take great pride in the advances that have been made in environmental protection. We have succeeded in reducing the levels of lead and other dangerous pollutants from the air. Lakes and rivers once so contaminated they could catch on fire, now support large fish populations. Endangered species like the eagle and the buffalo have been saved from extinction and are now thriving.

The challenge ahead is to build on these successes, but in smarter, more cost-effective ways. The objectives of our environmental laws are almost always worthy: cleaner air; safer drinking water; protection of endangered species and so forth. The issue is whether current laws go about achieving these goals in the most sensible way.

Cleaning up the environment has become much more complicated. At the time of the first Earth Day in 1970, there was a broad consensus that the environment was a mess and that the government had to do something about it. Today that consensus is much less firm. There are competing claims about the environment's condition, strong rivalries within the environmental movement, and active opposition to environmental regulation. Furthermore, the nature of environmental regulation is changing. Whereas in the past government regulators focused on large polluters, such as the local factory, new regulations aim to curb pollution from more diffuse sources, such as runoff from farm lands.

COMMAND AND CONTROL

Most environmental programs are of a ''command and control'' variety. The federal government sets regulations which the public and private sectors must follow. For example, the Clean Air Act mandates how much pollution factories can emit and the Resource Conservation and Recovery Act directs industry to dispose of hazardous waste in a certain manner.

This regulatory approach can be credited with improving environmental quality over the last 25 years. The question now is whether it is the correct approach for the 21st Century. The current regulatory system offers the advantages of uniformity, administrative efficiency, and predictability, but it has drawbacks as well.

First, ''command and control'' can be too inflexible. It takes a one-size-fits-all approach to regulation. For example, the Safe Drinking Water Act requires all localities to test for a broad menu of contaminants even if there is little or no chance that a community's water system has been exposed to certain contaminants. Localities cannot pursue innovative alternatives that could achieve the same level of water quality at lower cost.

Second, the current system can be very expensive. Pollution controls, for example, cost an estimated $26 billion per year. Protecting the environment will cost money—and in many cases, that money is well spent—but I am concerned we are not getting the best return on the dollar. Some programs don't work as well as they should. The Superfund program, for example, was designed to clean up the nation's most hazardous waste sites, but too much funding has been wasted in overhead and litigation costs. Other laws mandate, at great cost, compliance from state and local governments or private enterprises, often without any financial assistance from the federal government.

Third, the ''command and control'' approach can be too complex. Our environmental statutes have evolved into a cumbersome system that tends to over-specify compliance strategies and mandate extensive reporting requirements.

NEW APPROACH

We need to rethink how we regulate the environment. This does not mean repealing current standards, but rather defining a sensible role for the federal government. There continues to be a federal role in protecting the environment. Many environmental problems, such as water and air pollution, cross state and even international borders, and, consequently, demand a national response. Furthermore, most Americans want federal leadership on environmental issues.

I believe the following principles should, where appropriate, guide future environmental policy with the objective of making regulation more flexible, less costly and less complex.

First, we should work to find market-based solutions to environmental problems. Such an approach might entail providing incentives to private business or local governments to meet or exceed environmental standards; or creating a system of marketable pollution permits. Market-driven solutions offer the promise of achieving environmental objectives in a way that is more cost-effective and less disruptive to industry.

Second, we should encourage cooperation between the federal government and the regulated community. Environmental regulation will always involve some tension between the two, but the federal government can take steps to minimize such conflict by working cooperatively with businesses, landowners and other private interests to find solutions.

Third, we should give more discretion to state and local governments in managing environmental problems. The federal government has the expertise to set national standards for environmental protection and compliance strategies. State and local governments, however, are often closer to the problems, and may have better ideas about solving them in innovative, cost-effective ways.

Fourth, we should allocate federal resources to the most pressing environmental problems, particularly in an era of tight federal budgets. Too many federal dollars are wasted on programs of marginal social or economic benefit. Federal agencies should conduct risk assessment, based on scientific evidence, and cost-benefit analysis before implementing new regulations.

CONCLUSION

Protecting the environment today demands something more than the standard regulatory prohibitions. The environmental movement has taught us the responsibility of protecting our own natural heritage. We now must reshape our efforts with a new openness to what works and what does not work in environmental protection.

IN SUPPORT OF SISTER CITIES

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. MORAN. Mr. Speaker, I rise today to express my support for the United States Information Agency and their continued funding of the Sister Cities International Program. The USIA is responsible for our Government's overseas academic and cultural programs. They conduct a variety of activities to promote democratic and free market values and to foster international understanding of U.S. policies. The Sister Cities Program is a vital part of this effort. I am proud to demonstrate my support for this worthwhile cause, and as a former mayor, Alexandria, VA, I am pleased to submit for the RECORD the attached letter from the U.S. Conference of Mayors International Affairs Committee.

SISTER CITIES INTERNATIONAL,
June 17, 1995.

An Open Letter to Congress:

We, the undersigned Mayors of The U.S. Conference of Mayors' International Affairs Committee, urge our elected Representatives and Senators in the United States Congress to preserve important United States Information Agency (USIA) supported programs such as Sister Cities International that enable us to build bridges with communities overseas.

Through programs supported by the USIA, diverse elements from our communities-business, working people, educators, and many individuals and organizations-have forged strong economic and cultural ties with their international counterparts. These vibrant programs have afforded us the opportunity to create people to people relationships which have brought countless contributions to our communities.

The special relationships developed as a result of these international partnerships reap tangible returns for the modest resources that are used to sustain them. Across the United States, substantial construction projects, special trade relationships, provided direct access to foreign markets for American goods and services, and increased tourism are just a few of the ways they have boosted our local economies and enhanced international understanding.

The lives of our citizens and their children, in their homes and in their classrooms, are enriched by interacting with people from our sister cities. It is important for the people of our communities to gain a better understanding of just how interdependent our world is. For some of our citizens this may be the only exposure they will ever receive to people who live in other countries.

We are united in our belief that for many reasons our communities are strengthened when we are internationally engaged. We

call upon you to maintain the modest funding USIA currently receives to support these programs.

Sincerely,

Patricia S. Ticer, Mayor of Alexandria, VA; Jerry E. Abramson, Mayor of Louisville, KY; Cardell Cooper, Mayor of East Orange, NJ; Susan S. Weiner, Mayor of Savannah, GA; Meyera E. Oberndorf, Mayor of Virginia Beach, VA; Leonard M. Creary, Mayor of Lyndhurst, OH; Kane Ditto, Mayor of Jackson, MS; Mike Johanns, Mayor of Lincoln, NB; Mary Rhodes, Mayor of Corpus Christi, TX; Joseph P. Ganim, Mayor of Bridgeport, CT; Saul N. Ramirez, Jr., Mayor of Laredo, TX; Patsy Jo Hilliard, Mayor of East Point, GA; Richard A. Lang, Mayor of Modesto, CA; Raul J. Valdes-Fauli, Mayor of Coral Gables, FL; James S. Whitaker, Mayor of Lynchburg, VA; Jack Geraghty, Mayor of Spokane, WA; Neil G. Giuliano, Mayor of Tempe, AZ; Raul G. Villaronga, Mayor of Killeen, TX; Dennis W. Archer, Mayor of Detroit, MI;

Norm Coleman, Mayor of St. Paul. MN; Gus Morrison, Mayor of Freemont, CA; Dr. William E. Ward, Mayor of Chesapeake, VA; J. Christian Bollwage, Mayor of Elizabeth, NJ; H. Brent Coles, Mayor of Boise, ID; Gerald Wright, Mayor of West Valley City, UT; Martin J. Chavez, Mayor of Albuquerque, NM; Chuck Hazama, Mayor of Rochester, MN; Ann Azari, Mayor of Fort Collins, CO; Martha S. Wood, Mayor of Winston-Salem, NC; Charles V. Smith, Mayor of Westminster, CA; Robert A. Pastrick, Mayor of East Chicago, IN; Lynn F. Pett, Mayor of Murray, UT; Charles A. DeVaney, Mayor Augusta, GA; Peter A. Clavelle, Mayor of Burlington, VT; and Charles E. Box, Mayor of Rockford, IL.

TRIBUTE TO DR. RICHARD C. STEIN, M.D.

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Ms. WOOLSEY. Mr. Speaker, I rise today to pay tribute to Dr. Richard Stein, M.D., who is retiring after more than 32 years of service as an outstanding physician with Kaiser Permanente in San Rafael and Santa Rosa, CA, which are located within the congressional district I am privileged to represent. Dr. Stein was Physician-in-Charge at the Kaiser Permanente Clinic when it came to Santa Rosa in 1980, and since 1989, he has served as Physician-in-Chief. Dr. Stein has been a cornerstone in Kaiser's outstanding record of service here in northern California and, in particular, he has been instrumental in overseeing the provision of quality medical care services for many residents of Sonoma County.

Because Dr. Stein has worked with Kaiser since 1962, he has played an integral role in the development of the innovative health maintenance organization which Kaiser pioneered in our country. I am proud of the leadership that Kaiser has taken in creating a healthcare system that is accessible, affordable, and high quality, and recognize that it takes the vision, courage, and hard work of people like Dr. Stein to make these ideals a reality.

After graduating from the New York University Medical School in 1956, Dr. Stein started his medical career by serving his country as the Chief of Pediatrics for the United States Air Force, 3970th USAF Hospital. In addition to his many years of leadership with Kaiser, Dr. Stein has served on a variety of community and medical association boards and is currently a member of the Sonoma County Medical Association Board.

Mr. Speaker, Dr. Stein is a superb example of the excellence and dedication of our healthcare professionals who have provided our Nation with the best healthcare services in the world. As we celebrate Dr. Stein's 32 years of service to this community, I wish to recognize his commitment to the people of Sonoma County, and to thank him for his long record of service to all of us.

MORTON BAHR: LEADER OF THE AMERICAN LABOR MOVEMENT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. LANTOS. Mr. Speaker, I rise today to pay tribute to one of the outstanding leaders of the American labor movement, as well as a dear friend. Morton Bahr has been extraordinarily influential and effective in fighting to advance the cause of the American worker. For Morty, greater worker empowerment has been a lifelong commitment, a commitment that culminated with this election to the presidency of the Communications Workers of America in an especially demanding period for the communications industry, as well as organized labor.

Morty has made worker training and education programs a top priority in his struggle for a better educated and more productive workforce. Moreoever, he has sought to bridge the gap between management and workers by bring the workers into the decisionmaking arena, contributing, in this way, to the development of a more responsible and efficient labor force.

The globalization of the economy poses a unique challenge to the American economy in general and the American worker in particular. Morty, through his membership in the Executive Committee of the Postal, Telegraph and Telephone International, has managed to represent the interests of the American workers and secure their competitiveness in the world market.

Morty, in addition to being the champion of the C.W.A., has made invaluable contributions to many worthwhile causes. As one of the founders and a cochairman of the ''Jobs with Justice'' community-labor action coalition group, as vice chairman of the United Way Board of Governors and also as an executive committee member of the Democratic National Committee, he has offered service to the economic and political life of the community as a whole.

People have often referred to Morty as one of the most influential leaders in the American labor movement, a designation which is fully accurate and well deserved. I rise today to honor Morty's many wonderful accomplishments and ask my colleagues to join me in extending our heartfelt appreciation for his leadership.

IMPROVEMENT MANAGEMENT OF NATIONAL PARK SERVICE

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. HANSEN. Mr. Speaker, today I am introducing legislation to facilitate improvement management of the National Park Service. The bill I am introducing today amends two separate statutes, the Land and Water Conservation Fund Act and the 1970 Act to Improve the Administration of the National Park System.

The first title of the bill clarifies the existing authority of the National Park Service to make minor boundary revisions. Currently, the National Park Service has some generic authority to make such boundary adjustment ''is an arbitrary one made on a case by case basis.'' In 1991, Congress passed legislation to authorize a 19-acre donation of land to Ocmulgee National Monument. In 1992, the National Park Service accepted a 125-acre donation at Shiloh National Military Park without any legislation. What is needed is legislation to define what is meant by a minor adjustment to ensure consistency and to relieve Congress from spending time on relatively insignificant and noncontroversial legislation.

The second title to this bill authorizes the National Park Service to enter into agreements to provide essential facilities for park administration, visitor use and park employee housing on non-Federal lands. Currently authorities restrict the use of Federal moneys on non-Federal lands and frustrate efforts to initiate partnership projects on adjacent non-Federal lands.

For example, park administrative and visitor center locations may often make better sense and serve the public better on non-Federal lands. These locations open opportunities for partnerships, such as the recent proposal at Rocky Mountain National Park to provide a visitor center on private land next to the park at no construction cost to the Federal Government.

I urge my colleagues to support both of these good government measures to improve the management of the National Park System.

TRIBUTE TO THE JANE DOUGLAS CHAPTER OF THE NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION'S CONSTITUTION WEEK

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to commend the Jane Douglas Chapter of the National Society, Daughters of the American Revolution for designating September 17 through 23 as Constitution Week.

Constitution Week commemorates the 208th anniversary of the drafting of the Constitution of the United States of America.

The Daughters of the American Revolution understand the importance of the provisions and principles contained in the Constitution.

Recognition of this historic event is an opportunity for all Americans to realize the achievements of the Framers of the Constitution and the rights, privileges, and responsibilities it affords.

Again, I commend the Jane Douglas Chapter of the National Society, Daughters of the American Revolution, for its genuine effort in urging all our citizens to reflect during Constitution Week on the many benefits of our Federal Constitution and American citizenship.

TRIBUTE TO CHICAGO RIDGE MAYOR, EUGENE L. SIEGEL

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to Mr. Eugene L. Siegel, an outstanding public leader and resident of the third Congressional District in Illinois. Gene Siegel has dedicated 20 years of public service to the community of Chicago Ridge.

Mr. Siegel began his political career in 1963 when he was appointed as the deputy coroner for the Cook County Coroner's Office. After serving in that position for 8 years, Gene accepted another appointment as the assistant chief to the Cook County Sheriff's Office. In 1987, he accepted yet another appointment as administrative assistant to the State Treasurer's Office. Mayor Siegel was also a member of the Cook County Criminal Justice Commission for 6 years; one of two mayors in all of Cook County serving in that capacity. He is also a past associate of the Crisis Center for South Suburbia.

In 1975, Gene was elected as part-time mayor of Chicago Ridge to fill an unexpired term. He was re-elected in 1977, 1981, 1985, 1989, and in 1993, was elected as a full-time mayor. At the present time, Mayor Siegel is serving as vice-chairman of the Southwest Council of Mayors, and is the legislative chairman for the Southwest Conference of Local Government. Also, he is serving as vice-president and a member of the board of directors for the Illinois Municipal League. He is a member of the Midway Airport Task Force and a member of the Cook County advisory board on community development block grant applications.

So far, during his tenure as mayor, Mayor Siegel has accomplished a tremendous amount on behalf of the residents of Chicago Ridge. Gene created a solvent tax base by instrumenting the development of the Chicago Ridge Mall in 1981, and the Commons of Chicago Ridge in 1988. These developments allow his administration to hold the line on property owner's taxes and still permit such village improvements as the improvement of Ridgeland Avenue to establish commercial land use and the installation of an adequate water system with a two-million-gallon reservoir and a pumping station. The mayor has worked diligently to make Chicago Ridge a beautiful and safe place to live and raise a family. Under his administration, countless streets have been paved with storm sewers, curbs, gutters, and modern street lighting and traffic signals have been installed at hazardous intersections. Presently, the mayor is working on development projects that include the Industrial Park, a 130 acre parcel of property, and the Chicago Ridge Commons TIF Extension.

Mayor Siegel is a dedicated public servant who has worked to build a genuine community feeling in Chicago Ridge. Throughout his 20 years as mayor, Gene has maintained an open door policy for all his constituents and employees. Also, he and his wife have been residents of Chicago Ridge for 39 years.

I ask my colleagues to join the residents of Chicago Ridge and myself in expressing our gratitude to Mayor Siegel for his many years of devotion to public service. I look forward to working with Mayor Siegel for many more years to come.

THE QUEEN MARY: FROM MAJESTIC PASSENGER LINER TO GALLANT TROOPSHIP OF THE SECOND WORLD WAR

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. HORN. Mr. Speaker, as the our Nation honors those whose sacrifices and dedication brought an end to the Second World War, we must also include the *Queen Mary*. Just as devoted as those who carried rifles in combat or wore riveters' masks on the home front, the *Queen Mary* sailed above and beyond the call of duty with her wartime assignment. Her combat troopship uniform of camouflage gray paint may have temporarily hidden her normally glamorous fittings, but she—because those who toiled above and below her decks—had a heart and soul that showed through that dull exterior and served as a beacon of hope and inspiration in those dark days.

It is a privilege to join with those who are honoring the *Queen Mary* for her wartime service. I have included a detailed history of her wartime activities in the CONGRESSIONAL RECORD so that generations to come may know of her contributions in the fight to preserve freedom. May she continue to serve an inspiration to us all.

THE QUEEN MARY: FROM MAJESTIC PASSENGER LINER TO GALLANT TROOPSHIP OF THE SECOND WORLD WAR

THE LAUNCHING OF THE QUEEN MARY

In May of 1930, Britain's Cunard Steamship Company awarded John Brown and Company of Clydebank, Scotland, the task of constructing what was being hailed as the ''ultimate ship.'' Less than a year later, production was stopped due to Cunard's financial hardships. With the help of the British Government and some creative financing, John Brown and Company was able to continue production on the Cunard ship, and the Royal Mail Steamer, christened the Queen Mary, was launched at Clydebank on September 26, 1934.

It would be another 18 months before she would make her first transatlantic voyage. During that period workers labored night and day to install engines, fittings and the furnishings that would ensure the Queen Mary's reign as the world's ultimate passenger liner. When the ship set out on her maiden voyage from Southampton on May 27, 1936, she was a floating resort boasting five dining areas and lounges, two cocktail bars and swimming pools, a grand ballroom, a squash court and a small, but well equipped hospital. She carried some of the world's most rich and famous passengers, from the Duke and Duchess of Windsor to many of Hollywood's screen idols. She was considered by the elite as the only civilized way to travel.

THE TRANSFORMATION INTO TROOPSHIP

When she docked in New York Harbor in September of 1939, the civilian passengers she carried would be her last for years to come. With the outbreak of the Second World War, the Queen Mary was called up for duty.

To transform her into a troopship, she was stripped of her signature Cunard red, black and white and slapped with a coat of camouflage gray. Placed in storage, along the Hudson River, were her finer amenities including several miles of plush carpeting, expensive art deco furnishings, and more than 200 cases of crystal, china and silverware. The luxuries were replaced by an underwater sound detection system, a single four-inch gun, a mine sweeping protective system, and a degaussing girdle meant to neutralize magnetic mines. More than 2,000 stateroom doors were removed in order to install tiers of wooden bunks and rows of canvas hammocks. Once posh shops and boutiques were now the site of military offices.

Future refits would include the installation of several thousand standing room bunks to the ship's Promenade Deck, first-class swimming pool, and ladies' drawing room. Additional toilet facilities would be added as well as storage areas to house the several hundred tons of food and water that would be consumed by the many troops. Enhancements to the armament and the anti-aircraft defenses. Included a 40mm cannon, a 24 single-barrel 20mm cannon, six three-inch high/low angle guns and four sets of two-inch rocket launchers.

Any trace of elegance, except her graceful silhouette, had vanished.

THE GRAY GHOST ERA

The Queen Mary was the largest and fastest troopship to sail, capable of transporting as many as 16,000 troops at a speed of 30 knots. Even Adolf Hitler couldn't stop her, despite his offer of $250,000 and the Iron Cross to any U-Boat captain that could sink her. During the war, The Grey Ghost would encounter several close calls with the enemy, however, she would always manage to outwit the combined military intelligence of Germany, Italy and Japan.

After the United States entered the war near the end of 1941, the Queen Mary—now fondly referred to as The Grey Ghost—began transporting American troops. On August 1, she successfully carried a record number of 16,000 troops and crew across the Atlantic, but her second trip of similar proportions would not be so fortunate. On September 27, 1941, The Grey Ghost left New York Harbor bound for the United Kingdom. Five days later she was nearing Scotland when the bridge watch sighted the British cruiser H.M.S. Curacao, a 4,200-ton veteran of the First World War. It was now being used as an anti-aircraft escort ship. The Grey Ghost's Senior First Officer became increasingly concerned about the Curacao's proximity and ordered that the Queen Mary turn slightly away from the approaching ship. In a split second, the massive troopship sliced the smaller vessel in half. The Grey Ghost was ordered not to stop for any reason and she carried on despite the disaster. She sustained sizable damage to her stem, while the Curacao sank rapidly. Of the 439 aboard the Curacao, only 101 men survived.

In June of 1943, The Grey Ghost began her duty as a GI shuttle, making transatlantic crossings on a schedule that resembled her pre-war party days. The six day GI ''shuttle'' had thousands of men passing time playing

card and dice games, watching nightly films or reading books. Those with more religious ties spent time in the ship's Protestant, Catholic or Jewish chapels. Daily lifeboat and abandon ship drills also made the monotomy more bearable, and some units occupied their time with training lectures and exercise. Eating and sleeping schedules were rotated in order to accomodate the troops. The elegant First-Class Dining Room became a 24-hour mess hall.

The Grey Ghost also served as a means of transporting prisoners, patients and ''very important passengers.'' Her most notable wartime passenger was British Prime Minister Wintson Churchill. Churchill and his entourage of government officials were housed in staterooms outfitted with the trademark Cunard luxuries. Instead of having to stomach such wartime staples as chipped beef on toast. Churchill and his staff savored such specialties as macaroni Bolognaise. Navarin of Lamb and Corn Ox Tongue. Cigars and dinner mints, displayed on silver trays bearing Churchill's family coat of arms, were passed butler-style for all to enjoy. Despite the indulgence. Churchill and his staff maintained a grueling schedule aboard. Plans were orchestrated for an allied invasion; aerial offensives against Hitler were worked through, and many other strategies were in place before the ship reached its destination.

THE END OF THE WAR

On May 7, 1945, Nazi Germany surrendered ending the Second World War in Europe and in August, Japan would be forced to do the same. Almost immediately, The Grey Ghost began transporting American soldiers home. As the ship approached New York Harbor, troops swarmed the upper decks to get their first glimpse of the Statue of Liberty. Within two months, the troopship had returned more than 31,000 American soldiers to their native land, and the numbers would increase dramatically as similar voyages were made.

The ship's final tour of duty was one of her most pleasant, ''Operation Diaper'' was announced in January 1946, and more than 66,000 women and children were to be transported to their new homes in America and Canada. Before she could begin her ''Bride and Baby'' voyages, the ship had to be demilitarized in order to comfortably accommodate the women and children. Each of the staterooms was equipped with six comfortable beds—compared to the 12 to 16 standing room bunks occupied by the troops. Additional cabins, which would house expectant mothers, were installed with call bells connected to the ship's hospital. The functional mess halls—designed to move the troops in and out—were restored to relaxing dining areas complete with starched linens, china, crystal and silverware. The ocean liner was also given a clean sweep from stem to stem as engines, boilers and steering equipment were examined. Although her exterior was still painted a dull gray, the ship took on an air of elegance as she prepared for yet another historic voyage.

In February of 1946, the Queen Mary joined the ''Bride and Baby'' fleet and traveled from Southampton to New York in just five days. The war brides enjoyed an array of lectures, classes and social gatherings such as cooking and sewing classes; English language lessons; afternoon teas; bingo games and dancing lessons. The Queen Mary traveled more than 31,000 miles and transported more than 12,000 war brides and their children to America before embarking on several ''Bride and Baby'' voyages to Canada. Overall, the Queen Mary safely transported nearly 25 percent of all service dependents brought from Europe following the end of the war.

THE LEGEND

After transporting more than 800,000 troops, traveling 600,000 miles and playing a major role in virtually every Allied campaign, the Queen Mary retired from her 79-month military career. In the course of her duties, the Queen Mary had become a shipping pioneer. She was the first to carry 10,000 people at one time, the first to transport an entire American military division in a single crossing, and the first and only ship to ever carry 16,500 persons on a single voyage. The Queen Mary was constantly hunted by the enemy, but was never attacked. She never had to fire her guns in anger and never lost a single passenger to enemy action.

FLEXIBILITY FOR SCHOOLS TO MEET THE DIETARY GUIDELINES

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. GOODLING. Mr. Speaker, last year the Congress enacted changes to the National School Lunch Program and required schools to meet the Dietary Guidelines for Americans under the school lunch and breakfast programs.

Schools were allowed to use nutrient-based menu planning, assisted nutrient-based menu planning or a food-based menu system—which was the only method of menu planning used under prior law—as long as they met the dietary guidelines.

On Tuesday, June 13, 1995, the Department of Education published their final regulation on the School Meal Initiatives for Healthy Americans.

Schools throughout the Nation are concerned about the implementation of these final regulations. Of special concern are changes to the food-based menu system which will add from 10 cents to 17 cents to the cost of school meals. The reason for the increased cost is the requirement to add additional servings of grains, bread, and fruits and vegetables. Even schools currently meeting the dietary guidelines under the previous food-based menu plan would have to enact such changes. Estimates are that this will add $550 million per year to school costs—just for food. The alternative would be to use the nutrient standard menu plan, which would require schools to make a significant investment in computer hardware and require extensive training and technical assistance to implement the new software and procedures associated with this plan.

The legislation introduced today, will continue to require schools to meet the Dietary Guidelines for Americans. However, it will permit schools to use any reasonable approach to meet the dietary guidelines, including nutrient-based menu planning, assisted nutrient-based menu planning or a food-based menu system contained in the regulations issued by the Department. This legislation will neither negate or postpone the requirement that schools implement the Dietary Guidelines for Americans as currently required by law.

This is sound policy and reflects my support for providing students with healthy meals which both meet the dietary guidelines and which provide schools broad flexibility in designing menus which appeal to students.

ELECTIONS IN ARMENIA—REPORT OF OBSERVERS

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 1995

Mr. RADANOVICH. Mr. Speaker, earlier this month, the Republic of Armenia held national elections. The country's citizens were called to the polls to decide both who would serve in their National Assembly and whether they would adopt a new constitution.

Because this was Armenia's first post-Soviet election for these purposes—a president was democratically-elected in 1991—there was widespread international interest. Additionally, controversy occurred in electoral preliminaries that prompted a widespread wish that the process be internationally monitored.

At the request of the Armenian Embassy, I was invited to join as an observer. Although commitments in my own schedule precluded personal participation, two members of my senior staff agreed to my request that they take part.

My decision to be so represented in the Armenian electoral process had a particular basis in my constituency. California's San Joaquin Valley, and especially the community of Fresno, much of which I represent, is the home of many American citizens whose forebears came to this land from Armenia. Thus, the term, ''diaspora,'' is heard to define the settlement of Armenians in the 19th Congressional District and other parts of America.

The report prepared by my staff members, Mr. Speaker, I believe is worth of being examined by our colleagues, and I ask that it be entered in the Congressional Record accordingly. In doing so, I also want to add my appreciation to the individuals and institutions that their report notes afforded assistance in conducting their mission.

Finally, I wish to offer special thanks to the Lincy Foundation for covering the costs of travel and lodging for my staff members. By doing so, as is permitted by House ethics rules, the Foundation made it possible for an important international undertaking to go forward without its having to be a burden on the public purse.

REPORT TO THE CONGRESSMAN

(By Will Dwyer II, Counsel and Steve Samuelian, District Director)

INTRODUCTION

The maxim that the past is prologue certainly helps an understanding of modern Armenia.

More than two millennia ago, the then kingdom of Armenia controlled an empire that stretched from the Mediterranean to the Caucasus. But, it fell first under the Byzantine Empire, followed by the Muslim Turks, then the Mongols, the Ottomans, and the Soviets.

Subordination to and maltreatment by foreign powers produced an intense national sensibility. Indeed, the Armenian-American author, playwright, and novelist William Saroyan (born in Fresno in 1908) captured that consciousness in perhaps his most famous quotation about his ancestors, ''When two of them meet anywhere in the world, see if they will not create a new Armenia.''

In this century, Armenia and her people have been put to tortured tests. An estimated 1,750,000 Armenians were massacred or deported by the Turks in and around 1915.

With the fall of the Ottoman Empire, Armenia was briefly independent from 1918 until it was occupied by the Red Army in 1920, ultimately being incorporated into the USSR in 1936.

The so-called ''glasnost'' or openness policy that was adopted by the Soviet Union in the mid-1980s saw Armenian national identity reawakened. A declaration of independence was made in August 1990 but it was ignored by Moscow.

Armenia boycotted the March 1991 USSR referendum on the preservation of the Soviet Union, and held its own referendum in September 1991. After 94% of the Armenian people voted for secession from the USSR, independence was formally proclaimed.

By March 1992, Armenia had joined the new Commonwealth of Independent States, been accorded diplomatic recognition by the USA, been admitted into the Conference on Security and Cooperation in Europe (OSCE), and become a member of the United Nations.

What democracy has added to Armenia, two neighboring countries and nature, itself, have been busy subtracting.

Energy supplies and raw materials do not flow readily into Armenia because its traditional foe Turkey imposes a border blockade on the west as does Azerbaijan on the east. Those embargoes aggravate the national need to rebuild from an earthquake that hit Armenia on December 7, 1988, destroying 48 villages, and leaving 25,000 people dead and more than half a million homeless.

The Armenian conflict with Azerbaijan is rooted in many centuries of Christian Armenian and Shiite Muslin Azeri enmity over Nagorno-Krarabakh, an autonomous region in southwestern Azerbaijan. Eighty percent of the enclave's total population of 193,000 are ethnic Armenians.

Since 1988, Nagorno-Karabakh has been in rebellion against the Republic of Azerbaijan. The conflict has claimed more than 15,000 lives and left an estimated 1 million people homeless. In 1994, Azerbaijan allowed Russian troops into its territory to help bring an end to the fighting.

THE ELECTION

Against this backdrop of history, culture, and economic tribulation, the adult (18 and older) members of the 3.6 million Armenian population, a third of whom live in the ancient capital city of Yerevan, were called to the 1,590 polling places of this landlocked, Maryland-sized country on July 5, 1995. (The official number of eligible voters was stated to be 2,189,804.)

Voters made their decisions on three ballots:

1. A referendum ballot regarding adoption or rejection of the Constitution (adoption requires a simple majority as long as the votes in favor equal at least one-third of all listed voters).

2. A candidate ballot on the ''majoritarian'' system providing for the election on 150 National Assembly Deputies (one candidate is elected in each district provided he or she receives a majority of the votes cast in the district and the total votes received is at least 25 percent of the total votes cast).

3. A bloc ballot for political public organization on the ''proportional'' system providing for the country-wide election of 40 additional National Assembly Deputies (votes are cast not for individuals but for a political party that has selected a list of candidates to fill any seats won by it, based on a percentage share of all votes cast as long as their bloc receives a minimum of five percent).

Post-election reports by the Armenian government relate that ''an estimated 65 percent of the eligible voters cast ballots for about 1,500 candidates who were campaigning for 150 majoritarian seats of the 190-seat parliament.'' Preliminary figures indicate the pro-government Hanrapetutiun (Republic) bloc gained ''a clear majority'' of the parliamentary seats. The same reports also say that the Constitution was favored by 68 percent of the voters, assuring its adoption.

The fairness and freeness of Armenia's election are likely to be debate sources for some time to come. There is little doubt that during the run-up to Election Day, the banning of a leading opposition party, closing of the newspapers, the disqualification of several of the opposition parties, and other deprivations of human rights raised serious questions about fair play.

In addition, we share a concern that even if the government has evidence of wrongdoing on the part of several Dashnak party leaders (as the government claims) that may not be sufficient justification for banning the entire party from participation in elections. It certainly is not justification for the closing of several newspapers, many of which were not even Dashnak, but the newspapers of other opposition parties that are not included in the government's allegations. It also needs noting that one of the newspapers closed is the undisputed leading newspaper in the Republic of Armenia with the most circulation and readers.

Where one observed actual balloting played a part in judging how well or poorly the system functioned. At some of the precincts we monitored, voting seemed to proceed smoothly. At others, objections were heard over procedural shortcomings in polling place practices. For example, Steve was witness to posters on the doors of several polling stations urging a ''yes'' vote on the government supported constitution.

We believe that general unfamiliarity with conducting elections contributed to difficulties of a mechanical kind. We also are of the view that lack of training and organization contributed to the election-day problems.

We share the concern issued by the U.S. State Department on January 18 about the pre-election closing of newspapers and banning of parties. Furthermore, we share the concern that many international organizations have expressed that the jailed opposition party leaders have been held for over six months without any evidence being brought forth by the government. As well, the fact that the prisoners have not been allowed visits by their lawyers or family members is a cause for concern. These actions do not seem to accord with democratic principles of due process.

Let it also be said that we recognize that Armenia is a young nation and that its current government faces difficult circumstances that include two unjust blockades and an economy that has been burdened for over seventy years with socialist policies. In addition, the tradition of closed elections in Armenia makes it difficult for the Armenian government to immediately and instantly make Armenia a Western U.S.-style democracy. The government has made some notable progress on economic reforms towards private property ownership and a market economy; it deserves recognition for these achievements.

Our observer work leads both of us to endorse, without reservation or condition, the content of the two-page press release issued by the OSCE Parliamentary Assembly delegation in the wake of the election. We also are aware that many of the monitors with whom the two of us collaborated during our Armenian activity also accept this statement as constituting an objective evaluation worthy of broad appropriation. To that end, we incorporate it in our report hereat:

[Press Release 6–7–95]

OSCE PARLIAMENTARY ASSEMBLY

PARALIAMENTARY ELECTIONS IN ARMENIA

A delegation of the OSCE Parliamentary Assembly monitored the parliamentary elections in Armenia on 5 July 1995 at the invitation of the Supreme Council of the Republic of Armenia. The Delegation, which was led by Annette Just, Member of the Parliament of Denmark, included 13 parliamentarians from eight countries and four members from the International Secretariat. Countries represented in the delegation include: the Czech Republic, Denmark, Estonia, Finland, Greece, the Netherlands, Romania and Sweden.

During their visit to Armenia, the OSCE Parliamentary Assembly delegation met with representatives from registered and unregistered political parties, the mass media, the Chairman of the Central Electoral Commission, the President of the Supreme Council, the President of Armenia, the Chairman of the Supreme Court, the Minister of Foreign Affairs, members of national minority groups, and non-governmental organizations.

On election day, members of the Delegation visited 15 administrative regions of Armenia, including Yerevan, and 60 polling stations, including their opening and closings.

The Delegation congratulates the government of Armenia for holding its first multiparty elections and recognizes this effort as a first and vital step towards democratic development. The Delegation also strongly encourages the citizenry of Armenia to participate in any subsequent rounds of voting that may be necessary to seat the new Parliament. In order for Armenia to take further steps in the democratization process, the OSCE Parliamentary Assembly delegation believes it is vital for the population of the republic to continue to participate fully and peacefully in all aspects of the electoral process. If election results or procedures are disputed, they must be protested through the appropriate legal channels and exhausted in the appeals process.

It is the opinion of the OSCE Parliamentary Assembly delegation that a lack of democratic traditions (both in governmental bodies and in the politically active population) in Armenia may have caused some difficulties in the electoral process in the republic. However, these were not determined to be the sole reason for all of the problems which were observed. The delegation considers that the elections, while generally well run in terms of procedures on the day of the elections, were also seriously marred by other pre-election conditions. Therefore, the delegation believes that the elections may only be considered by international standards as generally free but not fair.

The government is to be commended for allowing large numbers of domestic monitors to be an integral part of the election process. Inviting international monitors to observe elections is also an important step in opening up the electoral process. The following areas were highlighted as significant problems by Delegation members calling into question the fairness of the overall process (particularly in the pre-election period):

(1) Level Playing Field—(a) A six—month ban on the activities of an entire political party (as opposed to individuals accused of crimes) resulted in the removal of a major opposition voice from the elections process.

(b) A significant number of accusations of violence and intimidation against independent candidates (to encourage their withdrawal from the election) were heard by the delegation from a sufficient number of sources to raise reasonable speculation that such instances occurred.

(2) Election Law and Implementation—(a) The system to resolve complaints and grievances within the time required was insufficient to address the large number of appeals that were made. This potentially precluded some candidates from participating in the elections.

(3) Election Management & Conduct—(a) A lack of standardized procedures and training of local polling station workers resulted in disparities in conditions between polling sites. Although this may not have been intentional on the part of authorities, it belied the fact that apparently no effort was made to educate officials on correct procedures for democratic elections.

(b) Voter lists appeared to be grossly outdated and included large numbers of voters who no longer reside in those districts.

(4) Voter Information, Media Access & Coverage—(a) Although technical problems and a lack of media sources exist in Armenia, insufficient press coverage resulted in significantly large numbers of voters not knowing anything about candidates, platforms, or referendum issues.

(b) The heavy involvement of the executive branch of government, through the broadcasting and distribution of biased information to voters and displayed at polling sites, greatly overshadowed opposition points on view regarding the referendum and the campaign.

The Delegation wishes to note that although procedural and technical violations were witnessed in some polling stations, this generally appeared to be due to poor organization by local officials. Proper procedures at polling stations were observed to be more the rule than the exception. Adherence to the one-man one-vote principle was generally observed, as was the sanctity of the secret ballot. The Delegation also wishes to emphasize that a multiple number of parties and points of view were represented in the election and there appeared to be a definite choice between candidates. This combination of circumstances allowed for generally free election activity on July 5. Pre-election flaws, however, marred overall election fairness.

Although the conduct of the elections and referendum in Armenia was not perfect, the Delegation urges the Armenian population to continue to strive for the republic's future democratic development through continued high turnouts in subsequent run-off elections.

The Delegation will immediately send its initial findings to the Annual Session of the OSCE Parliamentary Assembly, currently meeting in Ottawa, Canada, and will present its final report to the subsequent Annual Session of the OSCE Parliamentary Assembly in Stockholm, Sweden, scheduled for July 2–6, 1996.

Further information can be obtained from Mr. Eric Rudenshiold, Program Director of the OSCE Parliamentary Assembly: Raadhusstraede 1, 1466-Copenhagen K, Tel +45 3332 9400, Fax +45 3332 5505

Congressman, it was an honor to represent you and your constituent interest in officially observing the recent Armenian elections. Thank you for permitting us the opportunity.

In closing, we add our appreciation to:

The Lincy Foundation for its generosity in making our mission possible without cost to American taxpayers, especially Jim Aljian for handling details superbly.

The Armenian Assembly of America, especially Tim Jemal of its Washington office and Edith Khachatourian and her staff in Yerevan for visit logistics.

The Armenia National Committee of America, especially Chris Hekimian, its Governmental Affairs Director, for so helpfully preparing us with information.

The Embassy of the Republic of Armenia, especially Ambassador Rouben Shugarian and First Secretary Tigran Martirossian for visa and related help.

The Armenian Technology Group (ATG), especially Executive Director Varoujan Der Simonian of Fresno and Chairman Dr. Arthur O. Hazarabedian of Lafayette, California for effective examples of assistance.

The American Embassy in Yerevan, especially Ambassador Harry J. Gilmore, Deputy Chief of Mission Ted Nist, and USAID Representative (Caucasus Regional Office) Fred E. Winch for hospitality and briefings.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

SPEECH OF

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes:

Mr. GUNDERSON. Mr. Chairman, my amendment would restrict the Corps from using funds appropriated under this bill to study the capacity needs of the Mississippi River above Lock and Dam 14 in the vicinity of Moline, IL, and Bettendorf, IA. The amendment explicitly protects the Corps' environmental baseline studies required to comply with the National Environmental Policy Act.

The Gunderson amendment is necessary because the resources required to improve the lock and dam system will be available only for those locks and dams that are insufficient to handle increasing commercial barge traffic. For that reason, we must limit the resources appropriated under this bill to those locks where navigation improvements are most needed.

The Upper Mississippi River System is extremely rare among large rivers. It is a vital navigation channel and its five refuges provide vital habitats for fish and waterfowl of all types. Recreation on the upper river yields $1.2 billion annually in economic benefits. For these reasons, Congress has recognized the Upper Mississippi as a dual-purpose waterway: a nationally significant ecosystem and a significant commercial navigation system.

Congress authorized the current 9 foot navigation channel and system of locks and dams in 1930. The system has flourished ever since, and today the Upper Mississippi System includes 37 locks and dams and over 360 terminals. The navigation system carries a large portion of this Nation's coal and corn—over half the corn exported from this country is shipped via the Upper Mississippi River by barge.

Gradual increases in commercial barge traffic, especially in the last 30 years, have strained the lock and dam system on the lower portion of the Upper Mississippi River. Cargo transported on the Upper Mississippi has increased from about 27 million tons in 1960 to 91 million tons in 1990—about a 340-percent increase. Because many of the locks were designed to handle only a fraction of this traffic, backlogs on the lower locks have formed. Much of this is due to the confluence of several large rivers below Lock and Dam 20—the Missouri River, the Illinois Waterway, and the Upper Mississippi.

Evidence of the delays on the lower locks has begun to mount. In a November 1994 newspaper article, the Corps indicated that there is a bottleneck at four or five locks just above St. Louis. Barges delayed because of heavy traffic cost consumers, farmers and businesses a great deal of money. In 1992, tows at the Upper Mississippi River locks 20 through 25 were delayed a total of 87,000 hours at a cost of $35 million.

Mr. Chairman, the Corps began the Upper Mississippi River-Illinois Waterway System Navigation Study in 1993 to assess the need for expansion at all 37 locks in the system. In addition, the study is designed to determine the potential impacts on the river, navigation, the economy and the environment and to prioritize infrastructure improvements over a 50-year time frame. Although I agree with the need to assess the needs for additional investment on a system-wide basis, Mr. Chairman, the fiscal realities are that no significant lock and dam improvements will be done above Lock and Dam 14. In fact, the Corps itself does not foresee any major improvement projects in that area before the year 2050.

At a time when the Congress is trying to balance the budge in 7 years, we must insist that the money we do allocate is used efficiently. Locks 1 through 14 on the Upper Mississippi have the lowest proportion of traffic, so substantial navigation improvements are not a high priority in that area. My amendment would recognize this need by restricting the Corps' navigation study to the lock and dam system below Lock and Dam 14 near Moline, Illinois. However, the amendment specifically allows the Corps to fulfill its responsibilities for conducting baseline environmental studies under the National Environmental Policy Act, and for determining the economic impacts of projects on the lower portion, if such impacts can reasonably be foreseen above Lock and Dam 14.

Substantial improvements on the first 14 locks on the Upper Mississippi River will not be funded in the next 50 years because the Inland Waterway Trust Fund does not have sufficient funds to pay for such improvements. Improvements on the inland navigation system, including on the Mississippi River, are funded 50 percent by the Federal Government and 50 percent by the inland Waterway Trust Fund. The commercial navigation industry supports the trust fund through a fuel tax.

Assuming a current rate of increase, the trust fund will not even be able to support major improvements to the most heavily congested locks on the upper river, let alone locks 1 through 14. In fiscal year 1994, the trust fund had a net increase—receipts minus appropriations—of $21 million; in fiscal year 1995, the trust fund had a net increase of $43 million. Assuming a net increase of $50 million a year, and not considering other construction projects undertaken by the Corps—for example, Ohio River improvements, by the year 2025, the Inland Waterway Trust Fund would only contain approximately $1.8 billion. The cost of building a new lock, by Corps estimates, is $350 million. Given that, construction of six new 1200 foot locks in the most congested areas of the river would cost as much as $2.1 billion in fiscal year 1995). The trust

fund's 50-percent share would be enough only to cover the required projects if the Corps did not undertake navigation projects on any other river.

Given that estimate, and by the Corps' own conservative estimates, new projects above Lock and Dam 14 seem unlikely. According to a Corps analysis of the trust fund through 2025, under a scenario considering the very highest possible revenues, projects above Lock and Dam 14 could not feasibly be undertaken until well after 2025. That analysis estimates a balance of $22.6 million at the end of 2024, with estimated receipts of $161.3 million for fiscal year 1995. In order to avoid a trust fund deficit, only 5 of the most important 6 projects, all below Lock and Dam 20, could even be started before 2025.

Mr. Chairman, I appreciate the importance of commercial navigation on the Upper Mississippi River and believe it is important to assess the needs for navigation improvements to the lock and dam system. I offer this amendment to limit the geographical scope of the study, however, because I do not want to see scarce and valuable resources used to examine a portion of the lock and dam system that will not see any significant structural improvements for the next 50 years. Any study of the system above Lock and Dam 14 completed now would, without a doubt, have to be repeated by the time new projects in that area were undertaken, as the Corps, quite understandably, does not have the modeling capabilities to accurately foresee 50 years into the future. So let's not expend energy and money on a study that will not provide any useful results.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 20, 1995, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 21

9:30 a.m.
Finance
To hold hearings to examine foreign tax issues, including the deferral of income tax on the earnings of U.S. businesses operating overseas, section 956A of the Internal Revenue Code, and the tax treatment of passive foreign investment companies and foreign sales corporations; to be followed by hearings on pending nominations.
SD–215

Rules and Administration
Business meeting, to mark up S. Res. 126, to amend the Senate gift rule.
SR–301

10:00 a.m.
Judiciary
To hold hearings to examine certain activities of the Bureau of Alcohol, Tobacco and Firearms of the Department of the Treasury, and recent events in Tennessee.
SH–216

11:00 a.m.
Foreign Relations
To hold hearings on the nomination of Mark D. Gearan, of Massachusetts, to be Director of the Peace Corps.
SD–419

JULY 24

10:00 a.m.
Judiciary
To hold hearings to examine child pornography on the Internet.
SD–226

JULY 25

9:30 a.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S. 45, to require the Secretary of the Interior to sell Federal real and personal property held in connection with activities carried out under the Helium Act, S. 738, to prohibit the Bureau of Mines from refining helium and selling refined helium, and to dispose of the United States helium reserve, and S. 898, to cease operation of the government helium refinery, authorize facility and crude helium disposal, and cancel the helium debt.
SD–366

Governmental Affairs
Oversight of Government Management and The District of Columbia Subcommittee
To hold hearings on S. 946, to facilitate, encourage, and provide for efficient and effective acquisition and use of modern information technology by executive agencies.
SD–342

Indian Affairs
To resume hearings on S. 487, to amend the Indian Gaming Regulatory Act.
SD–G50

10:00 a.m.
Judiciary
To hold hearings to examine issues relating to prison reform.
SD–226

11:00 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
Business meeting, to mark up H.R. 2020, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 30, 1996.
SD–192

2:00 p.m.
Foreign Relations
East Asian and Pacific Affairs Subcommittee
To hold hearings on the current status of United States-SINO relations.
SD–419

2:30 p.m.
Governmental Affairs
To hold hearings on S. 929, to abolish the Department of Commerce.
SD–342

JULY 26

9:30 a.m.
Labor and Human Resources
To hold hearings to examine emerging infections and their impact on society.
SD–430

10:00 a.m.
Judiciary
To hold hearings to examine punitive damages reform.
SD–226

2:00 p.m.
Commission on Security and Cooperation in Europe
To resume hearings to examine the Chechnya crisis, focusing on prospects for peace.
2200 Rayburn Building

JULY 27

9:30 a.m.
Governmental Affairs
To resume hearings on S. 929, to abolish the Department of Commerce.
SD–342

10:00 a.m.
Judiciary
Business meeting, to consider pending calendar business.
SD–226

AUGUST 1

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD–226

AUGUST 2

9:30 a.m.
Indian Affairs
Business meeting, to consider pending calendar business; to be followed by oversight hearings on the implementation of the Indian Tribal Justice Act (P.L. 103-176).
SR–485

CANCELLATIONS

JULY 20

9:00 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to continue to mark up proposed legislation to strengthen and improve U.S. agricultural programs.
SR–332

9:30 a.m.
Energy and Natural Resources
To hold hearings on S. 871, to provide for the management and disposition of the Hanford Reservation, and to provide for environmental management activities at the Reservation.
SD–366

Wednesday, July 19, 1995

Daily Digest

HIGHLIGHT

House passed Treasury-Postal Service appropriations bill.

Senate

Chamber Action

Routine Proceedings, pages S10259–S10328

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 1050 and 1051, and S. Res. 154. **Page S10320**

Measures Reported: Reports were made as follows:

H.R. 1817, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, with amendments. (S. Rept. No. 104–116) **Page S10320**

Bosnia/Herzegovina Self-Defense Act: Senate continued consideration of S. 21, to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina, taking action on amendments proposed thereto, as follows: **Pages S10270–S10304**

Pending:

Dole Amendment No. 1801, in the nature of a substitute.

Nominations Received: Senate received the following nominations:

Thomas R. Bloom, of Virginia, to be Inspector General, Department of Education.

Jill L. Long, of Indiana, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Sidney R. Thomas, of Montana, to be United States Circuit Judge for the Ninth Circuit. **Page S10328**

Messages From the House: **Page S10316**

Measures Referred: **Page S10316**

Communications: **Pages S10316–17**

Petitions: **Pages S10317–20**

Statements on Introduced Bills: **Pages S10320–22**

Additional Cosponsors: **Page S10322**

Notices of Hearings: **Page S10323**

Authority for Committees: **Pages S10323–24**

Additional Statements: **Page S10324**

Recess: Senate convened at 9 a.m., and recessed at 9:01 p.m., until 9 a.m., on Thursday, July 20, 1995. (For Senate's program, see the remarks of the Majority Leader in today's RECORD on pages S10324–25.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—MILITARY CONSTRUCTION

Committee on Appropriations: Committee ordered favorably reported, with amendments, H.R. 1817, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996.

LIVESTOCK GRAZING ACT

Committee on Energy and Natural Resources: Committee ordered favorably reported, with an amendment in the nature of a substitute, S. 852, to modify the requirements applicable to the management of livestock grazing on public lands and to establish a grazing fee formula that will bring a fair return to the Federal Government.

WETLANDS REGULATORY REFORM

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety held oversight hearings on the implementation of Section 404 (to provide regulatory protection for wetlands) of S. 851, to reform the Section 404 wetlands permitting program under the Clean Water Act to focus Federal regulatory authority on functioning wetlands and to ensure that citizens can obtain permits within a reasonable period of time, receiving testimony from Senators Murkowski, Johnston, and Pressler; Representative Gilchrest; John Zirschky, Acting Assistant Secretary

of the Army for Civil Works; Robert Perciasepe, Assistant Administrator for Water, Environmental Protection Agency; Margaret Ann Reigle, Fairness to Land Owners Committee, Cambridge, Maryland; Carl Loop, Florida Farm Bureau Federation, Gainesville, on behalf of the American Farm Bureau Federation and the National Cattlemen's Association; Glen Spain, Pacific Coast Federation of Fishermen's Associations, Eugene, Oregon; Derb S. Carter, Jr., Southern Environmental Law Center, Chapel Hill, North Carolina; Donald F. McKenzie, Wildlife Management Institute, Washington, D.C.; Dallas Harris and Charlie Hollis, both of Wrightsville Beach, North Carolina; Flora Heckert, Virginia Beach, Virginia; Nan Robbins, Paris, Tennessee; Charles Jowaiszas, Waretown, New Jersey; John Pai White, San Juan, Puerto Rico; Jack McHugh, Ocean County, New Jersey; Joe L. Carter, Myrtle Beach, South Carolina; Bernard N. Goode, Burke, Virginia; and William Spencer, Clinton, North Carolina.

Hearings were recessed subject to call.

MEDICARE

Committee on Finance: Committee held hearings to examine Medicare payment policies, focusing on how doctors, hospitals and other providers are paid under Medicare, receiving testimony from Stuart H. Altman, Waltham, Massachusetts, on behalf of the Prospective Payment Assessment Commission; and Gail R. Wilensky, Physician Payment Review Commission, Washington, D.C.

Hearings continue tomorrow.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nominations of Frances D. Cook, of Florida, to be Ambassador to the Sultanate of Oman, Richard Henry Jones, of Nebraska, to be Ambassador to the Republic of Lebanon, and Thomas W. Simons, Jr., of the District of Columbia, to be Ambassador to the Islamic Republic of Pakistan, after the nominees testified and answered questions in their own behalf.

CRIMINAL DEBT COLLECTION

Committee on Governmental Affairs: Committee held hearings to assess the quality of Federal criminal debt collection procedures, focusing on the Administrative Office of the United States Courts' efforts to centralize criminal debt accounting and reporting within the National Fine Center, receiving testimony from Linda D. Koontz, Associate Director, Information Resources Management, General Government Issues, Accounting and Information Management Division, General Accounting Office; Richard A. Ames, Assistant Director for Finance and Budget and Chief Financial Officer, Administrative Office of the United States Courts; Gerald M. Stern, Special Counsel for Financial Institution Fraud, Office of the Deputy Attorney General, Department of Justice; M. Kenneth Bien, Andersen Consulting, Sacramento, California; Michael Insco, Margate Systems, Inc., St. Joseph, Missouri; and David Beatty, National Victim Center, Arlington, Virginia.

Hearings were recessed subject to call.

BUSINESS MEETING

Committee on Labor and Human Resources: Committee ordered favorably reported, with an amendment in the nature of a substitute, S. 856, to improve and to authorize funds for programs of the National Foundation on the Arts and the Humanities Act of 1965, the Museum Services Act, and the Arts and Artifacts Indemnity Act.

Also, committee began markup of S. 673, to establish a youth development grant program, but did not complete action thereon, and will meet again tomorrow.

WHITEWATER MATTERS

Special Committee to Investigate the Whitewater Development Corporation and Related Matters: Committee continued hearings to examine issues relative to the President's involvement with the Whitewater Development Corporation, focusing on certain events following the death of Deputy White House Counsel Vincent Foster, receiving further testimony from Webster Hubbell, former Associate Attorney General.

Hearings continue tomorrow.

House of Representatives

Chamber Action

Bills Introduced: 19 public bills, H.R. 2057–2074, 2076; 1 private bill, H.R. 2075; and 2 resolutions, H. Res. 195–196 were introduced. **Page H7256**

Reports Filed: Reports were filed as follows:

H. Res. 193, providing for consideration of a bill establishing United States policy toward China and a joint resolution relating to most-favored-nation treatment for the People's Republic of China (H. Rept. 104–194);

H. Res. 194, providing for the consideration of H.R. 2002, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996 (H. Rept. 104–195);

H.R. 1655, to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, amended (H. Rept. 104–138, Part 2); and

H.R. 2076, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996 (H. Rept. 104–196).

Pages H7239, H7250, H7255–56

Committees To Sit: The following committees and their subcommittees received permission to sit today during proceedings of the House under the 5-minute rule: Committees on Banking and Financial Services, Commerce, Economic and Educational Opportunities, Government Reform and Oversight, International Relations, Judiciary, Science, Small Business, Transportation and Infrastructure, and Veterans' Affairs. **Page H7185**

Treasury Appropriations: By a yea-and-nay vote of 216 yeas to 211 nays, Roll No. 534, the House passed H.R. 2020, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1996. **Pages H7186–H7239**

Rejected the Hoyer motion to recommit the bill to the Committee on Appropriations. **Page H7238**

Agreed To:

The Duncan amendment that strikes the $65.76 million appropriation for GSA new construct for the Food and Drug Administration Phase II project in Maryland (agreed to by a recorded vote of 278 ayes to 146 noes, Roll No. 528); **Pages H7200–06**

The Packard amendment that prohibits use of funds for employee training when it is made known that the training does not meet identified needs for knowledge bearing directly upon the performance of official duties; contains elements likely to induce high levels of emotion response or psychological stress in some participants; does not require prior employee notification of content and methods to be used; contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems; is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or includes content related to HIV/AIDS other than that necessary to make employees more aware of the medical ramifications and the workplace rights of HIV-positive employees (agreed to by a recorded vote of 283 ayes to 138 noes, Roll No. 530); and **Pages H7206–14**

The Sanders amendment that sought to prohibit use of funds for the salaries or expenses of an employee in connection with the obligation or expenditure of funds in the exchange stabilization fund when it is made known to the official that such funds are for the purpose of bolstering any foreign currency (agreed to by a recorded vote of 245 ayes to 183 noes, Roll No. 531). **Pages H7215–26**

Rejected:

The Hoyer amendment that sought to strike language prohibiting the use of funds to pay for abortions under the Federal Employees Health Benefits program (rejected by a recorded vote of 188 ayes to 235 noes, Roll No. 526); **Pages H7186–97**

The Gilchrest amendment to the agreed-to Duncan amendment that sought to provide that the funds would be available for the FDA construction project if a prospectus was approved pursuant to the Public Buildings Act for the project (rejected by a recorded vote of 185 ayes to 240 noes, Roll No. 527); **Pages H7200–05**

The Hobson substitute that sought to prohibit the use of funds for any employee training when it was made known that the training would not upgrade employee productivity and effectiveness; would not meet identified needs for knowledge bearing upon performance of official duties; would be inappropriate to the workplace; would be designed to change participants' personal values or lifestyle outside the workplace; would not require prior employee notification of content and methods to be used in the training; or would not provide an acceptable alternative for employees articulating a religious or moral objection to participating in HIV/AIDS training

program (rejected by a recorded vote of 201 ayes to 223 noes, Roll No. 529); **Pages H7207–14**

The Obey motion that the Committee rise and report the bill back to the House with the recommendation that the enacting clause be stricken; **Pages H7228–30**

The Chenoweth amendment that sought to prohibit use of funds to provide bonuses or any other merit-based salary increase for any employee of the Bureau of Alcohol, Tobacco and Firearms (rejected by a recorded vote of 111 ayes to 317 noes, Roll No. 532); and **Pages H7226–32**

The Ward amendment, as amended by the Archer perfecting amendment (agreed to by a recorded vote of 231 ayes to 193 noes, Roll No. 533), that sought to prohibit use of funds to issue any tax compliance certificate of any individual departing the United States unless a system is in place that provides tax rules on expatriation pursuant to the provisions of H.R. 1812 as reported by the Committee on Ways and Means. **Pages H7232–37**

The following were offered but subsequently withdrawn:

The Dingell motion that the Committee rise and report the bill back to the House with the recommendation that the enacting clause be stricken; and **Pages H7211–13**

The Sanders amendment that sought to prohibit use of funds to pay the salaries or expenses of any employee in connection with the obligation or expenditure of funds in the exchange stabilization fund. **Pages H7224–25**

Agriculture Appropriations: House completed all general debate and began reading for amendment on H.R. 1976, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1996; but came to no resolution thereon. Proceedings under the 5-minute rule will resume on Thursday, July 20. **Pages H7239–50**

Agreed to the Skeen amendment made in order by the rule that strikes the restrictions on enrollments of land in the Conservation Reserve Program and Wetlands Reserve Program, the $800 million cap on Export Enhancement Program expenditures, and language barring livestock feed assistance disaster payments in cases where crop insurance was available to the producer; reduces the appropriation for Consolidated Farm Service Agency salaries and expenses by $17.5 million; eliminates the Great Plains Conservation Program; reduces the appropriation for low-income rural housing direct loan by $400 million and increases the guaranteed loan program by $200 million; eliminates the Rural Development Loan Fund Program Account; and reduces the overall amount appropriated for solid waste management grants and for rural water and waste disposal grants and loans by $127 million (agreed to by a recorded vote of 240 ayes to 173 noes, Roll No. 535). **Pages H7240–50**

Late Report: Committee on Appropriations received permission to have until midnight tonight to file a report on H.R. 2076, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996. **Page H7250**

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H7257–59.

Quorum Calls—Votes: One yea-and-nay vote and nine recorded votes developed during the proceedings of the House today and appear on pages H7196–97, H7205, H7206, H7213–14, H7214, H7225–26, H7231–32, H7236–37, H7238–39, and H7249–50. There were no quorum calls.

Adjournment: Met at 10 a.m. and adjourned at 10:45 p.m.

Committee Meetings

COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Ordered reported the Commerce, Justice, State and Judiciary appropriations for fiscal year 1996.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on the District of Columbia held a hearing on D.C. Finances. Testimony was heard from the following officials of the District of Columbia Financial Responsibility and Management Assistance Authority: Arthur F. Brimmer, Chairman, and John W. Hill, Jr., Executive Director.

STATE OF THE ECONOMY, INTEREST RATES AND PRICE STABILITY

Committee on Banking and Financial Services: Subcommittee on Domestic and International Monetary Policy held a hearing on the state of the economy, interest rates and price stability (Humphrey-Hawkins). Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

FEDERAL POWER ASSET PRIVATIZATION ACT; ALASKA POWER ADMINISTRATION SALE ACT

Committee on Commerce: Subcommittee on Energy and Power held a hearing on the following bills: H.R. 1801, Federal Power Asset Privatization Act of 1995; and H.R. 1122, Alaska Power Administration

Sale Act. Testimony was heard from Representative Foley; the following officials of the Department of Energy: Elizabeth Moler, Chair, Federal Energy Regulatory Commission; and Robert Nordhaus, General Counsel; and a public witness.

OVERSIGHT

Committee on Commerce: Subcommittee on Health and Environment and the Subcommittee on Oversight and Investigations continued joint oversight hearings on Waste, Fraud and Abuse in the Medicare Program. Testimony was heard from the following officials of the Department of Health and Human Services: June Gibbs Brown, Inspector General; Michael Mangano, Principal Deputy Inspector General; and Judy Berek, Senior Advisor to the Administrator for Program Integrity, Health Care Financing Administration; the following officials of the GAO: Sarah F. Jagger, Director, Health, Financing and Policy Issues, Health, Education and Human Services Division; Richard C. Steiner, Director, Office of Special Investigations; and Barney Gomez, Principal Investigator; and a public witness.

MILITARY CONNECTED CHILDREN AND IMPACT AID

Committee on Economic and Educational Opportunities: Subcommittee on Early Childhood, Youth and Families held a hearing on Military Connected Children and Impact Aid. Testimony was heard from Representatives Christensen, Bateman and Edwards; and public witnesses.

OVERSIGHT—WACO

Committee on Government Reform and Oversight: Subcommittee on National Security, International Affairs, and Criminal Justice, and Subcommittee on Crime of the Committee on the Judiciary held a joint oversight hearing on Federal Law Enforcement Actions in Relation to the Branch Davidian Compound in Waco, Texas. Testimony was heard from Ray Jahn and Bill Johnston, both Assistant U.S. Attorneys, Department of Justice; the following officials of the Department of the Treasury: Davy Aguilera, Special Agent and Ed Owen, Firearms Expert, both with the Bureau of Alcohol, Tobacco and Firearms; H. Geoffrey Moulton, Jr., Project Director, Review Team; Dick Reavis, author of *Ashes of Waco*; and public witnesses.

Hearings continue tomorrow.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported amended the following measures: H. Con. Res. 42, supporting a resolution to the long-standing dispute regarding Cyprus; and H. Res. 158, congratulating the people of Mongolia on the fifth anniversary of the first democratic multiparty elections held in Mongolia on July 29, 1990.

The Committee also held a hearing on United States Policy Toward Cyprus. Testimony was heard from the following officials of the Department of State: James Williams, Special Coordinator for Cyprus; and Richard Boucher, Ambassador to Cyprus; and public witnesses.

COERCIVE POPULATION CONTROL IN CHINA

Committee on International Relations: Subcommittee on International Operations and Human Rights held a hearing on Coercive Population Control in China. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Courts and Intellectual Property held a hearing on the following bills: H.R. 1270, Madrid Protocol Implementation Act; and H.R. 1295, Federal Trademark Dilution Act of 1995. Testimony was heard from Philip G. Hampton, II, Assistant Commissioner, Trademarks Patent and Trademark Office, Department of Commerce; and public witnesses.

IMMIGRATION IN THE NATIONAL INTEREST ACT

Committee on the Judiciary: Subcommittee on Immigration and Claims continued markup of H.R. 1915, Immigration in the National Interest Act of 1995.

DISAPPROVING MFN TREATMENT TO CHINA; CHINA POLICY

Committee on Rules: Granted, by a voice vote, a rule providing for consideration in the House of H.R. 2058, China Policy Act of 1995. The rule provides 90 minutes of general debate. The rule provides for one motion to recommit, which, if containing instructions, may only be offered by the Minority leader or his designee.

After disposition of H.R. 2058, the rule provides that it shall be in order to consider in the House H.J. Res. 96, disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China. The joint resolution shall be debatable for 1 hour. Pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to table, if offered by Representative Wolf or his designee. The provisions of sections 152 and 153 of the Trade Act of 1974 shall not apply to any other joint resolution disapproving the extension of most-favored-nation treatment to the People's Republic of China for the remainder of the first session of the

104th Congress. Testimony was heard from Chairman Archer and Representatives Bereuter, Wolf, Gibbons and Pelosi.

TRANSPORTATION APPROPRIATIONS

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 2002, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996. The rule waives clause 3 of rule XIII (requiring a committee bill report to contain the text of the statute being repealed within that committee bill) and section 401(a) of the Congressional Budget Act (prohibiting consideration of legislation, as reported, providing new contract authority that is not limited to amounts provided in appropriations acts).

The rule provides for the reading of the bill by title, rather than by paragraph or numbered section, for amendment, and each title is considered as read. The rule waives clause 6 (prohibiting reappropriations) of rule XXI against provisions in the bill and clause 2 of rule XXI (prohibiting unauthorized and legislative provisions) against provisions in the bill except as otherwise specified in the rule.

The rule provides for the consideration of an amendment by Representative Solomon of New York or Representative Clinger of Pennsylvania, printed in part 2 of the report of the Committee on Rules accompanying the rule. The amendment shall be considered as read, is not subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole. All points of order are waived against the amendment.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the *Congressional Record*. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Representatives Wolf, Shuster, Petri, Smith of Michigan, Fox of Pennsylvania, Ney, Coleman, Foglietta, Spratt, Mineta, Rahall, Nadler, Orton, Harman and Minge.

BUDGET PROCESS

Committee on Rules: Subcommittee on Legislative and Budget Process and the Subcommittee on Rules and Organization of the House continued joint hearings on the Congressional Budget Process. Testimony was heard from Representatives Cox of California, Largent, Horn, Barton of Texas, Visclosky, Orton, Stenholm and Wise.

NASA AUTHORIZATION

Committee on Science: Subcommittee on Space and Aeronautics approved for full Committee action amended H.R. 2043, National Aeronautics and Space Administration Authorization, Fiscal Year 1996.

SBA'S LOW-DOCUMENTATION LOAN PROGRAM

Committee on Small Business: Subcommittee on Government Programs concluded hearings on SBA's Low-Documentation (LowDoc) Loan Program. Testimony was heard from John Koskinen, Deputy Director, OMB.

ELIGIBILITY REFORM INITIATIVES

Committee on Veterans' Affairs: Held a hearing on eligibility reform initiatives. Testimony was heard from Kenneth W. Kizer, M.D., Under Secretary, Health, Department of Veterans Affairs; David P. Baine, Director, Federal Health Care Delivery, Health, Education and Human Services Division, GAO; representatives of veterans organizations; and public witnesses.

SAVING MEDICARE AND BUDGET RECONCILIATION ISSUES

Committee on Ways and Means: Subcommittee on Health held a hearing on Saving Medicare and Budget Reconciliations Issues. Testimony was heard from public witnesses.

Hearings continue tomorrow.

ETHICS COMMITTEE MEMORANDUM ON CLASSIFIED INFORMATION

Permanent Select Committee on Intelligence: Met in executive session to consider Ethics Committee memorandum on Classified Information.

COMMITTEE MEETINGS FOR THURSDAY, JULY 20, 1995

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation, business meeting, to consider pending calendar business, 9:30 a.m., SR–253.

Committee on Environment and Public Works, Subcommittee on Drinking Water, Fisheries, and Wildlife, to resume hearings on proposed legislation authorizing funds for programs of the Endangered Species Act, 9 a.m., SD–406.

Committee on Finance, to continue hearings to examine Medicare payment policies, focusing on the Medicare services experiencing the most rapid growth in spending, including home health care, skilled nursing, rehabilitation hospitals and clinical laboratories, 9:30 a.m., SD–215.

Subcommittee on Social Security and Family Policy, to hold hearings on provisions of S. 1029, to establish and

strengthen policies and programs for the early stabilization of world population through the global expansion of reproductive choice, 9:30 a.m., SR–418.

Committee on Foreign Relations, Subcommittee on African Affairs, to hold hearings to examine the situation in Nigeria, 2 p.m., SD–419.

Full Committee, to hold hearings on the nominations of David W. Burke, of New York, Tom C. Korologos, of Virginia, Bette Bao Lord, of New York, Edward E. Kaufman, of Delaware, Alberto J. Mora, of Florida, Cheryl F. Halpern, of New Jersey, Marc B. Nathanson, of California, and Carl Spielvogel, of New York, each to be a Member of the Broadcasting Board of Governors, 4 p.m., SD–608.

Committee on the Judiciary, business meeting, to consider pending calendar business, 8:30 a.m., SD–226.

Committee on Labor and Human Resources, to hold hearings on proposed legislation to authorize funds for the Organ Transplant Act, focusing on the role of the Government in the oversight, regulation, and financing of solid organ and bone marrow transplantation, 9:30 a.m., SD–430.

Full Committee, business meeting, to continue markup of S. 673, Youth Development Community Block Grant Act, S. 1044, Health Centers Consolidation Act, and pending nominations, time and room to be announced.

Special Committee To Investigate Whitewater Development Corporation and Related Matters, to continue hearings to examine issues relating to the President's involvement with the Whitewater Development Corporation, 9:30 a.m., SH–216.

NOTICE

For a listing of Senate Committee Meetings scheduled ahead, see page E1475 in today's RECORD.

House

Committee on Appropriations, to consider the Labor, Health and Human Services, and Education appropriations for fiscal year 1996, 8:15 a.m., 2360 Rayburn.

Committee on Banking and Financial Services, to meet to consider authorizing the Chairman to apply for a writ of habeas corpus ad testificandum, and if necessary, to issue a subpoena to secure presence and testimony of former Associate Attorney General Webster Hubbell at the upcoming hearings on Madison Guaranty Savings and Loan Association, 10 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Commerce, Trade, and Hazardous Materials, hearing on the Corrective Action Cleanup Program under the Resources Conservation and Recovery Act and its relationship to the Superfund Program, including the following bills: H.R. 2036, Land Disposal Program Flexibility Act; and H.R. 1696, to authorize the Administrator of the Environmental Protection Agency to exempt certain small land fills from the ground water monitoring requirements contained in landfill regulations promulgated by the Agency, 10 a.m., 2123 Rayburn.

Committee on Economic and Educational Opportunities, to mark up the following: H.R. 1594, Pension Protection Act of 1995; H.R. 1225, to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies; and H.R. 1114, to authorize minors who are under the child labor provision of the Fair Labor Standards Act of 1938 and who are under 18 years of age to load materials into balers and compactors, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Government Management, Information, and Technology, oversight hearing on the Administration's progress on the Post-Federal Telecommunications System (Post–FTS2000) Acquisition program, 10 a.m., 2154 Rayburn.

Subcommittee on Human Resources and Intergovernmental Relations, hearing on The Federalism Debate: Why Doesn't Washington Trust the States? 10 a.m., 2247 Rayburn.

Committee on International Relations, Subcommittee on Asia and the Pacific, hearing on the Future of the People's Republic of China: Perspectives on the Post-Deng Xiaoping Era, 9:30 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, hearing regarding the authorization and oversight of the Civil Rights Division of the U.S. Department of Justice, 10 a.m., 2237 Rayburn.

Subcommittee on Crime and the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform and Oversight, to continue joint hearings on the Executive Branch Conduct regarding the Matter of the Branch Davidians, 9:30 a.m., 2141 Rayburn.

Committee on Resources, Subcommittee on National Parks, Forests and Lands, hearing on the following bills: H.R. 1838, to provide for an exchange of lands with the Water Conservancy District of Washington County, UT; H.R. 1581, to require the Secretary of Agriculture to convey certain lands under the jurisdiction of the Department of Agriculture to the City of Sumpter, Oregon; H.R. 207, Cleveland National Forest Land Exchange Act of 1995; H.R. 1163, to authorize the exchange of National Park Service land in the Fire Island National Seashore in the State of New York for land in the Village of Patchoque, Suffolk County, New York; H.R. 1585, Modoc National Forest Boundary Adjustment Act; H.R. 1784, to validate certain conveyances made by the Southern Pacific Transportation Company within the cities of Reno, NV, and Tulare, CA; and H.R. 1922, to provide for the exchange of certain lands in Gilpin County, CO; 10 a.m., 1324 Longworth.

Subcommittee on Water and Power Resources, hearing on H.R. 1906, Central Valley Project Reform Act of 1995, 10 a.m., 1334 Longworth.

Committee on Rules, to mark up H.R. 1162, to establish a deficit reduction trust fund and provide for the downward adjustment of discretionary spending limits in appropriation bills, 10 a.m., H–313 Capitol.

Committee on Small Business, hearing regarding the implementation of P.L. 103–355, Federal Acquisition Streamlining Act of 1994, 10:30 a.m., 2359 Rayburn.

Committee on Standards of Official Conduct, executive, to consider pending business, 1 p.m., HT–2M Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on Aviation Relations Between the United States and Japan, 9:30 a.m., 2167 Rayburn.

Subcommittee on Public Buildings and Economic Development, hearing on GSA Court Construction Program, 10 a.m., 2253 Rayburn.

Committee on Ways and Means, Subcommittee on Health, to continue hearings on Saving Medicare and Budget Reconciliation Issues, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on Yugoslavia, 3 p.m., H–405 Capitol.

Next Meeting of the SENATE

9 a.m., Thursday, July 20

Senate Chamber

Program for Thursday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 10 a.m.), Senate will begin consideration of H.R. 1854, Legislative Branch Appropriations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, July 20

House Chamber

Program for Thursday and Friday: Consideration of H.R. 2058, Establishing United States Policy Toward China (rule providing for consideration in the House, one and one-half hours of debate);

H.J. Res. 96, Disapproving Extension of MFN Treatment to Products of the People's Republic of China;

Complete consideration of H.R. 1976, Agriculture Appropriations for Fiscal Year 1996; and

Consideration of H.R. 2002, Transportation Appropriations for Fiscal Year 1996.

Extensions of Remarks, as inserted in this issue

HOUSE

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Browder, Glen, Ala., E1466
Clyburn, James E., S.C., E1462, E1464
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Everett, Terry, Ala., E1465
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Woolsey, Lynn C., Calif., E1469

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