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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. QUINN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

HOUSE OF REPRESENTATIVES,
Washington, DC, March 6, 1997.

I hereby designate the Honorable JACK QUINN to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

Hold us, O gracious God, when we falter; lift us, O God, when we fall; strengthen us when we are weak and keep us ever in Your grace. With gratefulness we pray for guidance along life's way and with humility we pray for reconciliation in all that divides and separates us from each other and from Your will for us. Show us Your bountiful gifts that justice will be our focus and mercy Your everlasting blessing. This is our earnest prayer. Amen.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed a Joint Resolution of the following title in which the concurrence of the House is requested:

S.J. Res. 5. Joint resolution waiving certain provisions of the Trade Act of 1974 relating to the appointment of the United States Trade Representative.

THE JOURNAL

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

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

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

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

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

Mr. TIAHRT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

MOTION TO ADJOURN

Mr. MILLER of California. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. MILLER of California moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California [Mr. MILLER].

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

Mr. MILLER of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 75, nays 293, not voting 64, as follows:

[Roll No. 32]

YEAS—75

Abercrombie
Allen
Andrews
Barrett (WI)
Becerra
Berman
Blagojevich
Brown (CA)
Brown (OH)
Clyburn
DeGette
DeLauro
Dellums
Deutsch
Dicks
Doggett
Eshoo
Evans
Farr
Fazio
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gekas
Gephardt
Harman
Hastings (FL)
Hefner
Hinojosa
Hooley
Hoyer
Jefferson
John
Johnson (WI)
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Lantos
Lipinski
Maloney (CT)
Martinez
Matsui
McDermott
Meehan
Millender-McDonald
Miller (CA)
Mink
Neal
Nussle
Olver
Owens
Pallone
Payne
Pelosi
Price (NC)
Reyes
Rothman
Sandlin
Slaughter
Smith, Adam
Stark
Tauscher
Taylor (MS)
Thompson
Tierney
Torres
Towns
Waters
Watt (NC)
Wexler
Weygand
Yates

NAYS—293

Aderholt
Armey
Bachus
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brown (FL)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Campbell
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dixon
Dooley
Doolittle
Doyle
Duncan
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fattah
Fawell
Foley
Forbes
Fowler
Fox

Printed on recycled paper containing 100% post consumer waste

Franks (NJ)
Frelinghuysen
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hobson
Holden
Horn
Hostettler
Hulshof
Hunter
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
Lazio
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lowey
Lucas
Luther
Manton
Manzullo
Markey
Mascara
McCarthy (NY)
McCollum
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meek
Menendez
Metcalf
Mica
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Oberstar
Obey
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Riley
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Woolsey
Wynn

NOT VOTING—64

Ackerman
Archer
Baesler
Barcia
Bass
Bentsen
Blunt
Boucher
Brady
Burr
Camp
Canady
Conyers
DeFazio
Delahunt
Dingell
Dreier
Dunn
Engel
Flake
Foglietta
Furse
Gallegly
Ganske
Gonzalez
Hall (OH)
Hastings (WA)
Herger
Hinchey
Hoekstra
Houghton
Hutchinson
Johnson (CT)
Kilpatrick
Kleczka
LaTourette
Levin
Lofgren
Maloney (NY)
McCarthy (MO)
McCrery
McGovern
McNulty
Molinari
Nadler
Paxon
Pomeroy
Rangel
Riggs
Rohrabacher
Roybal-Allard
Sanchez
Sanders
Schiff
Schumer
Serrano
Shuster
Stabenow
Strickland
Stupak
Tauzin
Wise
Young (AK)
Young (FL)

□ 1024

Mrs. MYRICK and Messrs. OXLEY, SHIMKUS, FOX of Pennsylvania, JACKSON of Illinois, THOMAS, LAMPSON, BOYD, and DIXON changed their vote from ''yea'' to ''nay.''

Mr. OWENS and Mr. JOHN changed their vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. McCARTHY of Missouri. Mr. Speaker, I would like the RECORD to reflect that had I been present for rollcall vote No. 32, I would have voted ''nay.''

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. QUINN). Will the gentleman from Ohio [Mr. TRAFICANT] come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

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

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 811

Mr. BARR of Georgia. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 811.

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

There was no objection.

CLOSING THE BOOKS ON AMERICORPS WILL START THE BALANCED BUDGET PROCESS

(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, the Senate has defeated the balanced budget. We have heard repeatedly from the party of big government, the opponents of the balanced budget, that we do not need to amend the Constitution to balance the budget. We can do it right now.

I say it is time to put our money where our mouths are. Let us get started. Today I am introducing legislation to eliminate the President's AmeriCorps program, the largest Government service program since the 1930's. AmeriCorps spends $400 million a year to pay volunteers, which is a paradox in terms and, in many cases, for them just to serve as low-level Federal bureaucrats.

□ 1030

The GAO has reported the average AmeriCorps paid volunteer receives $26,000 a year in compensation. This program makes politicians feel good and lets us talk about our high-minded ideals.

I pose this simple question: Is this program so important that we want to borrow the money against our children's future to pay for the program?

We have heard much talk about balancing the budget and the President has even said in this Chamber that the era of big government is over. Let us help him to fulfill his proclamation. Talk will not balance the budget, but spending less will. Let us start by closing the books on AmeriCorps.

IN TRIBUTE TO SAMOAN HEAVYWEIGHT BOXER DAVID TUA

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to pay tribute to a very special member of our Samoan community here in these United States of America, heavyweight boxer David Tua, who was recently honored in Honolulu as the Samoan professional athlete of the year.

Mr. Speaker, David Tua, now only 23 years old, became heavyweight champion of New Zealand at a very young age and subsequently represented New Zealand at the Barcelona Olympics, where he was awarded a bronze medal.

This young athlete has a most impressive record as a professional boxer. David Tua is the first Polynesian and the first Samoan to be ranked 8th in the world in the heavyweight division. He has won every single one of his 26 professional fights, 22 by knockouts, and 11 of those were knockouts in the first round.

The great fighter, Mr. Mike Tyson, currently holds the record, Mr. Speaker, with 15 knockouts in the first round.

David Tua is an inspiration and a champion role model for the Samoan community, working with and encouraging our youth to maintain strong ties with their families and to study hard in school.

Keep an eye on David Tua.

CHILDREN'S HEALTH

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

Mr. GREEN. Mr. Speaker, one of the central points of the democratic Families First program has been a commitment to improving children's health care.

Last summer in Houston we hosted an immunization day to offer inner city children free immunization as a step toward providing them with critical preventative health care. And we will do it again this year. But that is not enough.

The Democratic Members of Congress know children's health is an issue that deserves our attention. In millions of American households with one or two working parents, children are excluded from their health care coverage. Ninety percent of the 10 million American

children who are uninsured have parents who work but whose employers cannot or do not provide health care coverage for the children.

The Democratic plan will help children get coverage by requiring insurance companies to offer kids-only health plans and tax credits to help families pay for those premiums. The Democratic families first agenda will indeed offer real improvements to every life for America's working families, especially our children.

Let us work together bipartisanly to improve the health care for America's 10 million uninsured children.

A BALANCED BUDGET

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

Mr. WATTS of Oklahoma. Mr. Speaker, as a father I am concerned about not only my children but about the health and well-being of all children in this country. That is why I support a balanced budget amendment and a real balanced budget. But Mr. Clinton has determined that we will have neither.

The Clinton administration work feverishly to defeat the BBA, and the balanced budget they submitted earlier this year falls short of balancing the budget by $69 billion.

Mr. Speaker, our children deserve better. They deserve a future that is bright and free of the debt that this Government keeps piling on them year after year. We literally take money out of the back pockets of our children when we do not balance the budget.

The last time America had a balanced budget was 1969. Since then we have accumulated over $5.3 trillion in national debt. It is a shame that the White House would block the only way to ensure our children will not have to face an 80- to 90-percent tax rate when they grow up to become taxpayers.

Mr. Speaker, we need to balance the budget, we need a balanced budget amendment.

ILLEGAL IMMIGRATION

(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, reports say that record numbers of illegal immigrants keep running across the border, many with backpacks full of heroin and cocaine. To boot, the Immigration and Naturalization Service just granted citizenship to 71,000 criminals, 71,000 criminals.

Now, if that is not enough to tax your prison, check this out. For quote unquote ''excellent work,'' the Vice President just gave the Immigration and Naturalization Service the national performance hammer award. For what? For a Border Patrol program known as Ollie, Ollie In Free.

Beam me up, Mr. Speaker. The Immigration and Naturalization Service does not warrant or deserve awards. They should be getting subpoenas from the Justice Department.

I yield back the balance of all this prison space that will be taken up.

THE PRESIDENT'S BUDGET

(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, Bill Clinton has stated over and over his commitment to producing a real balanced budget. I do not doubt his commitment. It is his math that I am worried about. The CBO predicts the President's most recent budget will have a $69 billion deficit in the year 2002, when there should be no deficit.

Mr. Speaker, we see that the White House worked feverishly to defeat a balanced budget amendment. Now we see why. He has no intention of producing a real balanced budget. During his State of the Union Address the President said, and I quote, ''Balancing the budget requires only your vote and my signature. It does not require us to rewrite our Constitution.''

Mr. Speaker, who is the President kidding? If he cannot even produce a balanced budget, why should we expect him to sign one? Instead of lip service, Bill Clinton should send Congress a real budget using real numbers and one that actually adds up.

UNINSURED CHILDREN

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

Mr. PALLONE. Mr. Speaker, over 175 Democratic Members have signed a letter to the Republican leadership urging a date certain for floor consideration of legislation that provides health insurance coverage for the 10 million American kids that do not have it. So far the Republican leadership refuses to address the issue of kids health insurance. Last week many of my Democratic colleagues discussed a recent New York City survey that pointed to the growing numbers of children without health insurance.

Today the GOP is supposed to unveil its long-overdue legislative agenda for the 105th Congress. A present view of that agenda published in today's newspapers does not mention kids health insurance. Nor did the Republicans include the issue when they talked about a bipartisan agenda with President Clinton a few weeks ago.

I want to assure my colleagues, though, that this issue will not go away because the Democrats will not allow it to. It is a disgrace that 10 million American children, most of whose parents work very hard, do not have health care coverage.

BALANCING THE BUDGET

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

Mr. EWING. Mr. Speaker, I am concerned about American families and American children and health care, and I know that the one way we can achieve that is to balance our budget. We will not achieve it if we do not balance our budget.

The President has sent down his budget. It is $69 or $70 billion out of balance when we get to the year 2002. In fact, the deficit is going to go up $14 billion before it starts to go down. The American people are smart. We can tell them we are going to balance the budget, and the President can say it; but whether we come back with a plan that raises the deficit and then leaves 75 percent of the balancing of the budget to be done in the next administration, they know we are blowing smoke at them.

Mr. Speaker, we have got a job to do. The President has a responsibility to send a balanced budget down here. We need to get at it.

BLUE DOG COALITION BUDGET

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

Mrs. TAUSCHER. Mr. Speaker, I am proud that in my first opportunity to speak on the floor of the House, I am rising to voice my strong support for the blue dog coalition budget. The coalition budget is a commonsense approach to deficit reduction. It does not rely on gimmicks, nor do we postpone the tough cuts until the final years of the plan.

At this point the blue dog budget is the only budget plan that will balance the budget by the year 2002 and take the Social Security trust fund off budget by 2005. As Members of Congress, we must show our constituents that we can make the tough choices necessary to put our fiscal house in order. The coalition budget proves that we can balance the budget, save Medicare and Social Security, and preserve our commitment on education.

If we colleagues are truly looking to balance the budget in a bipartisan manner, I urge them to take a long hard look at the blue dog budget. This is the right plan for Democrats and Republicans to begin to form a truly bipartisan consensus on a balanced budget.

TIME FOR A BALANCED BUDGET

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

Mr. WELDON of Florida. Mr. Speaker, this country is in a time of need. What our constituents need is a budget that will stay balanced. It is our obligation to provide that for them. Mr. Speaker, the President has proposed a budget that does not offer what we

have been striving for. The Congressional Budget Office has revealed that this plan would leave an unsettled deficit of at least $69 billion by the year 2002. Additionally, his Medicare proposal does not keep the Medicare plan in balance for 10 years as he has proposed.

Furthermore, his savings in Medicare essentially amount to a shell game, moving expenses from part A to part B, out of the Medicare plan into the general revenue which comes out of general withholding of all taxpayers.

Mr. Speaker, it is imperative that the President send us an honest balanced budget, additionally that he send us a plan that will truly achieve solvency for the Medicare plan so that our seniors will be able to have the health care that they need.

HANDGUNS AND KIDS

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

Mr. BLAGOJEVICH. Mr. Speaker, in Chicago on Monday, a man named Stephen Young told me that his oldest son had been killed by an 18-year-old with a handgun.

His son, Andrew, had earned the national ranking in speed skating and planned to attend a Chicago area tech school this fall. But the 18-year-old with the handgun put a stop to that outside a neighborhood fruit market. Andrew's father said, I was really looking forward to knowing him as a man. But the 18-year-old with the handgun put a stop to that as well.

Mr. Speaker, 18-year-old males have the highest arrest rates for weapons offenses, but Federal law still allows them to possess handguns. It is time we in Congress put a stop to that. In the memory of Andrew Young and the countless others who have fallen victim to gun violence, I am proud to introduce a bill that would make it illegal for anyone under 21 to possess a handgun.

I urge my colleagues to join me in stopping the lethal mix of kids and guns.

IMPROVE THE GUARANTEED LOAN PROGRAM

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

Mr. FORBES. Mr. Speaker, I thank you for this opportunity, and I rise today to introduce legislation together with the gentlewoman from New York [Mrs. MCCARTHY] that would strengthen and improve the defense loan and technical assistance program, the so-called delta guaranteed loan program for small businesses.

As a former SBA Administrator, I saw firsthand the important relationship between defense industries and small businesses. Unfortunately in the last decade with the downsizing of defense, we have seen areas of the country like my own Long Island, NY, region lose over 100,000 jobs as the defense industry cuts back.

This important delta program is needed to ease the transition between the defense-based business and moving them into other commercial applications. My legislation would provide for an extension of this important program for small businesses. It would expand the opportunities for small businesses to participate by allowing them to go back up to 7 years if they have done about 25 percent of their business in the defense industry. In addition, it would raise the guaranteed loan amount up to 90 percent so more banks could help small businesses. It is important legislation and I urge its consideration.

□ 1045

KIDS-ONLY HEALTH INSURANCE

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

Mr. ALLEN. Mr. Speaker, yesterday the House overwhelmingly passed a resolution regarding the Ten Commandments on the grounds that religious doctrine is the cornerstone of a just and fair society. Yet there are 61 countries around the world that ensure or provide health care for all of their workers and dependents. The United States is not one of them.

In this country our children are falling behind on many crucial health indicators. Ten million American children have no health insurance. Millions more do not have meaningful access to health care providers. Their parents have to rely on emergency services to care for their children.

This is unconscionable. Ninety percent of uninsured children have parents that work but they have no coverage for their children through their employers. We must take action to require insurance companies to provide kids-only health insurance and to provide a tax credit to help parents pay the premiums. A fair and just society provides for the health and welfare of its children, our future.

THE WORKING FAMILIES FLEXIBILITY ACT

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

Ms. GRANGER. Mr. Speaker, I rise today in strong support of H.R. 1, the Working Families Flexibility Act. Everett Dirksen once said nothing in the world can stop an idea whose time has come. Mr. Speaker, comp time is clearly such an idea.

This is a simple and straightforward piece of legislation that allows employees and employers the option of choosing time off instead of overtime pay. In no way does this bill threaten the Fair Labor Standards Act, and in no way does this bill temper the rights of employees.

This is simply a bill which provides an option to help America's workers become full-time parents as well as full-time employees. Why do so many working men and women across America support comp time? They support comp time because it affords them choice.

For the mother of three working 40 hours a week, comp time means the choice to take time off and see her daughter's school play. For the father who is raising kids by himself, comp time means the choice to coach his son's little league team. And for the children of the 90's, comp time means a chance to spend more time with the two most important figures in their lives, their moms and dads.

Mr. Speaker, I urge my colleagues to support H.R. 1 as a means to an end. The means will be more choice for parents on how to manage their time, but more importantly, the end will be thousands of healthier, happier families. When this bill comes to the floor, I urge my colleagues to support it.

FIGHT FOR THE HEALTH OF OUR CHILDREN

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

Ms. DELAURO. Mr. Speaker, 30 years ago this country made a pact with our senior citizens. We promised our Nation's elderly that the Medicare Program would be there for them when they needed it most. Today the Medicare Program is one of our Nation's great success stories. Ninety-nine percent of our seniors have health care coverage in the United States today.

Last year Democrats stood up for our Nation's seniors and successfully fought to protect and preserve the Medicare Program. But surely our children are every bit as sacred as our senior citizens, and yet every day in this country another 3,300 kids lose their health insurance. This is a national crisis.

It is time for the Congress to focus on this problem because it is not going away. In fact, it is only getting worse. We need to stand up and fight for the health of our children just as we stood up and fought for the health of our seniors. We must act today and move the expansion of children's health care to the top of our legislative agenda.

SEND CONGRESS A BALANCED BUDGET

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

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, you can't be a beacon if

your light don't shine. You can't have your cake and eat it too. You can't teach an old dog new tricks. What we have here is a failure to communicate. Show me the money. When the Lord closes a door, somewhere he opens a window. All I ever learned, I learned in kindergarten. There he goes again. Where's the beef? Just say no. Life is like a box of chocolates. Spare the rod, spoil the child. Over 69 billion served. Elvis lives. To be or not to be.

Mr. Speaker, by now you are probably wondering what all these annoying cliches and catch phrases have in common. It is simple. They all pertain to the Clinton fiscal year 1998 budget.

Mr. Speaker, the President should send Congress a real balanced budget. Waste not, want not.

CONGRESS SHOULD GET DOWN TO BUSINESS

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

Ms. ESHOO. Mr. Speaker, according to the Congressional Management Foundation, it costs our Nation's taxpayers approximately $280,000 to fly House Members to Washington each week when the Congress is in session. In the past, there has been a busy floor schedule and Members have been working in order to earn their keep.

Today is Thursday, March 6, and it may be the 105th Congress but so far, I think, it is the pretend Congress: Pretend we are meeting, pretend we are legislating, pretend we are busy, pretend we are working. This is not a source of pride to me, nor can it be to so many of my colleagues. All the American people want is to have their country work, and it cannot work if we do not work.

We passed the armored car reciprocity amendments, we sent best wishes to the people of Nicaragua, and we even mustered a handful of Members to come to the floor to listen to the President of Chile, but nothing is being done about campaign finance reform, health care for our Nation's children, and so many other things.

Mr. Speaker, let us stop wasting the taxpayers' dollars. Let us get down to business. Let us go to work for our great Nation.

AMERICA DESERVES AN HONEST BALANCED BUDGET

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

Mr. STEARNS. Mr. Speaker, the balanced budget amendment was defeated in the Senate by one vote. Again, the will of the American people is being thwarted because folks here promise one thing at home, then come to Washington and do something else.

It is ironic indeed that the Clinton White House worked so hard to defeat the balanced budget amendment, when the budget they submitted to Congress is the best argument for a balanced budget amendment. Bill Clinton's budget is big government, more taxes, more programs, and status quo Washington, DC.

Clinton's budget contains temporary tax cuts but has permanent tax increases. The CBO has reported that in the year 2002, after Mr. Clinton is gone, the Government would run a $70 billion deficit.

Mr. Speaker, Bill Clinton's new budget is unbalanced and avoids the tough choices. America deserves an honest balanced budget, one without gimmicks or temporary tax cuts.

UNFUNDED SOCIAL SECURITY LIABILITY

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

Mr. SMITH of Michigan. Mr. Speaker, on the Committee on the Budget, just an update of what is happening. Alan Greenspan, the chairman of the Federal Reserve, came in day before yesterday. As we know, June O'Neill of CBO is coming in today. They are both saying there is a difference in the rosy scenario or a more conservative expectation of what is going to come in in revenues. Let us take the hard course. Let us take the more conservative estimate. Let us start cutting spending.

I know it is a tough job. We talk about all these expenditures. Let me give my colleagues one example: Social Security. We are accumulating an additional $380 billion a year increased actuarial debts or unfunded liability in Social Security. The longer we put off those decisions, the more drastic those solutions are going to have to be in the future.

I figured it by minute because it is big dollars if you figure the $370 billion we are spending a year. Every minute on Social Security we are spending $700,000. By 2030 every minute we are going to be spending $5,700,000. Let us get at it and solve these problems.

BALANCE THE BUDGET FOR OUR CHILDREN

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

Mr. KINGSTON. Mr. Speaker, as a father of four kids, I have Betsy who is 13, John who is 11, and I have Ann who is 8 and Jim who is 6, I am very, very concerned about their future.

We are working real hard with them on their homework, teaching them math and English and all the good stuff children all over America are doing, but one thing that is very scary to me as I put them to bed every night is that I know looming out there in the future is this dark cloud of the national debt: $5.1 trillion already.

Now we have a President who says he will support a balanced budget amendment, and then he submits a budget that is not even balanced. The Clinton budget in the year 2002 has a $69 billion deficit, and all the savings there are are on the back end, far after he has left the White House.

Mr. Speaker, I ask the President to please come forward, think about not just my kids, think about all the children in America. Let us really do something for the youth of America and balance the budget and quit spending their money.

HONORING MANUAL HIGH SCHOOL'S BASKETBALL TEAM

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

Mr. LAHOOD. Mr. Speaker, I thought I would deliver my 1 minute on this side of the aisle today, given the fact that we are beginning, this weekend, the first historic bipartisan retreat, where over 220 Members from both sides of the aisle will depart to Hershey, PA, with 165 spouses and 100 children to begin to work together and, hopefully, develop a rapport so that we can carry out the people's business in a more civil way.

Today, I rise, though, to pay tribute to a high school basketball team in my hometown of Peoria, the Manual Rams, who are currently ranked No. 1 in the country by USA Today. The Manual Rams have been ranked No. 1 for the past 5 weeks. The team is led by head coach Wayne McClain and has three all-State players: Marcus Griffin, Sergio McClain, and Frankie Williams.

Manual is the three-time defending Illinois State champion and they are currently on track to win an unprecedented fourth consecutive championship this month as we begin March Madness in Illinois, which will take place in my hometown of Peoria. The team's current record is 24–1.

The City of Peoria and all of Central Illinois is proud to have the Manual Rams as a representative in USA Today High School Rankings. Congratulations to Coach McClain and the Manual Rams. We are very proud of their teamwork, dedication, and sportsmanship.

WEST VIRGINIA HARD HIT BY FLOOD WATERS

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

Mr. WISE. Mr. Speaker, let me report that as the flood waters are receding, mercifully, in West Virginia, we have many areas that have been hard hit: Sisterville, Clendenin, the counties Calhoun and Wirt, Mason, Braxton, Gilmer, Roane and Putnam all have suffered unprecedented flood damage.

Of course, Governor Underwood, the volunteers, the emergency services, the

National Guard, all have done an incredible job in this first stage of flood recovery.

Now comes the second stage, Mr. Speaker, because shortly the Federal disaster declaration will be made. At that time there will be a toll-free number for all residents in West Virginia to call the Federal Emergency Management Agency, and there they can apply for housing assistance, small business loans, unemployment assistance, crisis counseling, and a range of other assistance.

Working with the Governor, Mr. Speaker, and the FEMA staff, my staff and I will be fanning out across the State as soon as this disaster declaration is made to work with local officials and to work with residents and to get the information out about how to get that assistance.

The first stage, Mr. Speaker, of this flood recovery is coming to an end, and that is basically to preserve life, health, and property. And now we begin the second stage. And as we do, all West Virginians should know that with the Federal disaster declaration that will be coming shortly, they will not be left alone. The second stage begins and so does our recovery.

ADJOURNMENT TO MONDAY, MARCH 10, 1997

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

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

There was no objection.

HOUR OF MEETING ON TUESDAY, MARCH 11, 1997

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, March 10, 1997, it adjourn to meet at 12:30 p.m. on Tuesday, March 11, 1997, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that the business in order under the calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

□ 1100

RESIGNATION AS MEMBER OF COMMITTEE ON EDUCATION AND THE WORKFORCE

The SPEAKER pro tempore (Mr. QUINN) laid before the House the following resignation as a member of the Committee on Education and the Workforce:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 5, 1997.

Hon. NEWT GINGRICH,
Speaker of the House, The Capitol, Washington, DC

DEAR MR. SPEAKER, I hereby submit my resignation from the Committee on Education and the Workplace.

Sincerely,

EARL BLUMENAUER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. WISE. Mr. Speaker, by direction of the Democratic caucus, I offer a privileged resolution (H. Res. 84) and ask for its immediate consideration.

The Clerk read as follows:

HOUSE RESOLUTION 84

Resolved, That the following named Members be, and that they are hereby, elected to the following standing committees of the House of Representatives:

To the Committee on Transportation and Infrastructure: Earl Blumenauer of Oregon, to rank directly below Elijah Cummings of Maryland.

To the Committee on Education and the Workforce: Dennis Kucinich of Ohio.

To the Committee on budget: James McDermott of Washington.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

If postponed, such proceedings will resume after disposition of proceedings de novo on the question of agreeing to the Speaker's approval of the Journal.

DISTRICT OF COLUMBIA COUNCIL CONTRACT REVIEW REFORM ACT OF 1997

Mr. DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 513) to exempt certain contracts entered into by the government of the District of Columbia from review by the Council of the District of Columbia.

The Clerk read as follows:

H.R. 513

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''District of Columbia Council Contract Review Reform Act of 1997''.

SEC. 2. EXEMPTION OF CERTAIN CONTRACTS FROM COUNCIL REVIEW.

(a) IN GENERAL.—Section 451 of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1–1130, D.C. Code) is amended by adding at the end the following new subsection:

''(d) EXEMPTION FOR CERTAIN CONTRACTS.—The requirements of this section shall not apply with respect to any of the following contracts:

''(1) Any contract entered into by the Washington Convention Center Authority for preconstruction activities, project management, design, or construction.

''(2) Any contract entered into by the District of Columbia Water and Sewer Authority established pursuant to the Water and Sewer authority Establishment and Department of Public Works Reorganization Act of 1996, other than contracts for the sale or lease of the Blue Plains Wastewater Treatment Plant.

''(3) At the option of the Council, any contract for a highway improvement project carried out under title 23, United States Code.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contracts entered into on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia [Mr. DAVIS] and the gentleman from Maine [Mr. ALLEN] each will control 20 minutes.

The Chair recognizes the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. DAVIS of Virginia. Mr. Speaker, this bill is a very small matter for us, but it is urgently needed for the District of Columbia Council and two of its independent agencies charged with the important issue of water and sewer service and construction of a new convention center.

This legislation was introduced late in the 104th Congress and fell through the cracks in our rush to adjournment. I appreciate the gentleman from Indiana [Mr. BURTON], the chairman, and the gentleman from California [Mr. WAXMAN], the ranking member, being willing to allow this measure to come before the House outside the regular process. Mr. Speaker, my thanks to Chairman BURTON for permitting expeditious consideration of this bill.

H.R. 513, the District of Columbia Council Review Reform Act, is an important bill for the city's recovery. It enables two independent agencies, the Washington Convention Center Authority, and the District of Columbia Water and Sewer Authority, to carry out their mission in a more efficient and cost-effective manner. Timely passage

of this bill is of the essence in particular for the Convention Center Authority so as to avoid delays by taking full advantage of the construction season.

For many years the council has sought authority to review city contracts in excess of $1 million. The council had numerous times passed legislation to accomplish this objective but had been unable to override executive vetoes. Congress was eventually asked to resolve this dispute, and we did so with the passage of the 1995 District of Columbia Financial Responsibility and Management Assistance Authority, Public Law 104–8. This legislation, establishing the control board, requires in section 304 that no contract involving expenditures in excess of $1 million during a 12-month period may be made unless the mayor submits the contract to the council for its approval and the council approves the contract.

The District of Columbia Convention Center Authority and the District of Columbia Water and Sewer Authority were created as independent entities in order to remove them to the fullest extent possible from the political process. They are both key elements in our continuing efforts to reform essential city services and help restore confidence of the private sector.

The Convention Center Authority was created by the D.C. City Council in 1994, and the Water and Sewer Authority in 1996. In 1995, Congress passed legislation to permit the Convention Center Authority to expend certain revenues for its operation and maintenance. And in 1996 Congress passed legislation facilitating as well the operation of the new Water and Sewer Authority.

A consequence of the Convention Center Authority legislation became apparent when it sought to contract for a project manager. The law was interpreted as prohibiting discretion on the part of the council, and requiring review. At that point the losing bidders commenced lobbying the council to overturn the decision of the Convention Center Authority, which had already been endorsed by the control board. While the contract was eventually approved, precious time and effort were needlessly expended. The same consequence would apply to Water and Sewer Authority contracts.

When the inadvertent application of the control board legislation to both the Convention Center Authority and the Water and Sewer Authority was realized, efforts were made to rectify the situation. H.R. 3664, the District of Columbia Government Improvement and Efficiency Act of 1996, included a section exempting all contracts entered into by the Washington Convention Center Authority and the District of Columbia Water and Sewer Authority from review by the city council. This section also authorized the city council to exempt highway projects carried out under title 23 of the United States Code. But H.R. 3664, though it was marked up by both my subcommittee and the full Government Reform and Oversight Committee, was unable to move forward due to a disagreement which arose on a completely different section of the bill.

This bill is necessary in order to avoid unnecessary delays in the very important work of the Convention Center Authority and the Water and Sewer Authority and to allow the council to eliminate delays in awarding highway contracts for bids already approved by the Federal Highway Administration. H.R. 513 removes the potential for Convention Center Authority and Water and Sewer Authority contracts to be handled in a way opposite the one that clearly is intended by the creation of these independent entities.

After consultation with the city council, the bill authorizes the council to change the way it handles Federal highway projects so as to conform local practice to the practice that exists in most States. The city council has indicated that it would like to establish such a process. This is presently prohibited because the control board legislation requiring council review of contracts is a Federal law and the council cannot change it.

All of the contracts referred to in this legislation are still subject to review by the control board. The Congressional Budget Office has certified that this bill would not affect the Federal budget.

Mr. Speaker, I urge passage of H.R. 513.

Mr. Speaker, I include the following for the RECORD:

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT—BRIEFING MEMO

On Thursday, March 6, 1997, at 10:00 a.m., H.R. 513, is scheduled for floor action on the Suspension Calendar. This bill, the District of Columbia Council Contract Review Reform Act of 1997, is sponsored by Subcommittee Chairman Tom Davis and Ranking Member Eleanor Holmes Norton of the House District of Columbia Oversight Subcommittee of the Committee on Government Reform and Oversight. The purpose of the bill is to exempt certain contracts entered into by the District of Columbia government from review by the District Council.

H.R. 513 was introduced on February 4, 1997, and referred to the Government Reform and Oversight Committee. Chairman Dan Burton agreed to expeditious consideration of the bill on the Suspension Calendar. There is no known opposition to the bill. The Congressional Budget Office has certified in writing that the bill does not effect the federal budget.

H.R. 513 is necessary at this time in order to facilitate the clear intention of Congress in its passage of legislation establishing the control board (P.L. 104–8), and the legislation creating the Washington Convention Center Authority and the District of Columbia Water and Sewer Authority. Timely passage of this bill is particularly essential for the Convention Center Authority so as to avoid delays by taking full advantage of the construction season.

For many years the District of Columbia Council had sought authority to review City contracts in excess of $1 million. Legislation to accomplish this objective was repeatedly vetoed by the Mayor. The Council was unable to override these vetoes. Congress was asked to resolve the matter and sought to do so with passage of P.L. 104–8 in 1995, the District of Columbia Financial Responsibility and Management Assistance Authority. This landmark legislation, establishing the control board, requires in Section 304 that no contract involving expenditures in excess of $1 million during a 12 month period may be made unless the Mayor submits the contract to the Council for its approval and the Council approves the contract. Section 304 is mandatory, not discretionary.

It soon became apparent that the mandatory, all-inclusive nature of Section 304 of P.L. 104–8 created serious problems in particular for the Convention Center Authority. The Washington Convention Center Authority, and the District of Columbia Water and Sewer Authority were created as independent entities in order to remove them to the fullest extent possible from the political process. They are both key elements in continuing efforts by Congress to reform essential City services and help restore confidence in the private sector.

The Convention Center Authority was created by the D.C. Council in 1994, and the Water and Sewer Authority in 1996. In 1995 Congress passed the District of Columbia Convention Center and Sports Arena Authorization Act of 1995 to permit the Convention Center Authority to expend certain revenues for its operation and maintenance. And in 1996 Congress passed the District of Columbia Water and Sewer Authority Act of 1996 to authorize the issuance of bonds with respect to water and sewer facilities.

When the Convention Center Authority proceeded to contract for a Project Manager the adverse consequences of requiring Council review became apparent. Though the contract had been approved by the control board the losing bidders appealed to the Council to overturn the decision. The contract was eventually approved, but precious time and energy were wasted.

When the inadvertent application of the control board legislation to both the Convention Center Authority and the Water and Sewer Authority was realized last year steps were taken to rectify the situation. H.R. 3664, the District of Columbia Government Improvement and Efficiency Act of 1996 included a section exempting all contracts entered into by the Convention Center Authority and the Water and Sewer Authority from review by the City Council. This section of H.R. 3664 also authorized the City Council to exempt highway projects carried out under Title 23 of the U.S. Code. But H.R. 3664, though it was marked-up by both the House District Oversight Subcommittee and the Government Reform and Oversight Committee, was unable to move forward due to a disagreement which arose on a completely different section of the bill.

H.R. 513 also authorizes the District of Columbia City Council to change the way it handles Federal highway projects so as to conform local practice to the practice that exists in most states. After consultation with the City Council it was concluded that they would favor establishing such a process. They are prohibited from doing so now because the control board legislation requiring Council review of contracts is a federal law and the Council cannot change it.

All of the contracts referred to in this legislation are still subject to review by the control board.

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

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

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

Mr. ALLEN. Mr. Speaker, H.R. 513 is a bipartisan bill authored by the District of Columbia Subcommittee's chairman, the gentleman from Virginia [(Mr. DAVIS], and the gentlewoman from the District of Columbia [Ms. NORTON], its ranking member. It would simply exempt contracts over $1 million entered into by the District's Water and Sewer Authority and Convention Center Authority from review and approval by the city council. These two authorities were established by the Council during the last 2 years as corporate bodies with a legal existence apart from the District government. Each authority has its own board of directors, financial system, and revenue sources. Their independence was an essential element of their design, and it is critical to the realization of their respective missions.

Two years ago, Congress approved legislation developed by the D.C. Subcommittee establishing the District of Columbia Financial Responsibility and Management Assistance Authority, Public Law 104–8. This bill contained a provision amending the District's home rule charter to require council review of all contracts over $1 million. This was done in order to inject greater control and accountability into the District's procurement process.

It has since been learned through consultation with various financial advisers that we could lower the risk associated with any borrowing by the two authorities and thereby reduce their borrowing costs if we insulated the larger contracts of the two authorities from the review process and the politics which sometimes affect it.

Finally, the bill would permit the city council at its option to exempt from its review any Federal aid highway program contract over $1 million. The council has indicated that it would prefer to annually approve a schedule of projects to be undertaken under this program rather than consider project contracts on an individual basis. This approach will expedite the procurement process and ensure work can get started during the construction season.

I should point out that all of the contracts which this bill will exempt from council review will still be subject to review and approval by the District's Financial Authority, the Control Board. The authority will ensure that they have been executed appropriately and are consistent with the District's budget and financial plan.

Mr. Speaker, it is clear that this bill does nothing more than streamline an administrative review process of the council. It enjoys the support of the District's local officials. Accordingly, I urge its approval by this body.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. DAVIS] that the House suspend the rules and pass the bill, H.R. 513.

The question was taken.

Mr. DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair will now put the question de novo on the approval of the Journal, and then on the motion to suspend the rules postponed from earlier today.

Votes will be taken in the following order:

The first vote will be on the Journal, de novo; the second vote will be on the motion to suspend the rules and pass H.R. 513, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question de novo of agreeing to the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal of the last day's proceedings.

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

Mr. DAVIS of Virginia. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 355, nays 43, not voting 34, as follows:

[Roll No. 33]

YEAS—355

Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fawell
Fazio
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntyre
McKinney
Meehan
Meek
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Neal
Nethercutt
Neumann
Northup
Norwood
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Vento
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—43

Abercrombie
Baldacci
Bonior
Borski
Brown (CA)
Clay
Clyburn
DeFazio
English
Ensign
Filner
Foglietta
Gephardt
Gibbons
Green
Gutierrez
Hefley
Hilliard
Hulshof
Johnson, E. B.
Kennelly
Kucinich
Lewis (GA)
McDermott
McIntosh
Menendez
Miller (CA)
Ney
Nussle
Oberstar
Pascrell
Pickett
Pombo
Ramstad
Sabo
Scott
Taylor (MS)
Thompson
Velazquez
Visclosky
Waters
Watt (NC)
Weller

NOT VOTING—34

Ackerman
Baesler
Barcia
Camp
Conyers
Davis (FL)
Dingell
Dreier
Engel
Ewing
Flake
Furse
Gallegly
Hinchey
Hoekstra
Kilpatrick
Levin
Maloney (NY)
McCarthy (MO)
McGovern
McKeon
McNulty
Myrick
Nadler
Pomeroy
Sanchez
Schiff
Schumer
Shuster
Skaggs
Stabenow
Strickland
Stupak
Towns

□ 1129

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, I would like the RECORD to reflect that had I been present for rollcall vote 33, I would have voted "Aye."

DISTRICT OF COLUMBIA COUNCIL CONTRACT REVIEW REFORM ACT OF 1997

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 513.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. DAVIS] that the House suspend the rules and pass the bill, H.R. 513, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 7, answered ''present'' 1, not voting 34, as follows:

[Roll No. 34]

YEAS—390

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McIntyre
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stark
Stenholm
Stokes
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—7

Kucinich
Paul
Schaefer, Dan
Schaffer, Bob
Stearns
Stump
Weller

ANSWERED ''PRESENT''—1

Obey

NOT VOTING—34

Ackerman
Baesler
Barcia
Camp
Conyers
Dingell
Dreier
Engel
Flake
Furse
Gallegly
Hinchey
Hoekstra
Kilpatrick
Levin
Maloney (NY)
McCarthy (MO)
McGovern
McKeon
McNulty
Nadler
Pomeroy
Rangel
Sanchez
Schiff
Schumer
Shuster
Skaggs
Stabenow
Strickland
Stupak
Towns
Waters
Weldon (FL)

□ 1140

Mr. DAN SCHAEFER of Colorado changed his vote from ''yea'' to ''nay.''

So (two-thirds having voted in favor thereof) the rules were suspended and 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

Ms. MCCARTHY of Missouri. Mr. Speaker, on rollcall No. 34, had I been present, I would have voted "yes."

□ 1145

ELECTION OF MEMBERS TO THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE ON THE LIBRARY

Mr. NEY. Mr. Speaker, I ask unanimous consent that the Committee on House Oversight be discharged from further consideration of the resolution (H. Res. 85) electing members of the Joint Committee on Printing and the Joint Committee of Congress on the Library, and ask for its immediate consideration.

The Clerk read the title of the resolution.

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

Mr. GEJDENSON. Reserving the right to object, Mr. Speaker, I will not object, but I am just curious as to the gentleman's motion, being the ranking member on the committee.

I yield to the gentleman from California [Mr. THOMAS] to get a full explanation.

Mr. THOMAS. Mr. Speaker, I would tell the gentleman that it is the appointment of Democrats and Republicans to the Joint Committee on Printing. We had gone over the list and cleared it. It is just that it is a unanimous consent, and we wanted to make sure that we were able to get it in prior to the possibility of a motion to adjourn.

Mr. GEJDENSON. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 85

Resolved, That the following named Members be, and they are hereby, elected to the following joint committees of Congress, to serve with the chairman of the Committee on House Oversight:

Joint Committee on Printing: Mr. Ney, Ms. Granger, Mr. Hoyer, and Mr. Gejdenson.

Joint Committee of Congress on the Library: Mr. Ney, Mr. Ehlers, Ms. Kilpatrick, and Mr. Gejdenson.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

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

MOTION TO ADJOURN

Mr. MILLER of California. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the privileged motion.

The Clerk read as follows:

Mr. MILLER of California moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California [Mr. MILLER].

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

Mr. MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 84, nays 312, not voting 36, as follows:

[Roll No. 35]

YEAS—84

Abercrombie
Blumenauer
Borski
Brown (CA)
Brown (OH)
Capps
Carson
Clay
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Eshoo
Farr
Fattah
Fazio
Filner
Foglietta
Ford
Frank (MA)
Frelinghuysen
Gejdenson
Gekas
Greenwood
Hall (OH)
Harman
Hastings (FL)
Hooley
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Lantos
Lowey
Maloney (CT)
Markey
Martinez
Matsui
McCarthy (NY)
McDade
McDermott
Meehan
Millender-McDonald
Miller (CA)
Mink
Moakley
Murtha
Neal
Nussle
Oberstar
Olver
Owens
Pallone
Parker
Pelosi
Sabo
Sandlin
Sherman
Slaughter
Stark
Tauscher
Taylor (MS)
Tierney
Torres
Traficant
Turner
Vento
Waters
Watt (NC)
Weller
Wexler
Weygand
Wynn
Yates

NAYS—312

Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeLay
Dickey
Dooley
Doolittle
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Ganske
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Manton
Manzullo
Mascara
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McIntyre
McKinney
Meek
Menendez
Metcalf
Mica
Miller (FL)
Minge
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Obey
Ortiz
Oxley
Packard
Pappas
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Towns
Upton
Velazquez
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—36

Ackerman
Baesler
Barcia
Blagojevich
Bonior
Camp
Clyburn
Conyers
Diaz-Balart
Dingell
Dreier
Engel
Flake
Frost
Furse
Gallegly
Gephardt
Hinchey
Hoekstra
Kilpatrick
Levin
Maloney (NY)
McCarthy (MO)
McGovern
McKeon
McNulty
Nadler
Sanchez
Schiff
Schumer
Serrano
Shuster
Smith, Adam
Stabenow
Strickland
Stupak

□ 1201

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SCHUMER. Mr. Speaker, due to the passing of my good friend and the former New York State Speaker of the Assembly Stanley Fink, I was unable to cast recorded votes today, March 6, 1997.

PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, I would like the RECORD to reflect that had I been present for rollcall vote 35, I would have voted "nay."

RESIGNATION AS MEMBER OF COMMITTEE ON INTERNATIONAL RELATIONS

The SPEAKER pro tempore (Mr. RIGGS) laid before the House the following resignation as a member of the Committee on International Relations:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 6, 1997.

Hon. NEWT GINGRICH,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR SPEAKER GINGRICH: Effective immediately, I hereby resign from the Committee on International Relations.

Sincerely,

DENNIS J. KUCINICH,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

1997 TRADE POLICY AGENDA AND 1996 ANNUAL REPORT ON TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1997 Trade Policy Agenda and 1996 Annual Report on the Trade Agreements Program.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 6, 1997.*

LLOYD GAMBLE

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

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to introduce legislation to compensate Lloyd Gamble, a veteran who served our country with honor but was used as a guinea pig by our military.

In 1944, Lloyd Gamble enlisted in the U.S. Army and subsequently transferred to the U.S. Air Force, and to Lloyd Gamble the military was his life. In 1958, his promising, successful career was cut short when the Army used an experimental secret drug testing program administered by them to study the effects of LSD on humans. They denied this program ever existed until an aggressive congressional investigation proved otherwise in 1975.

Lloyd Gamble, used as a guinea pig by our military without his knowledge or permission, salvaged his marriage but his career was cut short. This legislation I hope can be acted on quickly by this body so that we can give him the compensation that he deserves. We have the opportunity to uphold the pledge which we heard just moments ago, with liberty and justice for all. Let us give Lloyd Gamble the justice he deserves.

I ask my colleagues to support and help pass this legislation and move it to the other body quickly for expeditious review.

H.R.—

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

SECTION 1. APPROPRIATION OF FUNDS.

(a) PAYMENT.—The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to Lloyd B. Gamble of Fairfax, Virginia, the sum of $253,488.

(b) BASIS.—The payment required by subsection (a) shall be to compensate Lloyd B. Gamble for the injuries sustained by him as a result of the administration to him, without his knowledge, of lysergic acid diethylamide by United States Army personnel in 1957.

SEC. 2 SATISFACTION OF CLAIMS.

The payment made pursuant to section 1 shall be in full satisfaction of all claims Lloyd B. Gamble may have against the United States for any injury described in such section.

SEC. 3. INELIGIBILITY FOR ADDITIONAL BENEFITS.

Upon payment of the sum referred to in section 1, Lloyd B. Gamble shall not be eligible for any compensation or benefits from the Department of Veterans Affairs or the Department of Defense for any injury described in such section.

SEC. 4. LIMITATION OF AGENTS AND ATTORNEYS FEES.

It shall be unlawful for an amount of more than 10 percent of the amount paid pursuant to section 1 to be paid to or received by any agent or attorney for any service rendered to Lloyd B. Gamble in connection with the benefits provided by this Act. Any person who violates this section shall be guilty of an infraction and shall be subject to a fine in the amount provided in title 18, United States Code.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET REGARDING CURRENT LEVELS OF SPENDING AND REVENUES REFLECTING ACTION COMPLETED AS OF FEBRUARY 28, 1997, FOR FISCAL YEARS 1997–2001

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. KASICH] is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, on behalf of the Committee on the Budget and pursuant to sections 302 and 311 of the Congressional Budget Act, I am submitting for printing in the CONGRESSIONAL RECORD an updated report on the current levels of on-budget spending and revenues for fiscal year 1997 and for the 5-year period, fiscal year 1997 through fiscal year 2001.

This report is to be used in applying the fiscal year 1997 budget resolution, House Concurrent Resolution 178, for legislation having spending or revenue effects in fiscal years 1997 through 2001.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, March 4, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: To facilitate applications of sections 302 and 311 of the Congressional Budget Act, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 1997 and for the 5-year period fiscal year 1997 through fiscal year 2001.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature as of February 28, 1997.

The first table in the report compares the current level of total budget authority, outlays, and revenues with the aggregate levels set by H. Con. Res. 178, the concurrent resolution on the budget for fiscal year 1997 as adjusted pursuant to 606(e) of the Budget Act for continuing disability reviews. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 1997 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority, outlays, and new entitlement authority of each direct spending committee with the ''section 602(a)'' allocations for discretionary action made under H. Con. Res. 178 for fiscal year 1997 and for fiscal years 1997 through 2001. ''Discretionary action'' refers to legislation enacted after adoption of the budget resolution. This comparison is needed to implement section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 602(a) discretionary action allocation of new budget authority or entitlement authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 1997 with the revised ''section 602(b)'' sub-allocations of discretionary budget authority and outlays among Appropriations subcommittees. This comparison is also needed to implement section 302(f) of the Budget Act, because the point of order under that section also applies to measures that would breach the applicable section 602(b) sub-allocation. The revised section 602(b) sub-allocations were filed by the Appropriations Committee on September 27, 1996.

Sincerely,

JOHN R. KASICH,
Chairman.

Enclosures.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 1997 CONGRESSIONAL BUDGET ADOPTED IN HOUSE CONCURRENT RESOLUTION 178

[Reflecting action completed as of February 28, 1997—on-budget amounts, in millions of dollars]

	Fiscal years—	
	1997	1997–2001
Appropriate Level (as amended by P.L. 104–93):		
Budget authority	1,314,935	6,956,507
Outlays	1,311,321	6,898,627
Revenues	1,083,728	5,913,303
Current Level:		
Budget authority	1,331,836	[1]
Outlays	1,323,900	[1]
Revenues	1,104,262	5,975,917
Current Level over (+)/under(−) Appropriate Level:		
Budget authority	16,901	[1]
Outlays	12,579	[1]
Revenues	20,534	62,614

[1] Not applicable because annual appropriations Acts for Fiscal Years 1997 through 2001 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

FY 1997 budget authority exceeds the appropriate level set by H. Con. Res. 178 as amended by P.L. 104–93. Enactment of measures providing any new budget authority for FY 1997 would be subject to point of order under section 311(a) of the Congressional Budget Act of 1974.

OUTLAYS

FY 1997 outlays exceed the appropriate level set by H. Con. Res. 178 as amended by P.L. 104–93. Enactment of measures providing any new outlays for FY 1997 would be subject to point of order under section 311(a) of the Congressional Budget Act of 1974.

REVENUES

Enactment of any measure that would result in any revenue loss in excess of $20,534,000,000 for FY 1997 (if not already included in the current level estimate) or in excess of $62,614,000,000 for FY 1997 through 2001 (if not already included in the current level) would cause revenues to be less than the recommended levels of revenue set by H. Con. Res. 178.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(a), REFLECTING ACTION COMPLETED AS OF FEBRUARY 28, 1997

[Fiscal years, in millions of dollars]

	1997			1997–2001		
	BA	Outlays	NEA	BA	Outlays	NEA
House Committee:						
Agriculture:						
Allocation	0	0	0	0	0	4,996
Current level	5	5	5	55	55	55
Difference	5	5	5	55	55	−4,941
National Security:						
Allocation	−1,579	−1,579	0	−664	−664	0
Current level	−102	−102	−21	−289	−289	−34
Difference	1,466	1,477	−21	375	375	−34
Banking, Finance and Urban Affairs:						
Allocation	−128	−3,700	0	−711	−4,004	0
Current level	0	−6	0	0	0	0
Difference	128	3,694	0	711	4,004	0
Economic and Educational Opportunities:						
Allocation	−912	−800	−152	−3,465	−3,153	7,669
Current level	1,967	1,635	1,816	11,135	10,296	8,852
Difference	2,879	2,435	1,968	14,600	13,449	1,183
Commerce:						
Allocation	0	0	370	−14,540	−14,540	−41,710
Current level	3	3	492	242	195	1,430
Difference	3	3	122	14,782	14,735	43,140
International Relations:						
Allocation	0	0	0	0	0	0
Current level	−1	−1	0	−1	−1	0
Difference	−1	−1	0	−1	−1	0
Government Reform & Oversight:						
Allocation	−1,078	−1,078	−289	−4,605	−4,605	−1,668
Current level	0	0	0	0	0	0
Difference	1,078	1,078	289	4,605	4,605	1,668
House Oversight:						
Allocation	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Resources:						
Allocation	−91	−90	−12	−1,401	−1,460	−59
Current level	−19	−20	0	−144	−167	0
Difference	72	70	12	1,257	1,293	59
Judiciary:						
Allocation	0	0	0	−357	−357	0
Current level	3	3	0	45	45	0
Difference	3	3	0	402	402	0
Transportation & Infrastructure:						
Allocation	2,280	0	0	125,989	521	2
Current level	2,345	65	12	4,748	121	56
Difference	65	65	12	−121,241	−400	54
Science:						
Allocation	0	0	0	−13	−13	0
Current level	0	0	0	0	0	0
Difference	0	0	0	13	13	0
Small Business:						
Allocation	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Veterans' Affairs:						
Allocation	−90	−90	224	−919	−919	3,475
Current level	0	0	3	0	0	−52
Difference	90	90	−221	919	919	−3,527
Ways and Means:						
Allocation	−8,973	−9,132	−2,057	−134,211	−134,618	−10,743
Current level	8,338	8,302	−2,840	73,457	73,476	−38,717
Difference	17,311	17,434	−783	207,668	208,094	−27,974
Select Committee on Intelligence:						
Allocation	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Total Authorized:						
Allocation	−10,571	−16,469	−1,916	−34,897	−163,812	−38,038
Current level	12,539	9,884	−533	89,248	83,731	−28,410
Difference	23,110	26,353	1,383	124,145	247,543	9,628

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 1997—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(b)

[In millions of dollars]

	Revised 602(b) suballocations (Sept. 27, 1996)				Current level reflecting action completed as of Feb. 28, 1997				Difference			
	General purpose		Violent crime		General purpose		Violent crime		General purpose		Violent crime	
	BA	O	BA	O	BA	O	BA	O	BA	O	BA	O
Agriculture, Rural Development	12,960	13,380	0	0	13,009	13,373	0	0	49	−7	0	0
Commerce, Justice, State	24,493	24,493	4,525	2,951	24,838	25,065	4,526	2,954	345	126	1	3
Defense	245,065	243,372	0	0	243,851	242,887	0	0	−1,214	−485	0	0
District of Columbia	719	719	0	0	719	719	0	0	0	0	0	0
Energy & Water Development	19,421	19,652	0	0	19,973	19,923	0	0	552	271	0	0
Foreign Operations	11,950	13,311	0	0	12,267	13,310	0	0	317	−1	0	0
Interior	12,118	12,920	0	0	12,503	13,178	0	0	385	258	0	0
Labor, HHS & Education	65,625	69,602	61	38	71,026	71,517	61	39	5,401	1,915	0	1
Legislative Branch	2,180	2,148	0	0	2,170	2,132	0	0	−10	−16	0	0
Military Construction	9,983	10,360	0	0	9,982	10,344	0	0	−1	−16	0	0
Transportation	12,190	35,453	0	0	12,080	35,519	0	0	−110	66	0	0
Treasury-Postal Service	11,016	10,971	97	84	11,620	11,292	97	83	604	321	0	−1
VA–HUD–Independent Agencies	64,354	78,803	0	0	64,522	79,196	0	0	168	393	0	0
Reserve/Offsets	768	219	0	0	−2,750	−5,850	0	0	−3,518	−6,069	0	0
Grand total	492,842	535,849	4,683	3,073	495,810	532,605	4,684	3,076	2,968	−3,244	1	3

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 4, 1997.

Hon. JOHN KASICH,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the on-budget current levels of new budget authority, estimated outlays, and estimated revenues for fiscal year 1997. These estimates are compared to the appropriate levels for those items contained in the 1997 Concurrent Resolution on the Budget (H. Con. Res. 178) and are current through February 28, 1997. A summary of this tabulation follows:

[In millions of dollars]

	House current level	Budget resolution (H. Con. Res. 178)	Current level +/− resolution
Budget Authority	1,331,836	1,314,935	+16,901
Outlays	1,323,900	1,311,321	+12,579
Revenues:			
1997	1,104,262	1,083,728	+20,534
1997–2001	5,975,917	5,913,303	+62,614

Since my last report, dated January 9, 1997, the budget authority and outlay totals established in H. Con. Res. 178 have been revised to reflect additional appropriations that were enacted to pay for the costs of continuing disability reviews. This revision is in accordance with Section 103(b) of The Contract with America Advancement Act of 1996 (P.L. 104–121). In addition, the Congress has cleared, and the President has signed, the Airport and Airway Trust Fund Tax Reinstatement Act of 1997 (H.R. 668). This action changed the current level of revenues.

Sincerely,

JUNE E. O'NEILL,
Director.

PARLIAMENTARIAN STATUS REPORT—105TH CONGRESS, 1ST SESSION, HOUSE ON-BUDGET SUPPORTING DETAIL FOR FISCAL YEAR 1997, AS OF CLOSE OF BUSINESS FEBRUARY 28, 1997

[In millions of dollars]

	Budget authority	Outlays	Revenues
PREVIOUSLY ENACTED			
Revenues			1,101,533
Permanents and other spending legislation	855,751	814,110	
Appropriation legislation	753,927	788,263	
Offsetting receipts	−271,843	−271,843	
Total previously enacted	1,337,835	1,330,530	1,101,533
ENACTED THIS SESSION			
Airport and Airway Trust Fund Tax Reinstatement Act (H.R. 668)			2,730
APPROPRIATED ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs that have not been enacted	−5,999	−6,630	
TOTALS			
Total Current Level	1,331,836	1,323,900	1,104,262
Total Budget Resolution	1,314,935	1,311,321	1,083,728
Amount remaining:			
Under Budget Resolution			
Over Budget Resolution	16,901	12,579	20,534
ADDENDUM			
Emergencies:			
Funding that has been designated as an emergency requirement by the President and the Congress	1,806	1,228	
Funding that has been designated as an emergency requirement only by the Congress and is not available for obligation until requested by the President	323	305	
Total emergencies	2,129	1,533	

PARLIAMENTARIAN STATUS REPORT—105TH CONGRESS, 1ST SESSION, HOUSE ON-BUDGET SUPPORTING DETAIL FOR FISCAL YEAR 1997, AS OF CLOSE OF BUSINESS FEBRUARY 28, 1997—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Total current level including emergencies	1,333,965	1,325,433	1,104,262

JUSTICE AND EQUITY FOR FILIPINO VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FILNER] is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, I am proud to join my colleague today, the gentleman from New York [Mr. GILMAN], chairman of the House Committee on International Relations, to introduce H.R. 836, the Filipino Veterans Equity Act.

Last year the Members of this House and our colleagues in the Senate took the first major step toward restoring fairness to this group of brave veterans. Both Chambers passed concurrent resolutions to recognize and thank the Filipino World War II veterans for their service and contributions toward the successful outcome of that war.

In October the President joined us and issued a Presidential proclamation recalling the courage, sacrifice and loyalty of these Filipino veterans of World War II and honored them for their contributions to our freedom. These actions were the first step. Now is the time to build upon that recognition that these veterans so deserve. Now is the time to restore the benefits that they were promised back in 1946.

Too few Americans are familiar with this chapter in our Nation's history. During World War II, the military forces of the Commonwealth of the Philippines were drafted to serve in our Armed Forces by Executive order of the President of the United States. Filipino soldiers defended the American flag in the now famous battles of Bataan and Corregidor. Thousands of Filipino prisoners of war died during the 65-mile Bataan death march. Those who survived were imprisoned under inhuman conditions where they suffered casualties at the rate of 50 to 200 prisoners per day. They endured 4 long years of enemy occupation.

The soldiers who escaped capture, together with Filipino civilians, fought against the occupation forces. Their guerrilla attacks foiled the plans of the Japanese for a quick takeover of the region and allowed the United States the time needed to prepare forces to defeat Japan. After the liberation of the Philippine Islands, the United States was able to use the strategically located Commonwealth of the Philippines as a base from which to launch the final efforts to win the war.

With their vital participation so crucial to the outcome of World War II, one would assume that the United States would be grateful to their Filipino comrades. So it is hard to believe that soon after the war ended, the 79th Congress voted in a way that only can be considered blatant discrimination, as they took away the benefits and recognition that the Filipino World War II veterans were promised in what was called the Rescissions Act of 1946.

Now over 50 years have passed since this Rescissions Act, 50 long years during which the Filipino veterans have been waiting for justice. I am so proud that Congress and the President have taken the first step to restoring their dignity. The Filipino veterans, and sons, their daughters are most grateful for the recognition and honor bestowed upon them last year.

But now is the time to complete the job. Now is the time to correct the injustices of the 79th Congress. Many of these Filipino veterans have already died, and in a decade or decade and a half there will no longer be any of these veterans still living. They have been patiently waiting and asking: Do we deserve that Rescissions Act of 1946? Did we not fight side by side with the forces from the United States? Have we not suffered the same suffering as the American soldier during that war? Did bullets ask if their target was an American or Filipino soldier?

The bill that we have introduced this week, H.R. 836, will provide full benefits from the Department of Veterans Affairs to veterans who served in the Philippine Commonwealth Army and the Special Philippine Scouts. During the last session of Congress, over 100 Members of the House signed up as cosponsors of an identical bill.

Now is the time for all of us to join together in a bipartisan effort to correct a monumental injustice by restoring benefits promised to the Filipino World War II veterans for their defense of Democratic ideals.

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from Illinois [Mr. MANZULLO] is recognized for 5 minutes.

[Mr. MANZULLO addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. SKAGGS] is recognized for 5 minutes.

[Mr. SKAGGS addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

IT IS TIME TO PASS TAX RELIEF

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PAPPAS] is recognized for 5 minutes.

Mr. PAPPAS. As the old saying goes, Mr. Speaker, there are two certainties in life: death and taxes. While we can only die once, every year Americans

are working harder and longer to pay their taxes. For many Americans the current tax system is in effect a death sentence.

Who among us thinks that we are undertaxed? How many of us think that we should be paying more of our hard-earned tax dollars to the Federal Government? We are taxed on every dime we make, every purchase we make, every phone call we place, every gallon of gas we pump, every home we sell. We are even taxed when we die. The people of central New Jersey have told me that they are tired of paying more and more each year. They have told me to go to Washington and work for real tax relief.

Mr. Speaker, the time that is spent to pay the tax bill is time that could be better spent. It is time that a mother or father could be spending with their child. It is a time that a small business man or woman could be drumming up new customers. Imagine that you found a new job where you were told to come to work at 9 in the morning but you would not start getting paid until 11:45. Would you want that job? Yet that is the part of every day that every average American worker spends to pay their taxes. It was not until May 7 last year that the average American worker was able to stop working for Uncle Sam.

I have made it a top priority of mine to help ease the burden of taxes on the individuals, families and businesses of this country. On my first day as a Member of Congress, I introduced legislation, H.R. 245, that will ease the burden for those families or individuals trying to sell their house or buy new equipment for a small business.

□ 1215

The legislation reduces the capital gains tax by 50 percent and seeks to eventually end it entirely.

H.R. 245 also aims at keeping family owned businesses and farms in the family. It raises the estate tax exemption so that a son or daughter can build on a business that was started by their mother or father. This obtrusive death tax brings in only a small amount of revenue into the Government and, yet, can have devastating effects on a family or a family business.

Oftentimes a business or farm that has been part of a family for generations is forced to be sold just to pay the tax bill. Approximately 75 percent of businesses in this country are family owned and 78 percent of the founders of those businesses intend to pass their business down to their children, but currently only 30 percent of businesses ever make it to a second generation.

Many parents work their entire life to hand down something to their children to make their lives better. Under the current system, the Government steps in and destroys a lifetime of work. That is wrong, and for many it will end with the passage of H.R. 245.

Just yesterday I, along with the chairman of the Committee on Small Business, the gentleman from Missouri [Mr. TALENT], introduced another piece of legislation, H.R. 955, that will help to keep the entrepreneurial spirit of this country alive.

The Family Freedom Home Office Deduction Act of 1997 will make it easier for the 14,000,000 home-based business owners to deduct the expenses of their home office. Small businesses are the single greatest creators of jobs in this country and, frankly, in the future. The advent of fax machines, Internet and teleconferencing have changed the face of business. No longer are businesses confined to large office buildings.

More and more people are working out of their homes. Each of us knows people in our district who work from their homes: consultants, salespeople, lawyers, doctors, accountants. Many of the people that we deal with each day, sometimes unbeknownst to us, are working out of their home. Whether it is the father who wants to be there for his children or the mother who works as a consultant, working from home has become increasingly appealing. Seventy percent of all home-based businesses are started by women. The Tax Code should reflect the modern business environment of our country.

America has always been the home of the entrepreneur. This legislation is one step in equipping small businesses with the tools it needs to continue being the fastest growing sector and job producers in our economy.

Providing every American with tax relief is not a partisan issue. Our job here in Congress is to represent the people of America and work to make their lives better. Passing tax relief is good for our future and the time to act is now.

WEST VIRGINIA TO RECEIVE FEDERAL DISASTER RELIEF

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, there are times to say thank you, and as the flood waters are receding but not gone from West Virginia, it is time to say thank you to the National Guard, the hundreds of men and women who have been on duty for many, many days. It is time to say thank you to the emergency services personnel, the State and county office of emergency services, the volunteer fire departments all across our State. The many volunteers, the Red Cross and the Salvation Army.

We are still pulling out the mud, still feeding people in shelters, still trying to clean out homes, still trying to clean off roads, and that work is going to go on for a long time, but a lot of people have made the loss of life minimal and have safeguarded much life and properties because of their efforts. So to these people we owe a great deal of thanks.

Governor Underwood has done an excellent job coordinating all these different resources, and as we finish the first stage in our State in flood recovery, we now enter the second stage. That second stage begins today with the Governor requesting Federal disaster assistance for a number of our counties. In seeking partial declaration of Federal assistance, Cabell, Kanawha, Wirt, and Wetzel Counties would be the first ones under a partial declaration. And it must be pointed out that this is a partial declaration; that because the flood waters are still receding in some areas, we do not know the full amount of damage in those areas and it will take a day or two more to assess that.

But other counties will be added to the disaster declaration made by the Federal Government. I can assure people of that, having personally contacted the Federal Emergency Management Agency myself, having met with the Vice President and the head of FEMA yesterday in Huntington, having sent a letter directly to the President of the United States, as well as the head of FEMA, having been in close contact with Governor Underwood, the OES staff and, of course, the Federal officials.

The partial declaration will name some counties and then others will be added very, very quickly. No one should be worried that they will be left out in this regard. Simply because a county is not named does not mean it will not be under the Federal disaster declaration. Indeed, it will probably follow in the next couple of days.

When the county is named, the people in that county, Mr. Speaker, will have access to a toll free number and they can call that number, which goes directly to the Federal Emergency Management Agency, and then they can start beginning to receive the assistance they need and applying for the assistance they need in housing, in unemployment, crisis counseling, tax relief, small business loans and the many other areas that are so necessary to help the thousands of West Virginians get back on their feet.

We have had 9,000 residences affected by this flood, Mr. Speaker, and the damage is beyond comprehension.

Mr. Speaker, I think it is important also to emphasize that as the first stage begins to end, and as the National Guard and others begin to return to their normal duties, now the second stage begins, and that is the Federal assistance, and there will be others there to assist as well. My staff will be visiting many of these areas. I will, of course, be working closely with the Governor's staff and others. So no one will be left alone.

Switching topics, Mr. Speaker, turning to the eastern panhandle for a second, the eastern panhandle on Monday is going to host the first of a series called Project Europe Forums. I am delighted the men and women of the eastern panhandle have taken this on.

Heading up Project Europe in the steering committee, I know how much

we can gain in West Virginia from marketing our goods in the European Union. So on Monday, in Martinsburg, at the Holiday Inn, we will be holding the first of Project Europe functions in which we bring together representatives of the German Embassy, the United States Department of Commerce, the West Virginia Development Office and other West Virginia businesses that have already cracked the European market and to work with our other West Virginia businesses that maybe want to increase their opportunities or indeed want to get into the European market for the first time.

Seventy-five percent of foreign investment in West Virginia is European. Over a billion dollars worth of goods sold from West Virginia goes to the European Union. So I know, Mr. Speaker, that this is going to be a valuable undertaking, and I am delighted the eastern panhandle, and Martinsburg in particular, will host our first Project Europe seminar on Monday.

SUPPORT COMPREHENSIVE TAX REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada [Mr. GIBBONS] is recognized for 5 minutes.

Mr. GIBBONS. Mr. Speaker, I rise today in support of comprehensive tax reform. My personal belief is that we should completely scrap the current Tax Code and replace it with one that is fairer, flatter and simpler. While I am not certain of which tax reform proposal is best for our country, I am certain that our current system is desperately in need of reform.

April 15, millions of Americans will struggle with the current Tax Code in a desperate attempt to comply with the rules and regulations and their obligation to this country. Since enactment, the Internal Revenue Act of 1954, the income tax code has grown from 744,000 words in 1955 to 5,577,000 words in 1994. This represents a growth rate of 625 percent for that 40-year period.

The Code has been revised well over 400 times through major tax enactments and public laws. The Tax Code has become so overly complicated that the average American taxpayer finds it extremely difficult, if not impossible, to comply.

I understand that major reform does not come about overnight and there are significant steps we can take in the interim to help ease the tax burden for the hard working men and women of this country. The first is a reduction of the capital gains tax. The capital gains tax represents a significant disincentive for investment in this country and stifles economic growth. Its reduction would help unlock stagnant investment and allow our economy to thrive.

Second, I would like to eliminate altogether the estate tax. The death tax, as it is called, is one of the worst provisions in the Tax Code. This tax penalizes hard working families who work so hard to provide financial security to their children and grandchildren. It often forces businesses and business owners, farmers as well, to liquidate their businesses just to pay this tax.

If Congress is serious about easing the tax burden and making our tax system more equitable, capital gains and estate taxes are a good place to start.

OUR COUNTRY NEEDS SWEEPING TAX REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah [Mr. COOK] is recognized for 5 minutes.

Mr. COOK. Mr. Speaker, I believe the most compassionate and practical thing that this Congress can do is to give the American people tax laws that make sense and tax relief that is meaningful. Our country desperately needs sweeping tax reform. Our people need tax laws they can understand. They need a method of taxation that is fair and reasonable.

Our tax laws now are so complicated that even the IRS cannot explain them. I think it is ludicrous the IRS sends out 8 billion pages of forms and instructions each year. Our tax system is too complicated, and our taxes are simply too high.

Mr. Speaker, I am proud to join the growing number of congressional Members calling for sweeping tax reform and meaningful tax relief.

We lost the fight this year to give the American people the term limits the majority said they wanted, and it appears from this week that we may be losing the fight to give the American people the balanced budget amendment that they have been wanting and feel they can build their future on. But let us not lose this fight. Let the 105th Congress be remembered for slaying the dragon that terrorized previous Congresses.

I have been a long-time advocate of the flat tax. I support the Freedom and Fairness Restoration Act of the gentleman from Texas [Mr. ARMEY]. A flat tax is simple. I like Mr. ARMEY's suggestion that Americans ought to be able to file their taxes on a form the size of a postcard.

A flat tax treats everyone equally and fairly. It will spur the economy and encourage people to save and invest. The Freedom and Fairness Restoration Act will also give Americans desperately needed tax relief, providing a reasonable tax cut while raising nearly as much money as the current system. But more than this, I think a flat tax can reform our entire political system.

Congress has used the American Tax Code as a tool for social engineering, and that is not right. Behaviors are rewarded or punished through a little tinkering here and a little tinkering there of the Tax Code. I believe that is a cynical and improper use of our power. Americans pay taxes to support a government created to serve them, not to a government created to control them.

Mr. Speaker, we never enjoy paying our taxes. The millions of American families struggling to make ends meet will never be eager to give their precious dollars to the Federal Government. But if we have the courage to act, these families can say for the first time that they now understand the tax laws that they are obeying. They can say for the first time that they know their tax burden is not heavier for them than for the family down the street or those across town. They can say for the first time that the American tax system is simple, fair, and just.

DEATH TAX IS PARTICULARLY METTLESOME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. SHIMKUS] is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, it is no secret that the Tax Code hurts our economy. We all know that Americans who try to save get penalized and that most Americans need a tax attorney to help them file their returns.

I want to speak briefly, however, on a part of the Tax Code that is particularly mettlesome to constituents in my district: The death tax, which was first enacted in 1916 on estates larger than $50,000, which in today's dollars would be about $720,000 at a top tax rate of 10 percent.

Today, under the tax and spend policies of the past, this tax has grown to include estates valued as low as $600,000 with a top tax rate of 55 percent.

The goal of this tax is to prevent families from amassing huge estates and to promote wealth redistribution. That may sound like a good goal on paper, but in practice this tax does not have that effect. In fact, the estate tax hurts middle class, family owned businesses and farms by making it harder for the business to be passed on to the next generation.

Back in my district, in Illinois, the Buesinger family, from Christian County, have recently found out how terrible this tax can be.

□ 1230

After Glen Buesinger, Sr. passed away, his three sons and wife were left to manage the farm. The family almost lost their farm and is still hurting from the costs, aggravation, and frustration this tax has placed on them.

The rich in this country, at which this law is aimed, simply evade this tax legally by using complex estate planning techniques and tricky lawyers. Since many of these techniques are costly and require long lead times to implement, those with the largest estates have the greatest ability to engage in this practice. A disproportionate burden of the death tax falls on those with recently acquired assets, such as farmers and small business owners.

Imagine, if you will, owning a family farm in southwestern Illinois which you have worked for 30 years. You have built and developed the land with the hope of passing it along to your children so that they may have a better life. But after your death, your children tragically find that the farm will not be staying in the family. In fact, most of the farm must be sold off to pay the Federal taxes due on the property.

This tax costs Americans a great deal back in Illinois but the sacrifice shows up for very little in Washington tax coffers. According to the Office of Management and Budget, the estate tax raises little more than 1 percent of the total Federal revenues. In addition, costs to the Government to collect this tax can be as high as 65 cents of every dollar.

Mr. Speaker, this tax policy is not an effective way to help America create jobs and grow the economy. This policy taxes the middle class and destroys the dreams of countless families. It is time we abolish this tax and start letting Americans know that their dreams can come true and not end up in the hands of some big-spending bureaucrats in Washington.

TAX REFORM

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from Kansas [Mr. RYUN] is recognized for 5 minutes.

Mr. RYUN. Mr. Speaker, the Federal Government is taking too much of the American taxpayer's money. As the representative from the Second District of Kansas, I have been elected to be a custodian of their money and I am here to make a report that their taxes are too high.

Right now Americans, and Kansans in particular, pay more in taxes than they do on three essential things: food, shelter, and clothing. All of those things combined, they pay more taxes. They have to work until May 7 before they can realize even one penny of their hard-earned money. That means that January, February, March, April, and the first 7 days of May, they have to work to support the Federal Government before they can realize even one penny of their hard-earned money.

In 1992, families were promised a tax cut, only to have that promise broken and to see the largest tax increase in American history. I along with others have personally felt this tax increase. As a small independent businessman, there were times as I finished collecting and putting together the payroll that I would come up and I would say to my family, I would show them in fact what I earned, say, 10 years before and what I earned last year and I would show them that the difference was taxation. It is too large, it is too much, and we need to make a change.

Some people do not understand that, though. They think that the Government is entitled to every penny that they earn. They need to realize and here is an opportunity to realize that it is their hard-earned money, it is not the Federal Government's money.

Recently I was in Pittsburg, KS, seeing some of my constituents, and as I was leaving, traveling to another southeast Kansas city, I was stopped on the highway by a construction worker as I was waiting for construction to be completed. The young man that was holding the sign came back to me, and as we talked at the window I began enlisting him hopefully in support of my campaign to elect me to the Second District of Kansas. I handed him one of my fliers and he responded by saying, ''I'm not involved in the process, I don't vote.'' And so as we continued to talk, he began explaining to me that he did not want to be a construction worker the rest of his life but that he would like to be an underwater welder like his uncle and earn lots of money. I then reached over to the side of my car where my wife normally sat and gave him a voter registration, and I explained to him that when he started earning more money and started paying taxes like the rest of us, he would want to be involved in this process and have more say-so as to how his taxes were being spent.

Specifically, I think we need to help Kansas families, Kansas working families, and there are four areas. One of them is in the area of the marriage penalty. We need to eliminate that. Another area is in terms of capital gains. We need to reduce capital gains. By reducing capital gains, we will free up more money, we will provide for better jobs and we will provide more opportunities for hard-working Kansas family members. We need to reward Kansas families. The $500 per child tax credit would be an opportunity to do that. Finally, we need to eliminate the estate, or I would like to say the death tax. When you have been taxed all of your life, there is nothing worse than one more insult from the Federal Government.

I intend, Mr. Speaker, to work hard with other freshmen, my freshman colleagues and other Members from both sides of the aisle who are willing to reduce the level of taxation on families. We need to restore back to the American public the opportunity to see more of their hard-earned and realized dollars.

THE MOST UNFAIR TAX, CAPITAL GAINS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. PETERSON] is recognized for 5 minutes.

Mr. PETERSON of Pennsylvania. Mr. Speaker, it is a pleasure today to stand and speak out against the tax that I think is the most unfair tax in this country, the capital gains tax. This is a tax that has been debated for a decade in this country and it has been debated and has not been cut because, in my view, those who oppose cutting this tax say that it would be a tax break for the rich. And who wants to give the rich a tax break? None of us.

But that is not a fair statement. When you look at the record, 37 percent of the people who pay the capital gains tax make less than $30,000 in income a year. Is that the rich? Fifty-seven percent make less than $50,000 a year. Is that the rich? Seventy-four percent make less than $75,000 a year. Is that the rich? Who does it really affect? I think one of the most detrimental effects is on our farmers, our restaurateurs, our merchants, small manufacturers, small investors, and many of our senior citizens.

I want to give Members an iron-clad example. If a couple bought a farm in 1957 for $40,000 and they just maintained that farm until today and sold it, it would probably bring about $400,000, only because of inflation, not because it is of more value, just keeping equal. That couple would pay $111,000 of that money back to the Federal Government who has done nothing to help them, only tax them, for all of that time. Is that fair? I do not think so.

Most farmers and small businesspeople do not have savings plans and do not have retirement systems. They depend on the value of their farm and their small business when they sell it as a nest egg to augment their Social Security.

Yes, the capital gains tax taxes inflation as it did with that farmer. Who taxes capital gains? The growing countries of the world, Hong Kong, the Netherlands, Germany, and Japan, do not. They do not tax capital gains. Other countries index assets for inflation so that you do not pay on a false growth. Inflation is not a growth in value.

The record is clear. In 1978 through 1985 when we cut our capital gains tax in this country 30 percent, from 50 to 20, revenues actually increased from $9 billion a year to $26.5 billion. In 1986 when we increased it from 20 percent back to 28 percent, 6 years later revenues were just equal. It did not grow. We did not benefit.

The 28 percent capital gains tax rate has locked up trillions of dollars of needed capital to reinvest in our sluggish rural economy in America. Too much of rural America is struggling to provide opportunities for our young people. It is certainly obvious to me that a capital gains tax cut is not a tax cut for the rich. It is for our family farmers. It is for the local merchants, small manufacturers, our neighbors who have invested in a business or in stocks, and many of our senior citizens who would like to sell their business and be able to enjoy the fruits of their labor.

I call upon my colleagues today to make our No. 1 priority cutting and initially eliminating the capital gains tax, because it is the greatest deterrent to economic growth and a future for

our young people that we have in this country today.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. HULSHOF] is recognized for 5 minutes.

[Mr. HULSHOF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TAX REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Dakota [Mr. THUNE] is recognized for 5 minutes.

Mr. THUNE. Mr. Speaker, many of my colleagues have gone before me and addressed an issue which I think is of great importance to the future of our country. In fact if you look back in 1948, the average tax burden in America on the average family was about 2 percent of their income. Today the Federal tax burden is 24 percent and when we factor in State and local taxes, it gets upward of 40 percent. And if you figure the overall cost of government to the American family today, it is over 50 percent of their income.

If you look at some of the statistics that were released by the Kemp Commission last year, the fact is that we spend in this country over 5 billion man-hours a year filling out tax returns. You think about the number of people who do nothing. Three million full-time equivalent people who do nothing but fill out tax returns. I think it is ironic because that is more people than we have in our entire Armed Forces in America. That tells me one thing; that we spend more time, money, and energy in resources defending ourselves from our own tax system than we do from foreign enemies. So we have a tax system in this country that is desperately in need of overhaul, of simplification, of common sense for American families and businesses.

I would also point out that there are 471 different tax forms. I think the complexity of our Tax Code today was illustrated recently when the Internal Revenue Service expended $4 billion to come up with a computer system to process it which they discovered could not work. And so we need to simplify the Tax Code in this country in a way that makes sense for American families and American businesses and lowers the overall tax burden for our families.

One of the things that I think you will find in this town in particular is a lot of institutional resistance to that. It is ironic as well, as I was reading some time back in the Wall Street Journal, an op-ed piece which suggested that in 1964 there were some 16,000 lobbyists in Washington and today there are over 64,000 lobbyists, which is 125 for every Member of Congress. There is nothing wrong with lobbying and many of us rely on the information that they provide to us, but I think it points to the fact that government has become so inordinately complex that it takes people to interpret the laws and try and tell us and try and tell the American people what they mean. In fact lobbying, according to the article, today is an $8 billion industry which is larger than 57 economies in the world.

The other point I would make in terms of the complexity of the Tax Code, I was also reading last year in the Wall Street Journal a story about the number of people in tax writing committees of the Congress who actually fill out their own tax returns and of the 57, I think the article stated that there were 6 who confirmed that they in fact did that. I suspect that is probably because again of the complexity of the Tax Code.

And so as we look at this priority in this next session of our Congress and as we embark upon many of the things that we have laid out in terms of things that we want to accomplish and the goals, there are a number of us, many of my colleagues in the freshman class who are here today to speak to this issue, who in the course of their campaigns talked about what we can do to come up with a Tax Code that is simple, that is fair, that lowers the overall tax burden on American businesses and families.

I too would issue the call today upon my colleagues in the Congress to make this a priority, so that in this session of Congress we do something that we have lacked the courage, the will before to do, and that is to address this behemoth Tax Code which clearly has gotten out of control.

And I think that the people of this country, the men and women who fill out tax returns every day, those who are in business, those who are creating jobs and creating wealth, it was just alluded to earlier by my colleague from Pennsylvania, the enormous cost of capital in this country and how that compares with other industrialized nations in the world. And we do tax capital at a high rate and we tax labor at a high rate.

I was reading recently as well that if you look at the number of people who file tax returns in America, 72 percent spend more on payroll tax than they do on income tax. And so we need to do something to allow the economic engine in America to continue to move our country forward, to create new jobs and make our economy all that it can be. I do not believe that we will see that happen if we continue to be bogged down and mired in this complex web that we know today as our U.S. Tax Code.

And so along with my colleagues who have spoken before me and those who will follow, I today as well would ask that we make this a priority for the 105th Congress, that we be the Congress that is known and that our legacy be that we simplified and made sense of the American Tax Code.

□ 1245

IT IS TIME TO REPEAL THE ESTATE TAX

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from Utah [Mr. CANNON] is recognized for 5 minutes.

Mr. CANNON. Mr. Speaker, I would like to address an issue today that is very important to me and, in particular, to America's small family farms and businesses, the repeal of the estate tax or, as many like to refer to it, the death tax.

Yesterday I met with Mr. And Mrs. Mouskondis, the owners of Nicholas & Co., a family-owned and operated food distributing company in my home State of Utah. About 40 years ago, Mr. Mouskondis' father passed on his business to his son Bill. While a small company at the time, Nicholas & Co. today is steadily expanding and diversifying, and Bill now works with more than 250 employees and is constantly working to improve his company by using new technology and streamlining his service.

Yet in order to prepare to pay the estate tax, Bill is facing steep costs and may have to sell off assets or, worse yet, release employees. This is something Bill has not done since he became the owner of the company.

When the owner of a family business or farm dies, the value of the enterprise is added to the owner's estate and is taxed after exemptions. While the owner of this business has spent his entire life working hard to contribute to society, provide for his family and to establish his own American dream, in the end his family must endure the loss of him and cover the cost of his commendable life's efforts.

Not only is the tax a burden, the rates currently run between 37 and 55 percent, but the costs involved in dealing with this tax are exorbitant as well. The average family business spends $20,000 in legal fees, $11,900 for accounting fees, and $11,200 for other advisers just to pay the taxes.

But dollars do not tell the real story. Family businesses are exactly that, businesses for families. But the Small Business Administration reports that a full 33 percent of grieving relatives must sell all or part of the family business to pay the estate tax.

Is it any wonder why only 30 percent of family businesses are passed on to the second generation?

This is simply wrong, wrong because America was founded and its government established to protect the life, liberty, and pursuit of happiness of each American citizen. We here in Washington are not fulfilling our duties when we penalize Americans for working hard.

It is time to repeal the estate tax. I encourage each of you to support H.R. 902, the Cox-Kyl Family Heritage Preservation Act.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

[Mr. MICA addressed the House. His remarks will appear in the Extensions of Remarks.]

WE MUST CONTINUE TO PUSH FOR A BALANCED BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. BOB SCHAFFER] is recognized for 5 minutes.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I also rise to speak on the topic of excessive taxation.

Tuesday of this week the first attempt of the 105th Congress to pass a balanced budget amendment fell short by only one pathetic vote. The failure to pass this amendment was of great disappointment not only to me and my family but to most Members of Congress and to approximately 80 percent of the American people who have repeatedly and consistently asked Congress to protect the futures of their children by the passage of a balanced budget amendment.

Now yesterday's setback is temporary, I assure you of that. We must and we will continue to push for a balanced budget amendment for the American taxpayer. But for now it is essential that we remember just whose hard-earned dollars provide for the budget, the same budget that we hope will one day be balanced. It is the retired school teacher in Cincinnati OH, small businessmen in Atlanta, GA or, closer to my home, the farmer in Lamar, CO. They are the ones who sacrifice a greater and growing portion of their strenuous effort, hard work and time away from their families in order to pay more and more cash only to be squandered here in Washington, DC, year after year after year.

Mr. Speaker, it is high time that we focused on strategies to allow these honest, hard-working producers to keep more of what they earn for themselves and for their families. They deserve a break from excessive and punitive taxation such as the capital gains tax and the inheritance tax. Mr. Speaker, these taxes do nothing more than betray the very characteristics that Americans stand for: accomplishment, success, honesty, opportunity, and optimism, but most especially responsibility.

Mr. Speaker, these are the core American values upon which our budget and Tax Code should be built, not the waste, duplicity, despair and stupidity that our Government heaps upon taxpayers every day.

Now, since the President and his party seem to have the upper hand in their zeal to kill a balanced budget, let us agree at least that the dead hand of capital gains taxes and the tax on inheritance be lifted from the worn backs of American families. Let us free the productive instincts of a Nation, unleash its creativity and competitiveness, restore the value of thrift, and preserve families and their businesses.

Mr. Speaker, I am just a new Member of Congress, but the people of Colorado did not send me here to make friends with the alligators. They expect me to help drain the swamp, and providing relief from capital gains taxes and death taxes are two important ways to help Americans rise above the muck and mire of oppressive taxation. On this topic I intend to be most persistent and to speak here often.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. ROHRABACHER] is recognized for 5 minutes.

[Mr. ROHRABACHER addressed the House. His remarks will appear in the Extensions of Remarks.]

TAX-FREE INTERNET ACT OF 1997

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. WELDON] is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, it is only fitting that I should rise now, the Representative from the home State of the alligator, to address a particular area of our economy that I would like to set aside as not eligible for taxation, and that is the Internet.

Specifically, I have filed a bill today entitled the Tax-Free Internet Act of 1997. This legislation amends the Internal Revenue Code to declare that fees for Internet access and other online services are not and shall not be subject to Federal taxation. Furthermore, the bill would prevent any Federal department from using its funds to study the revenue potential of Internet taxation. I believe that this legislation is a strong statement in support of the free and unfettered development of this industry. My bill has already been endorsed by several online services and Internet service providers.

America Online, one of the Nation's most widely used Internet-related service providers, said, and I quote, ''We commend your leadership in authoring and sponsoring the Tax-Free Internet Act of 1997. AOL strongly supports your policy efforts. Any new tax could threaten the continued growth of this global medium.''

The President of Erol's online service adds, ''This legislation is a very positive development, and I give it my full support.''

Mr. Speaker, we must not allow this budding industry to be smothered by Federal taxation. A few of the States, including my own State of Florida, have already initiated legislation to exempt the Internet and online service access fees from State and local taxes. We on the Federal level should do likewise.

As the United States Internet Providers Association says of my bill: ''We support the efforts of all informed policymakers to protect technology innovation and the growth of the industry through sound legislation. This is a step in the right direction.''

Mr. Speaker, let us here resolve not to interfere with the technological phenomenon which has done so much to inform and educate so many millions of Americans. Let us restrain the reach of government so as not to smother the vitality and creativity that characterize this new frontier in communications.

PATENT REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. FORBES] is recognized for 5 minutes.

Mr. FORBES. Mr. Speaker, I rise today to talk about something that really is pure Americana. It is important enough that it is noted in the U.S. Constitution. I refer to the U.S. patent which is the backbone of the United States economy, the basis for our dominant place in the world economy, and clearly the key to a more prosperous economic future. Invention is certainly pure Americana.

As I have said, by offering the strongest patent protections in the world the United States has stimulated more creativity, more new industries and tens of millions of more new jobs than anywhere else in the world throughout all of our history. Yet the small independent inventors, the future Graham Bells, the Edisons, the Henry Ford, are now having to fight tooth and nail to maintain their constitutional right to their intellectual property. It is slowly, slowly being stolen out from them by the mega corporations and foreign interests. Truly, intellectual property in the United States is under dire threat. The system we have in place may not be perfect, but at least the small independent inventor has a fighting chance against the larger multinational corporations.

A perfect illustration, Mr. Speaker, of the importance of saving our patent system is the very true story of Dr. Raymond Damadian of Long Island and the inventor of the MRI. It has taken Dr. Damadian, who is a physician at the Down State Medical Center in Brooklyn, some 25 years to uphold the patent he received back in 1970, and that is with the protections of the U.S. Constitution. In June 1970, Dr. Damadian discovered the different types of tissues taken from rats emit different signals when placed in a nuclear magnetic resonance spectrometer. Not only that, but cancerous tissues taken from the rats emit significantly different NMR signals. It immediately occurred to Dr. Damadian that if it were possible to create a large enough and powerful enough scanner to contain a human, it would be possible to detect cancer very early on.

Less than 2 years later, Dr. Damadian filed the pioneer patent application that really was the world's first MRI, a patent application that

came from Dr. Damadian right from Long Island. Two years later, back in 1974, he received that patent from the U.S. Patent Office in Washington. By July 1977, Dr. Damadian and his assistants achieved the world's first whole body human MRI image. In March 1978, Dr. Damadian formed a company called FONAR and began to develop and market MRI scanners and, within 2 years, unveiled the world's first commercial MRI scanner.

The problem Dr. Damadian encountered was not really from the U.S. Patent Office, but in fact it was a failure by them to enforce his ownership of that patent. Eleven years after Dr. Damadian unveiled the world's first commercial MRI, his patent became infringed upon by several international corporations including Johnson & Johnson, General Electric, and Hitachi. For those who do not know, I mean by infringement that Dr. Damadian's patent technology for the MRI, the intellectual property that he owned, was basically copied by these large corporations.

Well, 25 years later, after literally millions of dollars in legal expenses, Dr. Damadian has finally won his day in court. He was judged by the courts to in fact be the rightful owner of the patent for the MRI. FONAR, a Long Island corporation, could today be clearly a corporation that would have retained and employed tens of thousands of Long Islanders were it not for the 25 years of legal maneuvers that kept Dr. Damadian tied up in court.

Mr. Speaker, again I think it is important to understand that the U.S. patent is really pure Americana. It is at the heart of American ingenuity and our ability, frankly, to remain No. 1 in the global marketplace. But afoot here in the Congress is something that has been evolving over the last several years, and that is to harmonize patents, to take American ingenuity and harmonize it to the lowest common denominator.

Mr. Speaker, I appreciate this chance to talk about the MRI and Dr. Damadian's important contributions.

□ 1300

AMERICA MUST REENERGIZE ITSELF IN FIGHTING THE WAR AGAINST ILLEGAL DRUGS

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from Arkansas [Mr. HUTCHINSON] is recognized for 5 minutes.

Mr. HUTCHINSON. Mr. Speaker, today I rise to address a matter of the greatest public concern. Illegal drug abuse is soaring in our country, and it is the most serious social problem that faces our communities, our families, and our children. We hear this from every side. It is our children themselves who are telling us this. Thirty-five percent of teenagers ages 13 through 17 identified drugs as their most serious concern.

Our law enforcement agents are telling us this as well. Thirty-one percent of the Nation's police chiefs believe that the best way to reduce violent crime is to reduce drug abuse. Drug-related activities have been identified as being at the core of the violent crimes, the property crimes, and, yes, domestic abuse which afflict our communities.

During the 1980's our Nation declared a war against drugs. I was in that battle as a Federal prosecutor. It was during that time that our families, our communities, and our law enforcement officials mobilized in a united effort to fight this war. Because of this national crusade, teenage drug abuse declined from 1985 to 1992.

Then what happened? It was then that our national commitment against this war of drugs waned. It was then that teenage drug use again started to increase, and we saw that teenage experimentation with drugs was on the incline.

Today it is my belief that we need to renew our national commitment to saving our children, to restoring the vibrancy of our inner cities, and strengthening our families. How do we do this? By reenergizing ourselves in this war on drugs. We must not retreat. It is not the time. We must not be satisfied to hide in the foxhole. It is imperative that we fight on.

It is particularly timely today that we reenergize our country because last week the administration released its report on our Nation's drug control strategy. In that report, the administration criticized the war against drugs, and said the term war against drugs was misleading. The administration preferred to adopt the language of pessimism, and say that we should more appropriately use the term cancer. To me the implication of using the word cancer in relation to our drug problems is that it implies that it is going to be with us a long time, and we simply must learn to live with it.

I believe it is a war that we must fight, and not a problem that we must learn to accept and deal with. It is the wrong message when we change the terminology. It is the wrong message to our teens, who deal in symbols and listen to the nuances of language as to whether it is a serious national problem or it is something that is acceptable in our society. It is the wrong message to send with our families, who are struggling day in and day out, and as the parent of teenagers, I understand this. They face daily the corrosive effects of drug abuse. And it is the wrong message to our law enforcement officers who daily place their lives on the line in this struggle.

In signaling a retreat from the war on drugs, we also undermine the efforts of other nations, which are looking to the United States of America for leadership. The other nations are putting the lifeblood of their leaders, in many cases, and soldiers out on the front line in an effort to stop drug production and trafficking within their own borders.

While the administration says we should not call this a war, it refused to certify certain countries for not fighting hard enough, not fighting hard enough to stop the flow of illegal drugs into America. I applaud the administration for not certifying certain countries, but our country must lead in this battle. We must not change the terminology. We must call it a war, because it is a war for our families, it is a war for our children, it is a war for our streets and our inner cities, and it is a war that we must win.

In Mexico alone, 40 drug agents were killed fighting the importation of drugs into the United States of America to satisfy the demand we see in our country. We must provide leadership to Mexico. We must provide leadership to South America. We must call it a war, because it is a war in which people's lives are being lost, not just in America, but also in other countries.

So it is my hope that this administration will reengage itself in the war against drugs, that this Congress will reenergize itself, that we will provide leadership to our American families, to our teenagers, and to set the appropriate example. I pledge that support as a Member of this body.

WE SHOULD VALUE AND CHERISH OUR NATION'S IMMIGRANTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Illinois [Mr. DAVIS] is recognized for 60 minutes as the designee of the minority leader.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to draw attention to an all too familiar debate in our country, immigration and immigrants. This is an age-old topic that has taken many different faces since the founding of this Nation. Today the immigration debate seems to be focused on mostly Latino and Asian-American immigrants, or individuals from the Caribbean or African nations, people of color.

However, I am concerned that the immigration issue is too often raised in a negative manner. Why is it that we cannot talk about immigrants without mentioning the undocumented, those who may not have complied with all of the rules and regulations? The politicizing of the immigration issues and programs like Citizenship U.S.A. made by certain groups have attempted to demonize immigrants.

I submit that certain groups have been using immigrants as a scapegoat for years. Oftentimes they have been marginalized in the great divide between black and white. As illustrated in the words of W.E.B. DuBois, he pointed out that mass immigration hurt both black and white laborers, as he foreshadowed future events by noting the Republican Party platform of 1864, which advocated increased immigration in the interests of big business:

A new flood of eager-to-work immigrant labor was brought into the country to work

on the railroads and in the new industries. Northern mill owners, who had feared free farms because they might decrease the number of laborers and raise their wages, were appeased by the promotion of alien immigration. It was interesting to hear the Union Party, as the Republicans called themselves in 1864, say in their platform: ''Foreign immigration, which in the past had added so much to the wealth and development of resources and the increase of power to this Nation—the aspirations of the oppressed of all nations should be fostered and encouraged by a liberal and just policy.'' That year the Bureau of Immigration was created. . . . In 1860 immigrants were coming in at a rate of 130,000 a year but the new homestead laws began to attract them, so after the war immigration quickly rose . . . and in 1873 had reached 460,000 annually.

I feel it is important to address the issue of stereotyping our Nation's immigrants because it is unjust, it is unfair, and it is wrong. I would like people to think of the many contributions that immigrants have made. We should value and cherish immigrants. Everyone in this country, except for native Americans, are immigrants. Some came voluntarily and others, like myself, came involuntarily.

It is my hope that the next time immigration is brought up as a topic, that it conjures up a positive image in our mind, one that values the mosaical background and cultures that make up the Nation as well as the district where I live, represent, and work.

I enjoy experiencing the sights, sounds, and smells of Caribbean restaurants on Georgia Avenue, and Ethiopian cuisine in Adams Morgan. Closer to home, I also enjoy Little Italy, on Taylor street, Chinatown, at Wentworth and Surmack, Little Village in Franklin Park.

The top 10 immigrant groups that boast the great land of Lincoln as their home are a diverse group. They are from Mexico, Poland, Philippines, Germany, India, Italy, Korea, the United Kingdom, Yugoslavia, Greece, Africa, all over the world. By no means do I view them as a threat. I think they are, indeed, a great asset.

That is why it disturbs me that the INS Citizenship U.S.A. Program is in the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform and Oversight. I feel it is offensive to all Americans to question the integrity and loyalty and contributions of immigrants.

This is not the first time. During World War II, Japanese-Americans and their children were rounded up and placed into internment camps. They were placed in these camps because the American Government viewed these Americans of Japanese descent as a threat to national security.

Imagine how they must have felt to be viewed as a threat to their own country. Many of those Japanese-Americans interned were actually born here. In spite of this insult, Japanese-Americans formed a special regimental combat team, which was one of the most decorated units of its size in World War II.

It should also be noted that a United States Government commission later concluded, and I quote: ''Not a single documented act of espionage, sabotage, or fifth column activity was committed by an American citizen of Japanese ancestry, or by a resident Japanese alien.''

This is just one fine example of the many various contributions that immigrants have made. I question the accusation that immigrants do not share the same commitment to the United States.

According to a recent study released by the Cato Institute called ''In Defense of a Nation'' on the military contributions of immigrants,

The military contributions of immigrants is a story that has gone largely untold. Today, 62,560 immigrants serve on active duty in the U.S. Armed Forces. More than 20 percent of the recipients of the Congressional Medal of Honor in United States wars have been immigrants. Immigrant scientists and engineers are major developers of advanced U.S. Government laboratories and major defense firms. In fact, the submarine, the helicopter, a more advanced ironclad ship, and the atomic and hydrogen bombs were developed by immigrants.

In short, the study concludes that ''Throughout history and even now, immigrants have demonstrated their loyalty to this country, and have voluntarily sacrificed to protect the freedom of civil rights and the pride of this Nation itself.''

Let us stop talking about the myths and misconceptions of immigrants. Let us look at the facts. It is a fact that most immigrants enter the United States legally; about 70 percent, according to the American immigration law forum. It is a fact that most immigrants come to the United States to unite with close family members. People come to this country for the American dream of freedom, peace, economic prosperity, opportunity, and democracy. They do not come here to take advantage of the welfare system.

Contrary to popular belief, not all immigrants are Mexican or Chinese. Many are from places, African countries like Somalia, Ethiopia, Nigeria, and Ghana, escaping violent upheavals; from Haiti, fleeing war, political oppression, drought, and famine. There are many children in Romania, China, and Brazil fleeing poverty and hunger.

Many wait in places like the Philippines, where the average waiting period is as long as 12 to 15 years. There is a need for fair and more efficient immigration policy and a more efficient system.

According to a 1996 report released by the Illinois Immigrant Policy Project, immigrants make up 7.1 percent of the total State population, and 49.2 percent of the city of Chicago. Illinois immigrants pay $7.2 billion, or 10.6 percent of the $68 billion of taxes paid by all Illinois residents.

The seven taxes included in this estimate are Federal and State income, State and local tax, property, Social Security, and unemployment insurance.

□ 1315

Additionally, immigrants only use 7 percent of major welfare and education services. The programs included in this estimate include most of the large cash and in-kind welfare programs and the basic education, SSI, AFDC, aid to the aged, blind and disabled, transitional assistance, Medicaid, and K through 12 public education. Thus when the seven major taxes are compared to the five major types of governmental services, immigrants in Illinois actually pay more taxes than services used. They are paying $6.11 for every $1 of services received.

Mr. Speaker, these findings reveal that immigrants are substantial economic contributors. And some 70 percent of immigrants' taxes flow to the Federal Government, primarily through Federal income and Social Security taxes.

It is a fact that immigrants start new businesses; 18 percent of all new small businesses are started by immigrants. These small businesses account for up to 80 percent of the new jobs available in the United States each year.

Now, having stated the facts, I would urge my fellow Members of Congress to take the partisan politics out of the immigration debate. While this issue is being politicized, there are many constituents in my district who are unable to naturalize and stand to soon lose much-needed benefits underneath the new welfare reform law.

It is my understanding that the last time an oath ceremony was performed was September 30, 1996. Why should immigrants experience longer delays due to the decisions of government bureaucracy? Citizenship USA was enacted with bipartisan support and was a good idea in order to reduce the backlog of some 1 million eligible immigrants who filed in fiscal 1995 to become U.S.citizens. This number is more than triple the number of citizens who filed in recent years. This can be largely contributed to the 1986 amnesty program, the passage of issues like proposition 187 in California, and the threat of losing benefits due to welfare reform.

I would like to note that out of the 1.3 million new citizens naturalized under Citizenship USA, only about 71,500 were found to have FBI records, which includes the following categories: INS administrative record, 34,000; misdemeanor but not a felony, 25,000; felony 10,000. Sixty-nine percent have still demonstrated good moral character, 29 percent good moral character may not have been met, further review is required. Two percent good moral character was not met, represents 168 individuals, 168 individuals out of the 1.3 million that naturalized under Citizenship USA is only about two-tenths of 1 percent.

Mr. Speaker, I suggest that this is hardly reason to exploit naturalized citizens as criminals. Prior to the program Citizenship USA, applicants waited 2 to 4 years to become citizens.

Given that so many elderly and disabled people were at risk to lose much-needed benefits due to welfare reform, it is my opinion that Citizenship USA actually served as a partial solution to some of the negative effects of welfare reform and in response to the criticisms aimed at a high number of these newly naturalized citizens registered to vote, I must ask, is it not a double standard? In an election year where apathy seemed to be a common tune ringing throughout the land, why criticize any group for exercising their right to vote? Do we not teach all citizens that voting is not only the epitome of living in a democracy but a responsibility as well?

I submit that the very fabric of our social, economic, cultural, and political institutions has changed into a great, great mosaic due to our Nation's newcomers. Immigrants are an integral part of our work force, tax base, and cultural diversity. May we as a Nation of immigrants not turn on ourselves.

Mr. Speaker, I will now shift to another idea, one that we have been discussing, debating, and talking about and will continue to do so as we talk about the reauthorization of ISTEA. I appreciate having this opportunity to speak in behalf of projects which have been proposed for the Seventh Congressional District in the State of Illinois, which I have the honor to represent.

Mr. Speaker, the citizens of this country are in favor of policies and programs that meet discernible needs, create jobs, promote economic development, protect and improve the environment, and improve the overall quality of life. I shall describe four projects which are consistent with these goals and trust that they will be seriously considered by the Congress for funding, as they will greatly benefit the residents of Chicago, its western suburbs, and Cook County.

One, Marion Street mall-to-mall transit center and commuter parking facility in Oak Park, IL, is one of these projects. This project will increase rider access to several different forms of public transportation, including bus, elevated trains, and passenger rails. It will provide reciprocal access to suburban and city of Chicago residents who need public transportation to get to and from work. It will promote commercial revitalization for the villages of Oak Park and River Forest and reduce the number of cars on the roadways, thereby enhancing air quality and improvement of the overall environment.

Mr. Speaker, the second project is the funding of a preliminary engineering project to determine the feasibility and cost of widening the Union Pacific bridge over Illinois State Route 43 at Harlem Avenue.

Presently this stretch of road, which is considered a strategic arterial route, has shortcomings which cannot be easily and readily remedied. Principally the bridge embodies a dangerous center pier which severely impedes traffic flow. Simply by widening the two-spanned structure, we can decrease the potential number of accidents as well as facilitate the flow of traffic. The reduction in congestion on the bridge will diminish the amount of air pollution and gridlock on the road.

The third project calls for the establishment of an Intelligent Transportation Systems Research Institute. This institute would marshal the research capabilities of the University of Illinois at Chicago and Champaign-Urbana, the University of Wisconsin at Madison, Purdue University in Indiana, and the Argonne National Laboratory.

In an effort to employ communications technology as a solution to some of the region's inter- and intrastate traffic problems, the target area is the region spanning from Gary, IN, through Chicago, IL, and on to Milwaukee, WI. This stretch is essential for efficient commercial travel throughout the region.

An example of the technology that the Intelligent Transportation Institute will explore includes computerized traffic lights. These lights will be capable of detecting the approach of a massive public transportation bus or a commercial truck and will stay green longer to permit their passage.

Mr. Speaker, this is an idea whose time has truly come. This innovation will facilitate a way of ingress and egress from Chicago's commercial districts to the expressways linking Gary and Milwaukee. It will also expedite travel time for all workers. Through such technologies, we will be able to create a more effective transportation system.

In addition, this system will provide through the use of communications technology real-time schedules for public transportation. One will be able to access the scheduling information from work and from home. At a time when both parents work most of the day and single parents are forced to work two and three jobs, any way we can make travel time more predictable, reliable, and efficient allows American citizens to spend more time with their families. Our transportation policies can and should work to strengthen families.

Evaluation results to date show that the intelligent transportation system will yield major benefits in congestion mitigation, safety and environmental impact. To date, public and private organizations have succeeded in raising half of the financing required for the project, which has a total cost of $6 million. Therefore, the Federal share of this worthwhile endeavor will be only one half the actual cost.

The fourth project proposes a north-south computer rail line by Metra with the station in the Village of Bellwood. Bellwood is ideally located as a crossroads of the Chicago metropolitan area at the juncture of Interstates 290, 88, and 94, between O'Hare and Midway Airports. Both Metra and the Village of Bellwood view this project as a real opportunity for partnership in dealing with transportation needs and economic development for the region.

Mr. Speaker, I feel, and the people of the Seventh Congressional District in the State of Illinois feel that each one of these projects is viable, valuable, greatly needed and will seriously enhance the quality of life for the residents, of people who live in that particular area.

Now to conclude my remarks, Mr. Speaker, I shall address briefly the issue that I think is so vitally important in this country, and that is the issue of children's health. I firmly believe that the greatness of a society can be determined by how well it treats its old, its young, and those who have difficulty caring for themselves. If this is the case, then by all standards we are not moving toward greatness because we are not doing well by our children.

In my own hometown, Chicago, the city of the big shoulders, the Annie E. Casey Foundation reports that 10.9 percent of all children born are considered low birth weight. According to the Voices for Illinois Children, more than 13,200 of all new mothers in the State, 4,000 in Chicago alone, receive virtually no prenatal care. We all know that there are more than 10 million children in this country who have no health insurance. We know that a disproportionate number of our children are being born to teen parents and are destined to live in the squalor of poverty and deprivation.

□ 1330

We know that it is tough to be hungry and not have food; demoralizing to be broke and not have a job; agonizing to be cold and not have heat; and frustrating to be illiterate and not have hope. But to be sick and not be able to get health care adds another dimension to all the other problems.

The blues singer Marvin Gaye asked the question, ''Who will save the baby? Who is willing to try? Who will save a world that is destined to die?'' Another songwriter said that ''Our children are indeed the future. Teach them well and let them lead the way.''

Everybody is searching for a hero. People need somebody to look up to. And so I ask the question this day: Can the children of this Nation look to its Congress to be the hero? Can the children of this Nation look to this Congress to preserve, promote and protect the health of the Nation, the future of our country, and the destiny of our being?

So I ask the question: Will this Congress save the children? We sure can, if we are willing to try.

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. (Mr. LAHOOD). Without objection, and pursuant to the provisions of clause 1 of rule XLVIII and clause 6(f) of rule X,

and notwithstanding the requirement of clause 1(a)3 of rule XLVIII, the Chair announces the Speaker's appointment of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. SKELTON of Missouri and Mr. BISHOP of Georgia.

There was no objection.

RECLAIMING 5–MINUTE SPECIAL ORDER

Mr. ROHRABACHER. Mr. Speaker, I ask unanimous consent to reclaim my 5 minutes. I was unfortunately delayed earlier.

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

There was no objection.

UNITED STATES SHOULD PRESERVE A STRONG PATENT SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. ROHRABACHER] is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, earlier in these 5-minute speech periods we heard from one of my colleagues, the gentleman from New York [Mr. FORBES], about a fight that Mr. Ray Damadian has gone through over these last 25 years in order to secure his right of ownership to a piece of technology that he invented. We are talking about the inventor of the MRI.

This technology, which has saved thousands, perhaps even millions of lives over these last 25 years and permitted the medical profession to diagnose people without having to cut them open, as in the past, has been a tremendous boon to all of mankind. It, in fact, has been a major export item for the United States of America.

The MRI was one of those great inventions, along with the airplane, along with the light bulb, along with so many other inventions that Americans are so proud came from the United States of America. And Ray Damadian, perhaps more than anybody that I know personally, reflects this type of creative genius for which Americans are so proud and this type of creative genius that had meant everything to our standard of living and improved the well-being of people all over the world in the process.

As my colleague Mr. FORBES stated, Mr. Damadian has been in a 25-year fight to maintain his patent rights. Twenty-five years he has fought against this huge corporation, General Electric, for the rights of ownership of his own creative genius.

Why this is important is because Mr. Damadian was protected by a relatively strong patent law and a strong patent system. In fact, the United States has had the strongest patent protection of any Nation in the world. This is what has given us the edge on all our other competitors around the world. This is what has made America safe and secure. This is what has given the average person in America an opportunity and a standard of living that is basically sought after by people from all over the planet. It has been our technology and our freedom. And the American patent system is what has created this impulse, this momentum for the creating of technology.

Our patent system is under attack now. The Ray Damadians in the future, if we permit H.R. 400, a bill that is going through Congress as we speak, if H.R. 400 passes, the Ray Damadians of the world will be chewed up and spit out by the huge corporations, just like his counterparts in Japan and other countries are beaten down by the economic shoguns of their society.

What is happening is there is an attempt, and hold on to your horses here, folks, you may not have heard this before, what is happening is there is a move to make American patent law, which has been the strongest in the world, to be exactly a mirror image of the law in Japan, and they are not bringing up the Japanese standards to the protection our people have been afforded. They are bringing down the protections that have been offered to Americans.

In 20 years this will mean the United States will no longer be the technological leader of the world. The standards of our people will be under attack, and they will never know what hit them because they changed the fundamental laws.

It is happening very quietly here, and the multinational organizations have hired the best lobbyists in town to come here and influence Congress and unless the American people let their feelings be known, H.R. 400, the Steal American Technologies Act, will pass, and the Ray Damadians of the world, the men who create the technology that changes our way of life, will find themselves vulnerable and pretty soon we will not be seeing the MRI's being invented, pretty soon we will not see the technology of the Wright brothers. In fact, the Wright brothers will end up vulnerable to the Mitsubishis of the world.

If that would have been the practice back at the turn of the century, the aerospace industry could have well been developed in Japan instead of the United States and the American people would never have known what hit them. We have to stand up for the United States of America and stand up for the fact that we need to be the technological leaders of the world.

H.R. 400, believe it or not, mandates that every person who applies for a patent in the United States, after 18 months, whether or not that patent has been granted, it is going to be published for the entire world to see. Every thief, every copycat, every economic adversary, every country that hates us and wants to destroy the American way of life will have the advantage of being in possession of all of our technological secrets even before the patent has been issued.

In Ray Damadian's case that means General Electric would actually have had his information before the patent was issued to Ray and, for sure, he would not have been able to defend himself.

We will cease to be a great power. Our people will cease to have the standard of living if we cease to be the technological leader of the world. H.R. 400, the Steal American Technologies Act, will make us incredibly vulnerable to our economic adversaries. And, by the way, it also obliterates the Patent Office in the U.S. Government. It will take away the Patent Office, which was established by our Constitution, and replace it with a corporatized entity, and who knows what kind of influences will be on the patent examiners when they are now in a corporatized job rather than a Government job.

Our patent examiners have worked hard. They have been part of our system but they have been protected by civil service and other protections and the knowledge that they were Government employees. The fact is that will not be the same if we make it a corporatized entity.

H.R. 811 and 812 will fight against H.R. 400 and protect the American patent system. I ask my colleagues to support H.R. 811 and 812 and to oppose the Steal American Technologies Act, H.R. 400.

DEFINING DEVIANCY, UP AND DOWN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida [Mr. SCARBOROUGH] is recognized for 60 minutes as the designee of the majority leader.

Mr. SCARBOROUGH. Mr. Speaker, let me say I think the gentleman from California has a wonderful idea and I am certainly pleased to be a cosponsor of his bill.

I wanted to talk today about something that occurred in this Chamber yesterday, something that was ridiculed by people that I consider to be radicals, dismissed by many in the media, called trivial by many observers, but in my mind we did something very significant yesterday.

We have seen over the past 30 years that the radical revolution of the left has torn this country apart at the seams. We live today in a country, as the Speaker says, that has 12-year-old children on drugs, 15-year-olds shooting each other, and 18-year-olds graduating from high school with diplomas that they cannot even read. America has lived in a valueless society that our radical policies of the past 30 years have created.

In 1994, there was a shift back to the center, and yesterday I believe that Congress passed a simple resolution that helped move us back to the right direction where our Founding Fathers wanted us to be.

So what was this dangerous piece of legislation? What was this supposedly unconstitutional resolution? What was this frightening document that the radicals said would spell an end to the separation between church and state and tear the Constitution apart at the seams? It was a very simple resolution that said a court in Alabama ought to be able to hang the Ten Commandments on the wall, the same way that the Supreme Court of the United States hangs the Ten Commandments on the wall in its building, just as we in this Congress every morning pledge allegiance and hear a prayer as we look up to the words ''In God We Trust,'' just as Americans for the first 200 years of this civilization were not afraid to acknowledge that God and faith played a key role in the founding of this country.

Now, these radicals will tell you that this resolution we passed yesterday did violence to the Constitution and was something that the Founding Fathers would never agree with. They would also tell you that they were the ones that would have to step in to protect the Constitution, and yet I think it is very instructive at this point to look back at what the father of the Constitution said regarding the Ten Commandments. The father of the Constitution was also the fourth President of the United States, James Madison. And while drafting the Constitution, Madison said,

> We have staked the entire future of America's civilization not upon the power of government, but upon the capacity of each of us to govern ourselves, control ourselves, and sustain ourselves according to the Ten Commandments of God.

So here we have the father of the Constitution telling us that the Constitution and American civilization was based upon the Ten Commandments of God. Here we have a situation where the Father of our country, George Washington, in his farewell address spoke to America and said, ''It is impossible to govern rightly without God and the Ten Commandments.''

We had Founding Father after Founding Father writing the Constitution, the Declaration of Independence, who recognized that we were a country, one country under God, a country who knew its Judeo-Christian heritage and did not run away from it.

It is something they do not teach in schools, it is something the radicals do not want anyone to know about, but that is how it has been in this country until recently, until we had the radicals storm the streets in the 1960's and undermine our efforts across the globe, who in the 1970's stormed Washington and think tanks, and who in the 1980's took control of Hollywood and took control of the people making the TV shows that our children see, and who in the 1990's, unfortunately, took control of some of the highest seats of power in the United States of America.

□ 1345

It is very frightening to me, and it is very frightening, because what they have sought to do and I think what they have accomplished is doing something called defining deviancy down and defining deviancy up. And those are a couple of catch phrases that Senator MOYNIHAN created and also a columnist named Charles Krauthammer created. To do that, what you try to do is you try to make the conventional seem radical and you try to make the radical seem conventional.

So we find ourselves 30 years later in a civilization where the words of Madonna, that life of Larry Flynt, and the acts of Dennis Rodman are glorified and take the place of the words of Washington, Jefferson, Lincoln, and fill this valueless void that used to be filled and made complete by our Judeo-Christian heritage. It is a dangerous situation, it is a dangerous situation for my 6-year-old boy and my 9-year-old boy, and yet all they will tell us is that there is something called the separation between church and state.

Mr. Speaker, this debate is not about religion. This debate is not about morality. This debate is not about Christianity. This debate is about America's proud heritage. I am more afraid, much, much more afraid of intolerance of ideas and of political correctness than I am of letting Americans know what their proud heritage has been and what it will be once again.

Mr. Speaker, we can build a bridge to the 21st century. I have got no problem with that. I just have a problem with radicals that would want to disconnect us from our proud heritage in the past that made America the greatest country in the history not only of Western civilization but in the history of this world.

My friend from California is here who has been talking about this for years. He has almost been like a voice crying in the wilderness while many people here did not want to talk about it while the radicals had control of power.

I yield to the gentleman from California.

Mr. ROHRABACHER. I appreciate the gentleman's comments. When we talk about the Judeo-Christian heritage of our country, and let us remember, by the way, there are many people who agree with the Judeo-Christian tenets, for example, are in the Muslim community as well. This is not an attempt to try to force any type of religious prayer or religious concept on others. But what we do and what today we are faced with is that those people who stand for certain values and certain traditions find themselves under attack.

One of the greatest parts of the Judeo-Christian heritage is a concept called individual responsibility, that you are responsible for your actions and that you will face that responsibility before God. And so really, individual freedom is part of that Judeo-Christian heritage that we talk about. That is where it ties into our Founding Fathers, who believed that freedom of religion was a right that they would fight for. That has been so turned around and so disfigured today that what we have got are people who are trying to express their own religious beliefs are being told, in the name of separation of church and state, in the name of the Constitution to shut up.

How many times do we have to hear the ACLU and others say, you cannot put a manger scene in front of city hall, before we start saying to ourselves, something is wrong here. Whose freedom are we talking about? The freedom of someone who wants to just express a belief in God, whether it is a manger scene or a Star of David during a time of religious importance to one of the great faiths of our country. There is nothing wrong with having them be able to express themselves, and we Christians or Jews or Muslims express ourselves that way. But we have the left wing who is committed to use the force of law to prevent people in our society from expressing their religious beliefs using the separation of church and state as a hammer to prevent us from expressing ourselves.

In my part of the country out in Orange County, the Boy Scouts of America are spending tens of thousands of dollars in order to defend themselves against what? Defend themselves against some liberal left-wing parent who is trying to force the Scouts to take God out of the Scout oath because his children do not want to say ''God.'' Because his children do not want to say ''God,'' it should not be in the Scout oath. This is absolutely an attack on the freedom of those people in the Boy Scouts and Girl Scouts of America. Yet where is the outcry in this? Where are the people who supposedly believe in freedom of speech?

The greatest threat today against people who believe in God, whether they be Christians, Jews, or Muslims, is the U.S. Government coming under the domination of atheists who want to suppress people's expression of their own religion.

Mr. SCARBOROUGH. The gentleman has touched on something, we have seen it on local school boards, he has touched on something that we have seen up here for too long now. What that is, is people parading around in a politically correct cloak that will tell us in the name of tolerance that they have a right to be intolerant, that they have a right again to preach this valueless void, where Jews, Christians, Muslims cannot express their views.

Mr. Speaker, I do not fear my 9-year-old boy, who is in public schools, hearing somebody who is of the Muslim faith speak. I do not fear my 9-year-old boy hearing an orthodox Jew speak to him or to his class or a Catholic or a Pentecostal or a Baptist. I do not fear that. America, according to Jefferson, who the radicals are now calling radical, according to Jefferson, America is the free marketplace of ideas, where the strongest ideas survive. Yet what they want to do is this sort of moral leveling, where there is this valueless

void where nothing is right, nothing is wrong, nothing is black, nothing is white, nothing is legal, nothing is illegal.

We are seeing that manifest in the papers every day when officials in this administration continue to talk about moral revelancy, moral equivalency: Hey, nothing is right, nothing is wrong; I know what the law says, but it is not really important.

Mr. ROHRABACHER. If the gentleman will yield further, we have more people being told they cannot put a traditional manger scene in front of city hall or at the school yard during Christmas time. At the same time, these same people, by the way, are insisting that we are engaged in censorship if we refuse to let the NEA, the National Endowment for the Arts, give grants to people who blatantly attack religion, blatantly attack other people's faith. It is okay to subsidize it, but it is wrong for us to put up a manger scene to respect the birth of Christ or to have a Star of David to reflect our worshiping on Passover or some of the other religious holidays that we have.

This has come to the point where the Boy Scouts of America, for example, as I said, not only, people are trying to force God out of the Scout oath. Here is one of the most decent organizations in the history of our country, who has done more to help young people through these hard times in their life, when they are coming into adulthood than Scouting, the young men and young women of our country teaching great values. Now they are having to spend tens of thousands of dollars, just, No. 1, to keep God in the Scout oath and, No. 2, to have standards so that they will have standards so that scoutmasters have a certain moral standard.

There have been a lot of attacks on the religious right, and I will say that I do not attack other people's beliefs, but one thing I demand is that my beliefs that I hold true should not be attacked as well and we should have a right to express it. The religious right more often than not is simply saying and representing a group of Americans that have a set of beliefs and just want to believe that for their own family. And they are saying the Federal Government should not force us to accept another standard which we believe to be immoral.

And the Boy Scouts of America, it has to do, and I will be flat out about it, the hiring of homosexuals as scoutmasters. That is their right as a private organization to do that. And I believe that, if they did not have that standard, a lot of parents would not permit their children into the Scouts and to go out under adult supervision of someone who is sexually attracted to someone of the same sex. But that is the right of that organization.

In San Diego, in California, they said the Boy Scouts could not even use school facilities. They could not use the school facilities which their tax dollars are paying for unless they were willing to take the ban off hiring homosexuals as scoutmasters. In other words, they have to eliminate their moral standards. This is ridiculous. This is an attack on their rights.

Mr. SCARBOROUGH. What radicals do is, and what they have done by defining deviancy down as up, is radicals attack conventional beliefs, they attack the foundation of this Republic, the views by our Founding Fathers, because that is the only way they can seem less radical. They attack the Ten Commandments as being radical and unconstitutional even though the father of our Constitution says that America's civilization is based on the Ten Commandments. They attack the Boy Scouts, saying it is a radical organization.

They attack the Christian right. I have never heard them attack the Christian left. I will be really honest. It is so politically correct to attack the Christian right that many people who agree with the Christian right do not come close to them because they have been the third rail of American politics for some time, touch them and you die.

If I stand up and support something that the Christian right is doing, then I am immediately a member of a suspect class, much as in the past those on the left were seen as members of the suspect class. It is a modern version of McCarthyism.

Let me read one thing and then I will yield further to the gentleman. I want to read something that Robert Bork wrote in a great book called ''Slouching Towards Gomorrah.'' I think this explains why radicals have been able to get away with what radicals have gotten away with for the past 30 years and why they have made the conventional seem radical.

Bork writes on page 7 of ''Slouching Towards Gomorrah'':

> Modern liberalism is powerful because it has enlisted our cultural elites; those who man the institutions that manufacture, manipulate and disseminate ideas, attitudes and symbols. Universities, churches, Hollywood, the national press, print and electronic, foundation staffs, the public interests, organizations, much of the congressional Democratic party, and some of the congressional Republicans as well and large sections of the judiciary, including all too often a majority of the Supreme Court.

People do not realize this. That is why one cannot turn on the news at night and get the straight news, because the same people, and they do not want you to say this. They want to revise history. They tried to revise the words of Jefferson and Madison and Lincoln. They want to revise what they did in the 1960's. The same people who marched in the streets in the 1960's and according to the North Vietnamese generals after the war, won the war for North Vietnam. That is their words, not mine. Those same people in the 1970's, in the 1980's and 1990's went straight to these areas, these cultural institutions where they could continue to shape and manufacture ideas and continue to make the conventional seem radical.

Mr. ROHRABACHER. Your basic point about those of us expressing another view becoming beaten down, I will have to say, I just expressed something a few moments ago about the hiring of homosexuals by the Boy Scouts. Let me say that I personally never criticize people's personal lives. I do not. I will answer to God for my personal life and I have my own set of beliefs. I just will not criticize people for their personal lives. But let me say, I demand the right for myself and for others to have the right to make those value judgments and to make those stands and to express them.

But I can tell you right now, I will be attacked by saying the Boy Scouts have a right to set their own standards, I will be attacked as if I am advocating an attack on somebody else. In reality, it is the opposite. It is the people with more traditional values who are under attack.

Mr. SCARBOROUGH. And you would be called a bigot because you do not sit back and say absolutely nothing. Again it is not an issue of intolerance, it is not an issue of whether I am going to judge somebody for the life they live. That is up to them. That is what America is about. But at the same time private organizations have a right to make private decisions.

Mr. ROHRABACHER. They have an obligation.

Mr. SCARBOROUGH. They have an obligation. But again this is what has happened to us over the past 30 years, why we have been cowed, why we have been beaten down. Every time we try to speak up for values and beliefs that we hold dear and that our Founding Fathers hold dear, we are attacked by extremists in an extreme manner. We are called bigots, we are called racists.

I was just in an education hearing where I simply said that I believe that parents and teachers and school board members should have a bigger say in their education than bureaucrats in Washington, DC.

□ 1400

This person testifying, supporting the President, the President's proposals, basically said that if we left it to the States, then we would have handicapped children locked in closets, that we would have private schools taking control who did not care about handicapped children, who did not care about children with dirty clothes, who did not care about all these other things.

Now I have got to tell you we have not stood up and said enough is enough, and I can tell you as a Baptist who went to a Catholic parochial school I am insulted, and I am not afraid to say it any more, I am insulted by radicals attacking us, telling us that we do not care simply because we want to give power to parents instead of give power to bureaucrats, and it is

time that we stopped being cowed by these radicals that have destroyed this country over the past 30 years. It is time that we say enough is enough.

Mr. Speaker, I will yield to the gentleman from Texas.

Mr. PAUL. Yes, I find your conversation very interesting, and it reminds me of a incident that occurred not too many years ago.

I am a physician. I graduated from medical school in 1961, and at that particular time they decided that saying the Hippocratic oath was no longer necessary, and I did not recite the Hippocratic oath at my graduation.

But when my son graduated there in 1988, they allowed us to come back to say the Hippocratic oath. We were given that chance to come back because they were saying it once again, and I was very interested in this, so I went to his graduation, and at the ceremony they were reciting the Hippocratic oath. And lo and behold, when I looked carefully at it, it was not the same oath. They had changed the clause on abortion. It did not say that you should not use an instrument to do an abortion. They merely said you should follow the law, whatever the law is.

So I thought that was a interesting little story to support your case that truth seems to be easily revised in this day and age.

Mr. SCARBOROUGH. I thank the gentleman. And revisionism occurs all the time, and we are told that our Founding Fathers were racists and bigots and that they were radicals and that is—you know, that did not happen before 1994. It is very interesting that Jefferson was the hero of liberals until 1994, and then a group of us got elected quoting Jefferson, saying the government that governs least governs best, and suddenly he was not a useful hero. In fact, we had people actually writing op-eds this past year saying that the Jefferson Memorial needed to be taken down brick by brick by brick because he was a racist and because he was a radical.

Mr. Speaker, that just shows how desperate revisionists are. They would say the same thing of Abraham Lincoln if we quoted Lincoln too much, and I want to quote Lincoln because I am sure that if a President, sitting President today, said these words, he or she would be called a radical. Abraham Lincoln said this in 1863 in a proclamation.

He said we have grown in numbers, wealth and power as no other Nation has ever grown, but we have forgotten God. Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace and too proud to pray to the God that made us.

My gosh. If we said that, we would be called radicals, we would be called extremists, and now what they will tell us is that this is about religion, that you are trying to make everybody a Christian or a Jew or a Muslim. It is not the case. This fight is not about establishing a religion because that is unconstitutional, and I am against it 100 percent. What this is about is reconnecting our children and our grandchildren with their heritage.

Mr. Speaker, I would like to yield to the gentlewoman from North Carolina.

Mrs. MYRICK. Mr. Speaker, you know I agree in what you are saying and being able to speak what you think, and I appreciate your quoting Lincoln because he is also one of my heroes. And it kind of ties in with a couple of things that I wanted to mention this afternoon, you know, and this is really kind of in view of our bipartisan retreat that is coming up. I kind of wanted to remind people, making an appeal that, you know the words of the great American philosopher, Pogo: We have met the enemy, and he is us.

I think there are few of us who have been entrusted with the honor of serving in this great institution that are unaware of the low esteem in which we are corporately regarded today. And you know sometimes in the interest of reelection, flawed egos or some purposes of political or personal gain, we abuse our privilege and we dishonor our predecessors and slight our fellow Americans and weaken our Nation, and you know it has been true that there have been scoundrels in the past that have thrown shadows over this great noble body. But you know we have gotten to the point where there is a great deal of distrust and cynicism out there in what we do and what goes on here, in the way we treat one another.

And so I guess I am just saying that, you know, we claim to trust God, and in His name I would like to ask us to really reason together for the good of all and, you know, let us respect one another and tolerate one another's differences and not get upset when somebody says something that they deeply believe, but try and work together and stop destroying one another and lift one another up and endeavor to achieve the height of leadership the American people not only deserve but that they expect of us. And let us seek to be a credit to our Nation and proper example to our world and a joy to our God, and I believe that Lincoln who have agreed with that. Do you not?

Mr. SCARBOROUGH. I certainly do, and I certainly appreciate your words because I guess this is what has disappointed me over the past 2 years more than anything else.

There are Members here who I disagree with on practically every issue, Members like RON DELLUMS of California. He is on National Defense. I do not think I could find anybody on the issue of national defense that I disagree with more. I do not think I could find anybody on several other issues that I disagree with more. Quite frankly, I think his views are not the best views for America's future. The same with BARNEY FRANK from Massachusetts. But I have got to tell you I can talk to BARNEY FRANK of Massachusetts, and it helps me as a conservative, talking to a liberal who I disagree with to see whether my views are correct or to see whether I am taking an easier path than I should be taking.

The same thing with RON DELLUMS. I had a great talk with RON DELLUMS when we first got here. He came over, he walked over from that side of the aisle, over here where a lot of us were sitting, young Republicans who had just gotten elected, and we talked for a while. And he said to me, he goes: ''You know,''—he said, ''I don't understand why all you young guys are Republicans, why you're all conservatives. It doesn't make sense to me. Explain it to me.''

And I said to him, I said, ''Well, you know, Congressman, when you look on this side of the aisle, your views were shaped in the 1950's and 1960's. You saw a Republican majority that supported public discrimination, that supported a lot of the things that happened in the Southeast, where I am from, that were morally repugnant, and the party of Vietnam and Watergate. When I look on your side of the aisle, I think of where I was in 1979, 1978, 1979, 1980, when I first started becoming politically involved, or in my mind watching TV, and as I was about to start college, and I see the party of the Iran hostage crisis. I see the party of Jimmy Carter. I see the party of 21-percent interest rates. I see the party of a failed liberal policy that has bankrupted this country.''

So we come from two different worlds, but we can still respect each other, and RON DELLUMS, always a gentleman, said to me, said something like, ''That is really deep, man,'' or whatever RON said, and we respect each other. I think most everybody in this Chamber respects RON DELLUMS.

When RON was over on the Committee on National Security as chairman, hardly any Republicans and most Democrats agreed with him, but when I first got here and I started saying, well, how is this Member and how is that Member, when we talked about RON DELLUMS, they said, ''Hey, don't say anything bad about RON. He may be out there in left field ideologically, but at the same time the guy is fair.''

And so we can disagree without being disagreeable. We can get on the floor, and we can debate in the strongest terms possible, and we need to do that without becoming personal in our attacks.

Mrs. MYRICK. I think that is true, and that is one thing that has been missing, and it is a good point that you make because this place is such a busy place that you do not take time to build those friendships and you do not take time to walk across that aisle and get to know somebody else, and I think that has been a big mistake and I hope that all of us can start to do more of that sharing and really try and reach out, and have our disagreements because you are going to have to disagree philosophically. We will have a lot of

differences; that is the way it is. But it does not mean that you cannot establish those friendships, and I commend you for doing that.

Mr. SCARBOROUGH. I thank the gentlewoman from North Carolina, and I agree with her. We do need to establish these friendships, and at the same time we do not need to create this false, bland bipartisanship where nobody is afraid to speak their mind because the American people might be upset that two independent minds in the free marketplace of ideas disagree with each other. Do not be afraid when you turn on C-SPAN and somebody is pointing across the aisle to somebody else and talking about how they disagree. That is how we move forward as a country, two competing ideas. Unfortunately many of us on the conservative side have been quiet for too long.

Early on in the Bork book he quotes a poet, William Butler Yates, in a great poem called ''The Second Coming,'' and the last line talks about the beast slouching toward Bethlehem. The book is obviously called ''Slouching Toward Gomorrah,'' but this is what Bork highlights, the part where it says the best lack all conviction while the worst are full of passionate intensity. For too long the best have lacked all conviction, the best have remained silent as this country has gone down a radical left path that our Founding Fathers would have been absolutely horrified in, a path that dooms our children.

It is not just cultural. It is economic, too. You know, we have got a $5.6 trillion debt, and we still do not have enough people in this town with the willpower to spend only as much money as we take in.

So what does that mean? It means that our children are going to be burdened with an incredible debt as they grow older.

My 6- and 9-year-old boys 20 years from now are going to be paying 89 percent of every dollar they make to the Federal Government, and that was not a Republican that came up with that. That came from Senator BOB KERREY's independent commission on entitlement reform, you see, because these baby boomers who are slouching toward retirement will overwhelm the system too soon.

You know, back in the 1950's there were 15 people working for every 1 person on Social Security. Today there are 3 people working for every 1 person on Social Security. And 20 years from now when baby boomers are retiring, there is going to be 1 person working for every 1 person on Social Security. So that means our children will not have 14 others in a pool to help pay the beneficiary their benefits that were promised to them. We will only have 1 person working for every 1 person on Social Security, and I have got to tell you the prospects are bleak if we do not have the moral conviction and the moral courage to step forward and save our children's future, and ensure them the same American dream that our parents and grandparents tried to pass on to us.

One member of our historic freshman class of the 104th Congress is the gentleman from South Carolina, who has been looking into how we can make Social Security solvent for our senior citizens without bankrupting our children, and there are going to be a lot of different ideas. We may not agree on what is the best approach, but I can tell you that in the free marketplace of ideas the only way that we can move forward with an agenda that can save our children and save our grandparents from economic calamity is to debate in the free marketplace of ideas and hopefully do so without people demagoging and trying to scare our eldest citizens.

□ 1415

Mr. Speaker, I yield to the gentleman from South Carolina [Mr. SANFORD] for a few minutes, and if he could, to discuss one of his proposals.

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

In our limited time I will not really go into a proposal we are working on, but what I would like to do for just a few minutes is talk about the problem that is before us, because as the gentleman suggested, we have a very considerable problem if we do nothing. There is the old saying of hear no evil, speak no evil, see no evil, the three monkeys. That seems to be the way Congress is at this point approaching Social Security. It is the most important program we have in this country and it is absolutely vital that we save it.

To save it, we have to begin, as the gentleman suggested, by talking about it. What is interesting about this problem is not what Republicans have said, not what Democrats have said, not what Ross Perot has said, but what the trustees for the trust fund itself have said; that if we do nothing, Social Security will go bankrupt in 2029, and it will begin to run deficits around 2012 when those baby boomers begin to retire, such that either we have to look at raising payroll taxes by about 16 percent, or cutting benefits by about 14 percent, or growing the deficit by roughly the same number.

What I hear from folks back home in the district is, MARK, I am struggling. The idea of raising my payroll taxes by another 16 percent makes no sense to me. When I talk to seniors, they say, MARK, I am struggling. The idea of cutting my benefits by 14 percent is not an option.

What is really interesting are the demographics behind what is driving this change. They are, one, that people are living longer. When Social Security was created in 1935, the average life expectancy was 62 years of age. Today it is 76. Every year that I grow older I hope it keeps moving in that direction, but it creates real strains on a pay-as-you-go system, which is what our system is right now.

The other demographic problem that is headed our way, and again it is, I guess, a mixed blessing, is that we have gone from having big families on the farm to having relatively few families today. As my colleague, the gentleman from Florida, suggested, again, when Social Security was created there were 42 workers for every retiree. By 1960 there were, or 1950 rather, there were around 16 workers for every retiree. Today there are 3.2 workers for every retiree. We are well on our way to having two and then one worker for every retiree.

Again, that is a demographic phenomenon we are not going to change. For me to suggest to my wife—we have three little boys—Jennie, what do you think, another six or seven children and I think we can maybe help to solve this Social Security problem, is not going to fly. So we are looking at demographic trends we cannot change.

That leaves us with a number of, I think, crazy options. We can wait and do nothing and let Social Security go bankrupt, which I do not think is an option. We can wait and do nothing and raise payroll taxes by 16 percent. I do not think that is an option. We can wait and do nothing and cut benefits by 14 percent. I do not think that is an option. We can grow the deficit by roughly 14 to 16 percent. I do not think that is an option. We can lower life expectancy or change fertility rates. Those are not options.

That leaves us with one option. That one option is letting people invest their own money in their own savings accounts and letting that grow and compound over time.

Einstein was once asked, what is the most powerful force in the universe? His reply was, compound interest. It is amazing what you can end up with at the end of a working lifetime if you put a little bit away into your own account that politicians cannot get their hands on, again, over a working lifetime.

I just wanted to touch for a few minutes on the problem. I will be back on many other visits to talk about many of the benefits that would come with change, or our specific ideas on the subject. But I did not want to interrupt my colleague, the gentleman from Florida, for more than just a couple of minutes.

Mr. SCARBOROUGH. Let me ask the gentleman quickly, I know the gentleman from Wisconsin [Mr. NEUMANN] has been talking about taking Social Security off budget. What we mean by that is right now I think Social Security is running about a $62 billion, $63 billion surplus.

When we get together and talk about balancing the budget, one of the ways we do it is say, we have $63 billion over in that trust fund. Why do we not do a little accounting trick and shift it over, and that will make our job $63 billion easier when they know they cannot get their hands on that anyway.

Unfortunately, there is a conspiracy of silence on both sides of the aisle with Congress and the President, because it is in the President's best interest to try to balance the budget. He

says he is going to balance the budget, and he has a balanced budget plan. It is $62 billion out of whack. If we add the $62 billion surplus in Social Security that he is counting on to cook the books, it is $120 billion in red. The same thing with the Republicans.

If we have the courage, and I pray that we still do, if we have the courage to come forward with a plan to balance the budget, and yet if we shift $62 billion over from a Social Security trust fund in an accounting trick that we cannot use, then we are $62 billion short.

So I support the gentleman from Wisconsin [Mr. NEUMANN]. Does the gentleman from South Carolina support the gentleman from Wisconsin's proposal?

Mr. SANFORD. I do. As we both know, it will not save Social Security in the long run, because we have this giant demographic shift coming our way as the baby boomers begin to retire in 2012, and there are 730 million. They are about double the size of the generation before and double the size of the generation after.

In other words, it will not save us from that avalanche of graying in America, if you want to call it that, that is headed our way, but it would certainly be a step in the right direction. And most importantly, as the gentleman suggests, if Washington is to be trusted, we have to have, in essence, honest accounting.

For us to say a trust fund, but it is not really a trust fund, is not honest accounting. For us to use Social Security moneys to in essence mask the size of the real operating budget here in Washington again is not an honest accounting. What I hear from folks back home in my district say is that they would like to see honest accounting, and they would like trust fund money to stay in its trust fund.

Mr. SCARBOROUGH. When you talk about honest accounting, and talking about trust, I have to tell the gentleman, his job is going to be made more difficult, the job of the gentleman from Wisconsin is going to be made more difficult, and this institution's job is going to be made more difficult in this area and the entitlement area in general, because of the shameless display we saw over the past 2 years of those who would attack us because were trying to keep Medicare solvent.

The gentleman talked about the trustees. They told us that Medicare was going bankrupt. So we had a group of people step forward with a bold proposal, and the Speaker of the House, who has been fodder for every political campaign over the past 2 years, the Speaker actually had the courage to step forward and say, I know Medicare is the third rail of American politics, I know we are not supposed to touch entitlements; but it is dying and we had better fix it now. If we do not fix it now, we are going to have to pay for it later, and it is going to be seniors and middle-class taxpayers who take the biggest hit if we do not fix it now.

So we stepped forward and we had the courage to do something 2 years ago. Unfortunately, we paid for it in political terms, because there were others that used that against us.

I have to say that if I could do anything this session, it would be to once again instill in the hearts and minds of all these people the courage to step forward and do what has to be done to make Medicare solvent, to make Social Security solvent; because all these other issues about cutting a program 2 percentage points or 4 percentage points, or increasing school lunch programs 4 percentage points instead of 6 percentage points, they are irrelevant.

In the long run, they are irrelevant economically, because it is Medicare, it is Social Security, it is Medicaid that is expanding at such a rapid clip that it is going to overwhelm all of us, it is going to overwhelm this Congress, and it is going to create an economic meltdown if we do not do something about it.

Mr. SANFORD. Mr. Speaker, I thank the gentleman very much. I appreciate him letting me borrow a little of his time.

Mr. SCARBOROUGH. I thank the gentleman, because it does really play into what we were talking about before, and that is talking about creating a civilization that is more connected, more closely connected to the views of our Founding Fathers, to the views of Washington and Jefferson and Lincoln, than to the cultural views of what happened in the 1960s or what is happening now: The life of Larry Flynt or the words of Madonna or the actions of Dennis Rodman.

We have to step forward and not be afraid of our past but embrace our past, embrace the ideals of our Founding Fathers who said, ''We have staked the entire future of the American civilization not on the power of government, but on the capacity of Americans to live and govern and control themselves according to the Ten Commandments of God''; or the ideals of Jefferson, who said that the government that governs least governs best.

Those are not radical ideas. Those are ideas for the 21st century. Those are ideas that are going to overwhelm the liberals anyway, that are going to overwhelm the radicals anyway. We are moving from an industrial age to an information society, where information disseminates, and just as the agrarian age had a decentralizing impact and the industrial age had a centralizing impact, the Information Age once again is going to empower the individual.

We in Washington should get out of the way and let individuals live as they choose to live, let individuals study as they choose to study, let them worship as they choose to worship, let them spend their hard-earned tax dollars as they choose to spend the money that they make, and we need to get out of their way and let them prosper.

If we do that, we will once again be the great civilization that we once were. We will once again be what Abraham Lincoln spoke about when he said America was the last great hope for a dying world. We still are. We have just gotten off track in the past 30 years.

And hopefully what we did yesterday, what we tried to do over the past 2 years, will begin to bear some fruit. We will create America, we will build a bridge to the 21st century also that will not be based on what happened over the past 30 years, but instead based on those great and lofty ideas that we find in the writings and words of our Founding Fathers.

RESIGNATION AS MEMBER OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore (Mr. PEASE) laid before the House the following resignation as a member of the Permanent Select Committee on Intelligence:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 6, 1997.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: This letter is to inform you that in order for me to accept an appointment by Democratic Leader Richard Gephardt to a seat on the House Permanent Select Committee on Intelligence, it will be necessary for me to interrupt my service on the House Committee on Veterans' Affairs and as Ranking Member of its subcommittee on Oversight and Investigations.

Rule 19 F. of the Preamble and Rules of the Democratic Caucus provides that no Democratic Member of the Permanent Select Committee on Intelligence may serve on more than one standing committee during that Member's term of service on the select committee. However, the rule also provides that Members shall be entitled to take leaves of absence from service on any committee (or subcommittee thereof) during the period they serve on the select committee and seniority rights on such committee (and on each subcommittee) to which they were assigned at the time shall be fully protected as if they had continued to serve during the period of leave of absence.

While I will remain committed to protecting and enhancing the needs and benefits of our nation's veterans, this letter constitutes notice of my intent to take the necessary leave of absence from the Committee on Veterans' Affairs in order to accept an appointment to the Permanent Select Committee on Intelligence.

With kindest regards, I remain

Sincerely yours,

SANFORD D. BISHOP, Jr.,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

CIVIL LIBERTIES, WHERE AMERICA IS HEADED, ITS PROBLEMS AND THEIR SOLUTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Texas [Mr. PAUL] is recognized for 60 minutes.

Mr. PAUL. Mr. Speaker, I have asked for this special order today to continue

a discussion that I started 2 weeks ago with another special order on the subject of civil liberties, where the country is going, and what some of our problems are and how we can solve them.

I am a freshman Congressman right now serving in the 105th Congress, but I served here in the Congress a few years back. I had four terms which were ended in 1984. I now return to the U.S. Congress, and probably the most common question asked of me since I have been back is how are things different. In many ways they are very similar and in some ways that is very disappointing, but in other ways they are different and hopefully we are making some progress in solving some of our problems.

The big difference, though, that I have noticed, both here on the House floor as well as watching television over the past 2 years, is that the House floor has been used in a different manner. I think the atmosphere is somewhat less relaxed. I think Members frequently are more on edge, and there may be a little less friendship, which to me is a bit sad. But also we have noticed that the House floor can be used for personal and political attacks, which I find not to be the best way to use the House floor.

□ 1430

As a matter of fact, I have more or less pledged to myself and to my constituents that is not the reason I have come to the Congress, to use the House floor for anything political or personal. Even if those attacks may occur against me on the House floor, I will choose not to answer them on the House floor because I do not think that is proper. If attacks occur, I will answer those attacks or charges in another way but not here on the House floor.

Mr. Speaker, in the recent special order that I did, I talked basically about the coming welfare bankruptcy of the welfare state. And I think that is one of the reasons that there are so many conflicts here on the House floor, because we are not yet seeing this in economic terms. There is still a sentiment, both in the country and in the Congress, to continue to spend a lot of money.

We have heard discussions about Social Security, and the difficulty in solving this problem and whether Social Security or any other benefits, there is a tremendous demand to continue these programs, but it is getting very, very difficult to raise the revenues. Certainly there is not an environment here today to introduce new programs and new welfare entitlements. So this difficulty in finding the funds has led to some of the problems on the House floor.

It is easy for a very wealthy country to continue to get involved in redistribution of wealth, but once the country is getting smaller and the economic conditions are such, it is a much more difficult, much more difficult problem to solve. I think that we should do everything conceivable here on the House floor to show respect to each other. I think it is important that we show friendship. And over and above all that, I think if we are serious about the ideas, there is no reason why we cannot have some enjoyment in doing this, in trying to solve our problems.

Mr. Speaker, I would like to take this moment to just quote one sentence from my previous special order dealing with the rising police state and the attack on our personal civil liberties. In that order, I say, centralizing powers and consistently expanding the role of government require an army of bureaucrats and a taxing authority upon which a police state thrives. And I am suggesting here, as I did before, that this is not the right direction to go and that many Americans are sincerely concerned about the power and the authority of the Federal Government. This has not been our tradition. This is not part of our Constitution. But certainly in the last several decades, we have had an accumulation of power here in Washington.

Also, my solution or my suggestion to solve these comes in thinking about the philosophy of government. If we do it just in a technical fashion and think that all we have to do is have a line item veto or have revenue scoring or have a balanced budget amendment, I think we are missing the whole point because I think it is a much bigger issue. I think it is a philosophic issue, not a technical or budgetary issue, and all of this is related to how we look at the important role for government.

The decision that we as Members of Congress have to make is whether or not government should have the power and the authority to do what they do. And in order to answer that question, we really have to ask it first. Does the Government really, does the Federal Government really have the power and the authority under our constitutional system of law to do as much as they are doing? I challenge that because I quiet frankly believe that we here in the Congress do not have the authority that we have exerted here over the last several decades.

Mr. Speaker, my personal philosophy is this. It conforms with what I believe the Founders believed, that is that government should be precise. Government should be there for the protection of liberty. We should not concede to the Government the right and the power and the authority to use it in order to bring about social and economic changes. Most individuals recognize that you cannot force other individuals to do things that you want them to do. But so often we allow the Government to do the same thing. We grant them this power and authority to try to mold the country, mold people's personal behavior and of course mold the world as we intervene in so many places around the world.

In many ways, I use a political golden rule to address this subject. That is that we must reject the use of force, personally and politically, to try to bring about these changes. Some would say, well, that sounds like pacifism because you do not want to confront, you do not want to use the authority of the state. I do not want to use the police. You do not want to use a gun to force people to do the things that you think are necessary and to obey the law.

But it is not pacifism. It is far from that. It is a system of government that is designed to encourage tolerance and volunteerism to solve our problems. The role of the state is limited to that of protecting liberty, providing for the national defense, and to make sure that individuals do not violate these rights as well, that individuals, when individuals exert force and violate another individual's rights, that certainly invites the role of government to come in and solve that problem.

In recent years, we have seen some, a better discussion about what we have to do. In the last Congress we have seen a step in the direction of at least trying to take some of these powers and some of the authority away from Washington and delivering it back to the States. Quite frankly though, I am not convinced that block grants is the whole answer, leaving the money in the States would be a much better way.

Mr. Speaker, at least the discussion is much better. We have now talked about returning the management and the financing of welfare back to the States. I find that encouraging. There are a lot of us in Congress now talking about the same thing about education. Nationalizing our educational system really has not done that much more for education. You can draw a graph and show that, as the funding went up for national control of education, the quality of the education went down directly. The same thing could be said about medicine.

It is easy to accept the argument by many of us here in Congress that welfare should be a State function, education should be a State or local function. But so often there is a resistance and no consensus on what we should do with the police powers, whether we are fighting the war on drugs or the war on the environment or whatever. But under the Constitution, it was never intended that police powers would gravitate as they have here in Washington.

So my suggestion here is that we should seriously think about that in the area of police activity, because now we have a national war on drugs which is a total failure, has not done any good, has done great harm. Not only has it not solved the serious problem that we face with the massive use of drugs, this very dangerous precedent, but it also has cost a lot of money, and it has been a cost to our civil liberties.

So in the name of the drug war, we have sacrificed much, both in terms of money and our liberties, while failing to solve our problem. The same could be said about the war on guns. The war

on guns only started recently. It is interesting to note that the war on guns and the war on drugs really got a tremendous boost in 1934. Prior to that, it was assumed by everybody in this country, under the Constitution, that deregulation of guns would be handled by the States. Yet endlessly we are writing laws and pursuing the gun rather than the criminal. In the same way, we are making very, very strong attempts to all the educational problems and medical problems, social problems and the environmental problems, all through regulations coming from Washington.

Now, you might say, well, that really is not a police function. We, all we do here in Congress is we write regulations. We are not authorizing guns to go and perform certain acts. But regulations have the force of law, and when you have the force of law, it is at least a threat of a government agent coming with a gun and threatening an individual either with a hefty fine or with imprisonment. So the rejection of the use of force also rejects the notion that you threaten to use force because the threat of force, if you have the power to do it, is just as sinister and just as dangerous as the force itself.

Mr. Speaker, many people in this country already concede that the concept of private property rights has just about been extinguished. And some would argue and say, how could that be. We all own our homes. We own our property. We own our farms and we own our ranches. But when they stop to think about it, they look at the tax burden we have. Now total taxes are about 50 percent, but when we pay our property taxes, we are merely paying rent to the Government. But the Federal Government is very much involved in this because they are writing regulations. And they have to go through numerous bureaus and agencies just to be able to use their own land, and frequently they are not allowed to use their own land.

So the concept of private property ownership has been seriously undermined in this country, and it continues to be further threatened by the radicals who believe that individuals should not have the right to use their land as they see fit.

The concept of liberty is indeed threatened. I believe there is less liberty in this country than there was 20, 30, 50 years ago. Certainly there is less liberty than was intended by the founders of this country. And as our liberties are diminished, we see the expanding role of the Federal Government, we see the expanding role of the bureaucrats who are now quite capable of carrying guns themselves.

But one of the symbols I think that comes from the Federal Government in their policing activities that dramatizes so well a serious problem that we face, that is that frequently on TV we see that we have these attacks or these confrontations with the citizens where the TV company is called out, the news media is called out there to witness this wonderful event on how our government is enforcing the law. But very frequently, as I am sure so many of us here in the Congress have witnessed, is that our police force, whether it be the FBI or the BATF, they will wear a ski mask. Is it not interesting.

Mr. Speaker, why would they wear a ski mask in a free society to protect the people? I do not know the exact answer for that, but I would think that in a free society our policemen would be much more ready to show their badge, show their warrants and not wear ski masks. Our police are supposed to be our friends to protect us, not the kind that will break down and break into our houses with a mask on.

A lot of good intention goes into so much of our legislation here in the Congress, and yet I do not believe the good intentions themselves will be much good if we are using the wrong ideas. If we do not accept another notion about the role for government, if we do not accept the fact that economically we are facing bad times ahead because we literally cannot afford the welfare warfare state anymore, I think that conditions are going to get much worse because, as the people become frightened and concerned about their future, unfortunately there will still be a large number that will come here and lobby for more government rather than less, failing to realize that it was the size of government and the scope of government and the way we ran our monetary system that was the problem rather than the fact that we need more liberty, not more Congress, more congressional activity.

Today we have a bunch of laws on the books that permits and encourages the search and seizure and confiscation of property. We have 100 laws on the books today that allow confiscation of property without due process of law. Once the property is seized, it is up to the American citizen to prove that the property was seized incorrectly. Instead of honoring the constitutional commitment to innocent until proven guilty, it has been reversed as it is with the IRS. We are guilty until we prove ourselves innocent to the agencies who threaten our liberties.

□ 1445

Another trend that has occurred here in the last several years is disturbing to me. That is the willingness of our police agencies in the Federal Government to find the suspect rather quickly and then demonize the suspect in public.

The best recent example of course would be Richard Jewell, with the accusation that he ignited that bomb at the Olympics. Here is a man, hopefully he will get his redress in court, but it was still a perfect example of how our police officers took it to the media. That is no way for an American citizen to have their rights protected. Our goal and our obligation is to protect the rights, not to abuse and undermine the rights of our citizens.

What has all this done to us? Well, I think what it has done and has led to is that many Americans now are fearful, fearful of the Government. The Government is supposed to be our friend. We in the Government are supposed to be befriending the citizens and reaching out to them and taking care of their freedoms to make sure they are secure, secure that if they know they have a conflict, that we can settle the conflict in court, that we should be secure from outside threat.

Yet today many, many Americans feel very insecure. They feel insecure economically, they are not certain about what will happen in their economic future, but that is an economic issue. But what I am talking about here today, many of them feel insecure in their personal life. It is very intimidating to the average American if they receive a registered letter from the IRS, very, very intimidating, and it causes a great deal of anxiety. So obviously our tax system is a serious problem to all of us. But the people are not happy and they are not satisfied and they are very, very fearful of what is happening.

Now, some may write this off and say that the Congressman is just making this up because the American people are not fearful, everybody is very content and they are satisfied with the success of the welfare state and they are satisfied with the policing activities of all the agencies of government. But not too long ago, there was a poll done. The poll was very interesting. They wanted to find out how the American people felt about this very issue. They asked a rather strong question. They asked, do you feel like there is an immediate threat to your rights and freedoms from the Federal Government? The answers coming back to the Gallup Poll were slanted in one direction to such a degree that they could not even believe the results, so they went back and redid it, because they thought the people they were polling did not really understand what they were saying. So they were trying to get another answer. But the same answers came up again: 39 percent of our people feel immediate threat to their rights and to their freedoms by the Government. Maybe it is not true, but it is very important that they think that. I have seen other polls that were actually even worse than that, where people were fearful of the Government and are not satisfied with the way the Government operates.

The pollsters then decided they wanted to know, well, these must be all the right-wing extremists that are fearful of the Government and, therefore, we will just put them in a category and write them off, so they checked to find out whether these were liberals or conservatives that expressed this fear of the Government. It turned out that more liberals were fearful of the Government than the conservatives. This probably should not surprise us too much when you think of some of the

law enforcement that occurs and the abuse of civil liberties in our inner cities. It was just the other day I saw something in the New York Times that said that some teenagers were shot rather quickly, unarmed teenagers and then the questions were asked afterward. I realize how difficult a situation the police get into, but it still is well known that the abuse of police powers in the inner cities is there and something has to be done about it.

Senator Wallop when he left the Senate expressed some sincere interest in this particular subject and I believe is continuing to do some work in that area. He was shocked because so many of his constituents would come up and express their fear of the Government, whether they were the environmental people or whatever, but then they would quickly add after they told him about the problems they were facing, and the constituent would say to him, ''Don't do anything. I don't want you to even rock the boat, because I'm fearful that they will come and get me.''

That is a serious charge, and that comes from a respectable Senator who continues to work on this problem.

A couple of years ago, there was a group of individuals who banded together because they too were concerned about the growing police powers of the Federal Government, and they wrote to the President and they were expressing to him that he should do something about this, that the police powers of the Federal Government were indeed violating the civil liberties that we were acting in a perverse manner, we were not protecting liberty, we were destroying liberty.

I want to read from that particular letter that went to the President. He said he was urging the President to review the policies and practices of all Federal law enforcement agencies and to make recommendations and steps that must be taken to ensure that such agencies comply with the law. This review is necessitated by widespread abuses of civil liberties and human rights committed by these agencies and their failure to undertake meaningful and ameliorative reforms.

Federal police officers now comprise close to 10 percent of the Nation's total law enforcement force. Today some 53 separate Federal agencies have the authority to carry guns and make arrests. This represents an enormous expansion in recent years in terms of both personnel and jurisdiction. What is lacking, however, is a systematic oversight and review of Federal police practices.

Certainly we need oversight, but we also have to raise the question of whether this is the proper place to put the police. In the Constitution there are three Federal crimes listed. Today we have literally thousands. Nobody would know because we here in the Congress write the laws and the agencies write regulations that have the force of law.

They go on in this letter to point out some of the problems that they see. Improper use of deadly force, physical and verbal abuse, use of paramilitary. That implies military law. Use of paramilitary and strike force units or tactics without justification. Use of no-knock entrances without justification. Inadequate investigation of allegations of misconduct; use of unreliable informants without sufficient verification of their allegations; use of contingency payments to informants, giving them an incentive to fabricate the information since payment is usually contingent on conviction; entrapment, unnecessary inducement of criminal activities as an investigative technique; inappropriate and disproportionate use of forfeiture proceedings to obtain financing for law enforcement equipment and activities; use of military units and equipment in the course of domestic law enforcement; pretential use of immigration laws and Immigration and Naturalization Service personnel for nonimmigration law enforcement.

Again, who is complaining to the President about this? Are these the rightwing extremists which is implied by so many in the media, a rightwing extremist attitude and idea that we have to curtail the Federal Government in their police powers? No; there are others who are interested in civil liberties as well. Let me just read a couple of names of the individuals who signed this letter to the President asking him to look into the matter. Ira Glasser, executive director of the American Civil Liberties Union; Eric Sterling, president, the Criminal Justice Policy Foundation, Arnold Trebach, president, Drug Policy Foundation; James Grew, president, International Association for Civilian Oversight and Law Enforcement; John Hingson, president, National Association of Criminal Defense Lawyers, not exactly a conservative group; Mary Broderick, director and defender, Division of the National Legal Aid and Defender Association.

So these are the people who are concerned about civil liberties. I think we all should be concerned about civil liberties. We certainly should, because we have the responsibility as we write law and as we perform oversight that our goal is to protect liberty, not write laws that end up undermining and demeaning the whole concept of liberty.

Just to use something more recent, the associate director of the American Civil Liberties Union has just written recently an editorial for Scripps-Howard, just a few months ago. In this letter, in this editorial, he says:

> A powerful nation orders its telephone companies provided with foolproof wiretap access to the national communications infrastructure. The national police agency, which in recent years has been dramatically increasing the number of wiretaps, then demands the resources to tap one of every 100 telephone lines in the country's most populous area. The government claims it needs these new powers to combat domestic terrorism, but its own records show that only a microscopic portion of its wiretaps could have anything to do with what might be called terrorist activity.

If it is not for terrorist activity, why do they need so many wiretaps? What is the purpose? He goes on to say, and in a way lectures us, he says:

> This is precisely the sort of invasion of our privacy that during colonial times caused American patriots who had experienced general searches by the British to rebel and to adopt the protection of the Fourth Amendment to the United States Constitution. I think it would do us all well if we did look and read the Constitution and specifically in regards to this subject, the Fourth Amendment.

Again, this comes from not a rightwinger, but somebody from the American Civil Liberties Union, and we should not ignore that.

I would like to mention a few of the more startling cases that have occurred over the last 4 or 5 years. Some are well-known, some are less well-known, making the point that we do have specific examples of how our Government has overstepped its bounds.

One of the cases, and this first case I am going to talk about is fairly well-known. I think a lot of people and a lot of Members will have heard of it, but I just want to bring it up once again so that we do not forget because the problem has not been solved.

The first case occurred in 1992, and it involved a gentleman by the name of Don Carlson from San Diego. The DEA and the U.S. Custom agents raided his home. The claim was, the suspicion was, that it was a vacant drug storehouse. He arrived at home at 10:30 p.m. and the house was under surveillance at that time, and he walked in. If they were to issue a warrant, he was available. But he went to bed and after midnight the agents broke through the door, and he immediately thought he was being robbed. He reached for a legal firearm to defend himself, he did not fire a shot, he was shot three times, including once in the back, after he had been disarmed.

Now he did not die. He survived. He is disabled, but he has a lifetime of medical expenses as well as being disabled. No drugs or illegal weapons were found. The paid informant that gave this information had never specified which house to break into. So that is a shortcoming on the police activities of those individuals that went in.

Another case, 1991, Sina Brush, from New Mexico: 60 agents from the ATF, DEA, National Guard and the Forest Service charged that this Sina Brush possessed illegal drugs. They broke in, tore the place up, no drugs were ever found, but Mrs. Brush and her daughter who were not dressed, only partially dressed, were forced to kneel in the middle of the room during this whole episode while being handcuffed, and this all came about because of unreliable sources accusing them of being involved in the drug trade.

Another case, and this case is pretty well-known and that has to do with Donald Scott from the ranch in the Santa Monica Mountains. This was in

1992 as well. This occurred in the middle of the night. Why do they have to go in the middle of the night? This is a terrible thing for a free country to have police agents going in the middle of the night. You never hear of the same individuals going in the middle of the night into the inner city, but outside the city they are more likely to go in the middle of the night. This involved the DEA and some local police activity, and they were of course looking for drugs. The wife started screaming, and Scott grabbed a weapon because he did not even know who was coming into his house. He was quickly shot and killed.

□ 1500

No drugs were found, no illegal weapons were found in this house, and yet a man lost his life not at the expense of a burglar, but at the expense of his careless attitude about our policing activities that we have allowed to occur here in the U.S. Congress.

Another case: Louis Katona from Bucyrus, OH, a part-time police officer, had a run-in with the Federal police. He was a gun collector, and the BATF raided his house because it was said that he might have an illegal weapon.

As a matter of fact, the charge that was—that he was alleged to have committed was that he counterfeited, that he actually forged a document and signed it for the police chief. But after the dust settled they found out that he done everything properly, took the forms to the police chief and the police chief's AA, the administrative assistant, signed the bill, signed the document, and yet they went in and tore up his place with the idea of trying to find this illegal weapon.

Finally—at least finally all charges were dropped, but that is at a tremendous cost. And there was an additional problem there too because Mrs. Katona was pregnant at the time, and she was roughed up in the episode, that very night started to bleed and then subsequently had a miscarriage, and it very well could have been related, and most likely was.

I recall a personal case that occurred while I was practicing ob/gyn back in my home district, and my patient and my patient's husband appeared on the scene at a dock. They were getting off their boat. The husband went down first. He walked accidentally into a drug bust. He was quickly apprehended, thrown down on the deck, handcuffs put behind him, and he was merely standing by. He just happened to be a passerby.

When his wife spotted this, she rapidly ran down, and she was approximately 6 months pregnant, and she said, ''What are you doing to my husband?'' And they quickly did the same thing to her, slapped her down, put handcuffs on her back, her hands on her back, and put her on her stomach. Now fortunately she did not miscarry, but it could very well have caused a miscarriage, and yet it was all done in the name of solving this drug problem which continuously gets much worse.

Harry Lamplaugh, a gun collector from Wellsboro, PA, had a run-in as well with our national police. There were 15 to 20 ATF agents that went into his house, and these agents all wore masks in the middle of the night. Lamplaugh, his wife and his attorney, who at one time was an ATF Assistant Director, verified the story that was told afterward.

And the agents came in, and they were looking for a particular gun. But in the meantime they took all his business records, they took all his mailing lists, they took his personal records, his birth certificate, his marriage certificate, baptismal records, mortgage records, and medical records. Lamplaugh was a cancer patient. They took his medication and strewed it on the floor, spread it all over the house and was a great deal of problems to him. And then, to add insult to injury, one of the agents stepped on their cat. But that was not enough. He picked it up and threw it at a tree and killed the cat.

During the whole time it was verified that very, very abusive language was used. Mrs. Lamplaugh was threatened that if she did not inform on her husband, that she would be thrown in prison under the worst of circumstances.

These things should not happen in America, we should not permit them to happen, and hopefully they are not happening as often, but I am not totally convinced of that.

Another case, Paul and Patty Mueller of St. Louis, in 1996, a more recent case. The ATF came in, a dozen men, kicked the door down. They never knock on the door and ask. They kick the doors down. Even if they have a key, they kick the door down. They threatened to kill the dog. Mr. Mueller had his hands bound, he was pushed to the floor at gun point, and they kept yelling and screaming ''ATF, ATF.'' These people were very innocent, and they had no idea who they were or what was happening, and they were fearful for their lives. They thought they were being wrong.

It was an hour later that the ATF officers presented a search warrant. No weapons were found, no drugs were found, but a paid informant gave the information which turned out to be wrong. There were no apologies and no payment for the damages.

There was a case up in—another case in Pennsylvania. James Corcoran, a police officer, had been arrested on a gun charge, and when it finally got to court, it came out in testimony and it was admitted by the BATF that they tampered with the weapon and made it into an automatic weapon in order to convict him of a crime. Fortunately, that case was cleared up because they were able to get the BATF to admit this.

Another case, Gilberto and Josefine Gomez, a couple years ago, Mexican citizens. They came to the United States. They were legal immigrants. They had—Gilberto had a accident, and he won in a suit, compensation suit, he won $19,000, and he was taking it back to Mexico in cash because he was not sophisticated enough to have a checking account nor do wire services or do any of that, and he had proof of it. He carried proof of where the money came from.

But when he got to the border he was arrested, the money was taken from him, and then when it was realized that this looked like legitimate honest money, they made an offer to him. They wanted him to settle out of court, and they say, we will give you back $13,000 if we can keep $6,000. That was the bargain they offered him. He refused that. I do not know for sure if that was totally settled and he got all his money back, but for the most part once the property is confiscated, once the money or property is taken by the Government, which is not by due process of the law, it is very, very difficult to get these funds back.

Just recently this past week there was an article in the Wall Street Journal that dramatizes a case that adds to this sentiment of the people, why they are not happy with the Federal Government, they are not happy with us here in the Congress because they see stories like this. But not only do they read about these stories, they know about these stories. You hear them endlessly if we just will listen to our constituents.

In March of—well, this was a story about James J. Wilson. He was a developer in Maryland, nearby here, and he is actually an American success story. He started a construction company in 1957 with nothing. He had $760, and now he has been charged with a very, very vicious crime, and he was charged with filling a wetlands with water. I mean that is serious, and unfortunately for him, he has a long way to go to win, but he is a fighter and let us hope he does win.

In his trial, which occurred just recently, he had some environmental experts testify in favor of him and say there has been absolutely no negative environmental impact on what he was doing in his development. When he started his development in Maryland, he went to the Corps of Engineers, and he got approval, and they said that there were no hazards, and he was given the approval to proceed. But in the middle of his development they came by and they reassessed it. I guess they came by right after it rained, and they saw a damp spot, and they said ''Ah, ha, you have wetlands on your land. You will stop, stop the development.'' He did. He never once violated a cease and desist order.

But he was not very happy. He was losing a lot of money. It was something that he had been given original approval for, they changed the rules, and now they were accusing him of this vicious crime, and he was upset, so he filed suit. He had not talked to the

Senator who was told by his constituents: Do not do anything, it is dangerous if you do anything. But he did not have that advice, so he went, he filed suit against the Federal Government.

And what happened? His noncriminal charges turned into criminal charges for what he had done.

Now this is interesting. It is said that he has violated the Clean Water Act of 1972. If you go back and read the Clean Water Act of 1972, it talks very clearly about not discharging any pollutant into a navigable water. That is basically what the Clean Water Act was about in 1972. But with regulations and with court rulings this has evolved into a monstrous piece of legislation which has encouraged the Wall Street Journal in their article to talk about the wetlands gestapo. And this is not just from some fringe newspaper. They are talking about a Federal Government agent running a gestapo-type agency.

And the case has pursued; he has lost one case, but it is still, hopefully, something he can win. But the Government is saying that they have the right and the authority to regulate this. Their constitutional argument is that at one time somebody knows of some beavers on that land, have not been caught and transferred over the State line. Now if that is not the most gross distortion of the interstate commerce clause I have heard, I do not know what it could be. The interstate commerce clause by our Founders was written for the purpose not to regulate interstate commerce, which was done throughout the 20th century, but it was written precisely to break down the barriers between the States, and it is doing exactly the opposite right now.

Now where Mr. Wilson deserves a lot of credit is the fact that he is not arguing this on a technicality. He is arguing this on a constitutional issue, that they do not have the right, the Federal Government does not have the right, to come in and regulate and harass as they have done.

The tragedy, of course, is that he has gone through his first trial, he is fighting on principle, he spent $5.7 million on legal fees, he lost, he got fined personally $1 million, his company was fined $3 million, and he is sentenced to 21 years in jail for being an American dream story, going from nothing, building, being a developer, doing his very best to follow the rules, providing jobs. We are going to put him in prison; that is what we are doing today.

No wonder people who are really ambitious are so often encouraged to take their businesses elsewhere. Whether it is labor law regulations, environmental regulations, or health regulations, they are just too burdensome for so many of our business people that it is so much easier to just take the business overseas, and this is a good example of why we encourage so many of our jobs to leave our country.

Big question here is: Do we in the Congress think Government is too big? I think the American people think our Government is too big and it is too abusive. And in a personal way it is too intrusive in our personal lives, whether we are wiretapping too many telephones or whether we are stopping too many people and taking their money and assuming they are convicts and criminals even without any due process of law and without probable cause. The big question is: Is this out of control? Is it reversible? That is the question we have to ask. I hope it is reversible; that is one of the reasons why I came here to Washington, because I would like to reverse some of this. It needs to be reversed because if we continue in this same direction, we are all going to suffer.

We must do something about this. This country is a great country, but we have to know what it was that made it great. We have to understand the principles of liberty. We have to understand why individual liberty precludes redistribution of wealth, protecting our rights, protecting our civil liberties, providing for a national defense, and not to micromanage every piece of property and threaten people with jail and have our doors broken down with a police, Federal police that wear masks. We have to really think seriously about this and do our very best to change it.

I understand there are some moves in the Congress to bring about a more sensible approach on the seizure of property and the forfeiture, and, hopefully, that will do some good.

□ 1615

I do not think a lot will be accomplished unless we address the overriding subject of what the role of Government ought to be. Unless we decide we want a government that protects liberty, and that we have respect for our Constitution and the rule of law, I do not believe that we will get rid of the Federal police force very easily.

The agents that we see performing these acts that I am complaining about, Mr. Speaker, in some way I am critical of it, and every one of us has personal responsibility in obeying orders. Wartime is never an excuse.

But in many ways, I have a lot of sympathy for the agents. I do not place a lot of blame on the individual agents, because for the most part, I will bet if we looked at all the BATF officers and all the FBI officers, I believe they are very honest, decent American citizens, believing in their hearts that they are doing the right thing, that they are following and enforcing the law. We all know that in a civil society we have to have law and we have to have law enforcement. They probably feel very good about what they do.

I do think there has to be a limit. Certainly if we are using war gases and participating in raging fires that burn up little children, I think we should question it. I think if we are—as individuals, if the policeman is asked to shoot somebody in the back or he ends up shooting somebody in the back, or shooting an unarmed mother holding a baby, yes, there is some personal responsibility there.

But I am also convinced that the overwhelming number of individuals that work for all our agencies in Government are probably very decent American citizens trying to do their very best to obey the law and do a good job.

The agencies of Government bear some responsibility; not the agents, but the agencies. Policy is very important. The agencies we create, the administration in power, has a lot to do with policy, but policy is very, very important. So the administrator that we have of that policy, the current President, has a great deal of responsibility in how these laws and the enforcement of the laws are carried out. They bear some responsibility.

Then again, there is another group. There is another group that has a lot of responsibility, and now that is hitting closer to home. Ultimately these agents, these agencies, and this policy comes from here. It comes from the U.S. Congress.

The BATF officers and the FBI are not vigilantes. They get their authority and they get their funds from us. So if we do not like what they are doing, and I do not, I do not go and complain bitterly about the agent himself because he has an infraction, or something did not work as well as he thought. That is not the problem.

The problem here is that policy being carried out by the administration has originated here in the House and in the Senate, and we provide the funding. So if we create these agencies and allow them to happen, then the responsibility falls on us.

Ultimately, the responsibility falls on the people, because we should be a reflection of the people. So when the people object enough, maybe the Members of Congress will do something about it. But I just want to make that point one more time; it is not the individual agent who creates the problem, it is the policy. It is the philosophy of Government. It is we here in the Congress who pursue and permit these things to occur.

What will the solution be if we decide that we have overstepped our bounds? Of course, we can start repealing, we can start doing more oversight, we can start putting more rules and regulations to restrain; but overall, the real solution comes from us upholding here in the Congress our oath of office, which should be the rule of law; that is to obey the Constitution.

The Constitution does not authorize so much of what is going on. It just is not there. If we take our oath of office seriously, we will not continue to finance these agencies of Government. We here in the Congress create the agencies. The agencies are permitted then to write the regulations. The regulations themselves have the power of law.

Then we permit the agencies to become the Justice Department as well. They can be judge and jury. They do not go into civil court, they go into the administrative courts. This is part of our problem. Not only do we give them the power of the administration, we give them the power of the judiciary. We give these agencies the police powers as well. So we have created a dictatorship within our system when we create these agencies of Government.

All rules, all agency regulations, should be approved by the U.S. Congress, and we should do something to curtail the power and the authority of these agencies through limiting of their funds.

It is not difficult, Mr. Speaker, on what to do. The answers are written very clearly in the document we have sworn to uphold. If we read and obey the Constitution, the solutions will come to us. We must work for a moral and just society. We must reject the notion of violence. We should never condone the idea that the Government is there to force people to act in certain manners. And if we do this, I am totally convinced that we will have a much freer and more prosperous society.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCNULTY (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. STRICKLAND (at the request of Mr. GEPHARDT) for today on account of official business.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today on account of official business.

Ms. STABENOW (at the request of Mr. GEPHARDT) for today on account of official business.

Mrs. MALONEY of New York (at the request of Mr. GEPHARDT) for today on account of attending the funeral of the former Speaker of the New York State Assembly, Stanley Fink.

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. FILNER) to revise and extend their remarks and include extraneous material:)

Mr. FILNER, for 5 minutes, today.

Mr. SKAGGS, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

(The following Members (at the request of Mr. PAPPAS) to revise and extend their remarks and include extraneous material:)

Mr. COOK, for 5 minutes, today.

Mr. PITTS, for 5 minutes, on March 12.

Mr. SHIMKUS, for 5 minutes, today.

Mr. HUTCHINSON, for 5 minutes, today.

Mr. RYUN, for 5 minutes, today.

Mr. PETERSON, for 5 minutes, today.

Mr. HULSHOF, for 5 minutes, today.

Mr. THUNE, for 5 minutes, today.

Mr. CANNON, for 5 minutes, today.

Mr. MICA, for 5 minutes, today.

Mr. BOB SCHAFFER of Colorado, for 5 minutes, today.

Mr. ROHRABACHER, for 5 minutes, today.

Mr. WELDON of Florida, for 5 minutes, today.

(The following Member (at the request of Mr. DAVIS of Illinois) to revise and extend his remarks and include extraneous material:)

Mr. ETHERIDGE, 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. FILNER) and to include extraneous matter:)

Mr. LANTOS.

Mr. GORDON.

Mr. MENENDEZ.

Mr. HILLIARD.

Mr. DEUTSCH.

Mr. MARKEY.

Ms. MCCARTHY of Missouri.

(The following Members (at the request of Mr. PAPPAS) and to include extraneous matter:)

Mr. BARRETT of Nebraska.

Mr. BARR in two instances.

Mr. MCCOLLUM.

Mr. NETHERCUTT.

Mr. WELLER.

Mr. RADANOVICH.

Mr. JONES.

Mr. RAMSTAD.

Mr. CALLAHAN.

(The following Members (at the request of Mr. PAUL) and to include extraneous matter:)

Mr. JONES.

Mr. SUNUNU.

Mr. MORAN of Kansas.

Mr. SMITH of Michigan.

Mr. BERMAN.

Mr. OBERSTAR.

Mr. WAXMAN.

Mr. SERRANO.

Mr. GILMAN.

Ms. DELAURO.

Mrs. KENNELLY of Connecticut.

Mr. SOLOMON.

ADJOURNMENT

Mr. PAUL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Monday, March 10, 1997, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2113. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Brucellosis in Cattle; State and Area Classifications; Tennessee [Docket No. 97–009–1] received March 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2114. A letter from the Administrator, Food Safety and Inspection Service, transmitting the Service's final rule—Poultry Inspection: Revision of Finished Product Standards With Respect to Fecal Contamination [Docket No. 94–016F] (RIN: 0583–AC25) received March 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2115. A letter from the Under Secretary of Defense, transmitting a report of a violation of the Anti-Deficiency Act—Air Force violation, case No. 95–14, which totaled $958,239, occurred when personnel obligated fiscal year 1993 operation and maintenance, Air Force (O&M, AF) funds for work that was not needed until fiscal year 1994, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

2116. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Veterans Education: Increased Allowances for the Educational Assistance Test Program (RIN: 2900–AI53) received March 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

2117. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule—Restrictions on Advances to Non-Qualified Thrift Lenders [No. 97–12] received February 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2118. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Oregon Designation of Areas for Air Quality Planning Purposes: Oregon [OR64–7279a, OR36–1–6298a, OR46–1–6802a; FRL–5696–8] received March 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2119. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans: Oregon [OR59–7274, OR60–7275; FRL–5696–6] received March 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2120. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Approval of Source-Specific RACT [PA069–4040, PA078–4041, PA083–4043; FRL–5698–7] received March 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2121. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Arizona State Implementation Plan Revision, Maricopa County Environmental Services Department [AR 059–0005a; FRL–5697–3] received March 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2122. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Brunei (Transmittal No. DTC–46–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2123. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense articles or defense services sold commercially to Taiwan (Transmittal No. DTC–51–96), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2124. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with the United Arab Emirates [UAE] (Transmittal No. DTC–14–97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2125. A communication from the President of the United States, transmitting a report on international agreements transmitted to Congress after the deadline for their submission, with reasons, pursuant to 1 U.S.C. 112b(b); to the Committee on International Relations.

2126. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary's certification that the Republic of Armenia, the Azerbaijani Republic, the Republic of Georgia, the Republic of Kazakstan, the Krygyz Republic, the Republic of Moldova, the Russian Federation, Turkmenistan, Ukraine, and the Republic of Uzbekistan are committed to the courses of action described in section 1203(d) of the Cooperative Threat Reduction Act of 1993 (title XII of Public Law 103–160), section 1412(d) of the Former Soviet Union Demilitarization Act of 1992 (title XIV of Public Law 102–484), and section 502 of the FREEDOM Support Act (Public Law 102–511); to the Committee on International Relations.

2127. A letter from the Executive Director, Assassination Records Review Board, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

2128. A letter from the Assistant Secretary (Management) and Chief Financial Officer, Department of the Treasury, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2129. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1996, pursuant to 5 U.S.C. 552b; to the Committee on Government Reform and Oversight.

2130. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552; to the Committee on Government Reform and Oversight.

2131. A letter from the Acting General Counsel, Federal Emergency Management Agency, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

2132. A letter from the Railroad Retirement Board, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2133. A letter from the Secretary of Transportation, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2134. A letter from the Secretary of Energy, transmitting the Department's report on nuclear reactor safety in Ukraine and Russia; jointly, to the Committees on National Security and International Relations.

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. TALENT: Committee on Small Business. H.R. 852. A bill to amend chapter 35 of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small businesses, educational and nonprofit institutions, Federal contractors, State and local governments, and other persons through the sponsorship and use of alternative information technologies (Rept. 105–7, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BILBRAY (for himself, Mr. HORN, Mrs. KELLY, Mr. KOLBE, Mr. BOEHLERT, Mr. WYNN, and Mr. TRAFICANT):

H.R. 963. A bill to prohibit employment discrimination on any basis other than factors pertaining to job performance; to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, Government Reform and Oversight, and House Oversight, 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. BURR of North Carolina:

H.R. 964. A bill to authorize the marketing of breast self-examination pads without restriction; to the Committee on Commerce.

By Mr. DOOLITTLE (for himself, Mr. DELAY, Mr. SAM JOHNSON, Mr. YOUNG of Alaska, Mr. BALLENGER, Mrs. CHENOWETH, Mr. MCKEON, Mr. RADANOVICH, Mr. LEWIS of California, Mr. LEWIS of Kentucky, Mr. MCINNIS, Mr. HUNTER, and Mr. ROHRABACHER):

H.R. 965. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office; to the Committee on House Oversight, 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. COMBEST (for himself and Mr. HILLIARD):

H.R. 966. A bill to provide reimbursement under the Medicare Program for telehealth services, and for other purposes; to the Committee on Commerce, 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. GILMAN (for himself, Mr. HYDE, Mr. SOLOMON, Mr. COX of California, Mr. BURTON of Indiana, Mr. SMITH of New Jersey, Mr. ROHRABACHER, Mr. PAYNE, and Mr. LANTOS):

H.R. 967. A bill to prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide that certain Chinese officials shall be ineligible to receive visas and be excluded from admission to the United States; to the Committee on International Relations, and in addition to the Committee on 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 Mr. EHRLICH (for himself, Mr. BURR of North Carolina, and Mr. MINGE):

H.R. 968. A bill to amend title XVIII and XIX of the Social Security Act to permit a waiver of the prohibition of offering nurse aide training and competency evaluation programs in certain nursing facilities; to the Committee on Ways and Means, and in addition to the Committee on Commerce, 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. FILNER:

H.R. 969. A bill to establish sources of funding for the certain transportation infrastructure projects in the vicinity of the border between the United States and Mexico that are necessary to accommodate increased traffic resulting from the implementation of the North American Free-Trade Agreement, including construction of new Federal border crossing facilities, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on 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 Mr. BARTON of Texas (for himself, Mr. BILBRAY, Mr. WISE, Mr. REGULA, Mr. THORNBERRY, Mr. COMBEST, Mr. BONO, Mr. GINGRICH, Mr. SHERMAN, Mr. TAUZIN, and Mr. SESSIONS):

H.R. 970. A bill to encourage the increased use of domestic natural gas as a transportation fuel, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, National Security, Ways and Means, and Government Reform and Oversight, 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. BASS (for himself, Mr. BOEHLERT, Mr. FRANKS of New Jersey, Mr. GILMAN, Mrs. KELLY, Ms. MOLINARI, Mr. QUINN, Mr. SHAYS, Mr. SAXTON, Mr. SUNUNU, Mr. BALDACCI, Mr. DELAHUNT, Mr. GEJDENSON, Mr. HINCHEY, Mr. KENNEDY of Rhode Island, Mr. MARKEY, Mr. MEEHAN, Mr. OLVER, Ms. SLAUGHTER, Mr. TIERNEY, Mr. SANDERS, and Mr. LAZIO of New York):

H.R. 971. A bill to implement the recommendations of the Northern Forest Lands Council; to the Committee on Agriculture.

By Mr. CHABOT (for himself, Mr. SCHUMER, Mr. PORTMAN, Mr. ROYCE, Mr. MEEHAN, Mr. TAYLOR of Mississippi, Mr. KIND of Wisconsin, Mr. BARRETT of Wisconsin, Mrs. MYRICK, Mr. OWENS, Mr. SHAYS, Mr. DOYLE, Mr. SHADEGG, Mr. SANDERS, Mr. ANDREWS, Mr. ROHRABACHER, Mr. SANFORD, Mr. OLVER, Mr. FOGLIETTA, Mr. KLECZKA, Mr. NADLER, Mr. HINCHEY, Mr. RAMSTAD, Ms. RIVERS, and Mr. WYNN):

H.R. 972. A bill to amend the Agricultural Trade Act of 1978 to eliminate the market access program; to the Committee on Agriculture.

By Mr. CONYERS (for himself, Mr. DELLUMS, Mr. EVANS, Mrs. MEEK of Florida, and Ms. WATERS):

H.R. 973. A bill to amend the United States Housing Act of 1937 to require the Secretary of Housing and Urban Development to administer a program of construction and revitalization of public housing, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. FORBES (for himself and Mrs. MCCARTHY of New York):

H.R. 974. A bill to amend title 10, United States Code, to restore the Department of Defense loan guarantee program for small and medium-sized business concerns that are economically dependent on defense expenditures; to the Committee on National Security.

By Mr. GALLEGLY (for himself, Mr. CUNNINGHAM, Mr. MCKEON, and Mr. SCHIFF):

H.R. 975. A bill to remove a restriction on the authority of the Secretary of Agriculture to enter into agreements with other Federal agencies to acquire goods and services directly related to improving or utilizing firefighting capability of the Forest Service; to the Committee on Agriculture.

By Mr. HILL (for himself, Mr. THUNE, and Mr. POMEROY):

H.R. 976. A bill to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes; to the Committee on Resources.

By Mr. HYDE (for himself and Mr. CONYERS):

H.R. 977. A bill to provide for the conversion of existing temporary U.S. district judgeships to permanent status, and for other purposes; to the Committee on the Judiciary.

By Ms. KAPTUR (for herself, Mr. BROWN of Ohio, Ms. DANNER, Mr. MILLER of California, Mrs. MEEK of Florida, Ms. MCKINNEY, Mr. CONYERS, Mr. SANDERS, Mr. RAHALL, Mr. EVANS, Mrs. CARSON, Mr. PALLONE, Mr. BONIOR, Mr. COSTELLO, Mr. KLINK, Mr. TRAFICANT, Mr. PASCRELL, Mr. LEWIS of Georgia, Mr. TIERNEY, Mr. STUPAK, Mr. VISCLOSKY, Mr. DOYLE, Mr. DELLUMS, Mr. LIPINSKI, Mr. KUCINICH, Mr. DEFAZIO, Mr. LANTOS, Mr. SABO, Ms. WATERS, Mr. DAVIS of Illinois, Mr. OBEY, Mr. VENTO, Mr. OBERSTAR, Mr. RUSH, Mr. CLAY, Mr. KLECZKA, Mr. HILLIARD, Mr. HUNTER, Mr. QUINN, Mr. WATTS of Oklahoma, Mr. STEARNS, Mr. WAMP, Mr. BONO, Mr. METCALF, Mr. SOUDER, and Mr. TIAHRT):

H.R. 978. A bill to assess the impact of NAFTA, to require the renegotiation of certain provisions of NAFTA, and to provide for the withdrawal from NAFTA unless certain conditions are met; to the Committee on Ways and Means.

By Mrs. KENNELLY of Connecticut (for herself, Mr. HOUGHTON, Mr. ENGLISH of Pennsylvania, and Mr. LAZIO of New York):

H.R. 979. A bill to amend the Internal Revenue Code of 1986 to increase the amount of private activity which may be issued in each State, and to index such amount for inflation; to the Committee on Ways and Means.

By Mr. LIVINGSTON (for himself, Mr. LAHOOD, Mr. MICA, Mr. TIAHRT, and Mr. SENSENBRENNER):

H.R. 980. A bill to amend the Higher Education Act of 1965 to protect the speech and association rights of students attending institutions of higher education; to the Committee on Education and the Workforce.

By Mrs. LOWEY:

H.R. 981. A bill to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals; to the Committee on Transportation and Infrastructure.

H.R. 982. A bill to amend title 23, United States Code, provide for a national minimum sentence for a person who operates a motor vehicle while under the influence of alcohol; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself, Mrs. MORELLA, Ms. ESHOO, Mr. JACKSON, Ms. FURSE, Mr. GONZALEZ, Mr. BERMAN, Mr. OLVER, Ms. PELOSI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TIERNEY, Mr. FROST, Mr. DELLUMS, Mr. VENTO, Mr. FRANK of Massachusetts, Mr. FLAKE, Mr. STARK, Mr. RUSH, Mr. NADLER, Mr. ROMERO-BARCELÓ, Mr. FALEOMAVAEGA, Mr. FATTAH, and Ms. NORTON):

H.R. 983. A bill to amend certain Federal civil rights statutes to prevent the involuntary application of arbitration to claims that arise from unlawful employment discrimination based on race, color, religion, sex, national origin, age, or disability, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on 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 Mr. MCCRERY:

H.R. 984. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for contributions to individual investment accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. MCINNIS:

H.R. 985. A bill to provide for the expansion of the Eagles Nest Wilderness within Arapaho and White River National Forests, CO, to include the lands known as the Slate Creek Addition upon the acquisition of the lands by the United States; to the Committee on Resources.

By Mr. MILLER of Florida (for himself, Mr. GANSKE, Mr. CANADY of Florida, Mr. WICKER, Mr. ISTOOK, Mr. DICKEY, Mr. GRAHAM, Mr. BONILLA, and Mr. KINGSTON):

H.R. 986. A bill to amend chapter 71 of title 5, United States Code, to establish certain limitations relating to the use of official time by Federal employees, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. PETERSON of Pennsylvania (for himself, Mr. GEKAS, Mr. SOLOMON, Mr. DOOLITTLE, Mr. BURTON of Indiana, Mr. COBURN, Mr. BARR of Georgia, Mr. POMBO, Mr. SAM JOHNSON, Mr. TIAHRT, Mr. PITTS, Mr. Ewing, Mr. SOUDER, Mr. LARGENT, Mr. LEWIS of Kentucky, and Mr. SNOWBARGER):

H.R. 987. A bill to amend title 31, United States Code, to provide for continuing appropriations in the absence of the regular appropriations; to the Committee on Appropriations.

By Ms. PRYCE of Ohio (for herself, Mr. ROEMER, Ms. MOLINARI, Mr. FROST, Ms. GRANGER, Ms. LOFGREN, Mr. SOLOMON, Mr. BONIOR, Mr. LATHAM, Mrs. MALONEY of New York, Mrs. FOWLER, Mr. FALEOMAVAEGA, Mr. GREENWOOD, Mr. UNDERWOOD, Mr. WALSH, Mr. CUMMINGS, Mr. KING of New York, Mr. MORAN of Virginia, Mr. SHAYS, Mr. FILNER, Mr. KLUG, Ms. JACKSON-LEE, Mr. MARTINEZ, Mr. NADLER, Mr. KNOLLENBERG, Mr. FATTAH, Ms. RIVERS, Mr. BEREUTER, Mr. EVANS, Mrs. CLAYTON, Mr. MCHUGH, Mr. FOGLIETTA, Ms. DANNER, Mr. MENENDEZ, Mr. DEUTSCH, and Mr. ACKERMAN):

H.R. 988. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit for a portion of the expenses of providing dependent care services to employees; to the Committee on Ways and Means.

By Mr. QUINN:

H.R. 989. A bill to prohibit the distribution or receipt of restricted explosives without a Federal permit, and to require applications for such permits to include a photograph and the fingerprints of the applicant; to the Committee on the Judiciary.

By Mr. QUINN (for himself, Mr. MCHALE, Mr. FRANKS of New Jersey, Mr. MEEHAN, Mr. DOYLE, Mrs. KELLY, Mr. TRAFICANT, Mr. SMITH of New Jersey, Mr. EHLERS, Mr. LIPINSKI, Mr. GREENWOOD, Mr. FRELINGHUYSEN, Mr. CONYERS, Mrs. CARSON, Mr. PORTER, Mr. HOLDEN, Ms. CHRISTIAN-GREEN, Mr. KENNEDY of Rhode Island, and Mr. MCHUGH):

H.R. 990. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide for the development and use of brownfields, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, and 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. RAHALL (for himself, Mr. OBERSTAR, Mr. YOUNG of Alaska, Mr. LIPINSKI, Mr. BORSKI, Mr. PETRI, Mr. MASCARA, Mr. NADLER, Mr. DEFAZIO, Mr. LATOURETTE, Mr. TRAFICANT, Mr. QUINN, Mr. BOEHLERT, Mr. COSTELLO, Mr. FILNER, Mr. SOLOMON, and Mr. LAHOOD):

H.R. 991. A bill to amend the Railway Labor Act concerning the applicability of requirements of that act to U.S. air carriers and flight deck crews engaged in flight operations outside the United States; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Texas;

H.R. 992. A bill to end the Tucker Act shuffle; to the Committee on the Judiciary.

By Mr. TIAHRT (for himself, Mr. FOLEY, Mr. SAM JOHNSON, Mr. ROHRABACHER, Mr. NORWOOD, Mr. BARTLETT of Maryland, Mrs. ROUKEMA, Mr. CHRISTENSEN, Mr. BARR of Georgia, Mr. WELDON of Florida, Mr. INGLIS of South Carolina, Mr. CHABOT, Mr. STUMP, Mr. GOODLATTE, Mr. BOEHNER, Mr. MCKEON, Mr. SOUDER, Mr. KINGSTON, Mr. LARGENT, Mr. BUYER, Mr. JONES, Mrs. CHENOWETH, Mr. NETHERCUTT, Mr. NEUMANN, Mr. WATTS of Oklahoma, Mr. HAYWORTH, Mr. SNOWBARGER, Mr. ISTOOK, Mr. WICKER, Mr. COLLINS, Mr. HILLEARY, Mr. EHRLICH, Mr. MCINTOSH, Mr. ROGAN, Mr. RADANOVICH, Mr. GILLMOR, Mr. ENSIGN, Mr. SCARBOROUGH, Mr. DOOLITTLE, Mr. COBURN, Mr. EWING, Mr. LEWIS of Kentucky, Mr. BURTON of Indiana, Mr. SOLOMON, Mr. MILLER of Florida, Mr. HOSTETTLER, Mr. SENSENBRENNER, and Mr. DAN SCHAEFER of Colorado):

H.R. 993. A bill to amend the National and Community Service Act of 1990 to repeal the National Service Trust Program under which certain persons who perform national or community service receive stipends and educational awards for such service; to the Committee on Education and the Workforce.

By Mr. TRAFICANT:

H.R. 994. A bill to designate the U.S. border station located in Pharr, TX, as the ''Kika de la Garza United States Border Station''; to

the Committee on Transportation and Infrastructure.

By Mr. WELDON of Florida:

H.R. 995. A bill to amend the Internal Revenue Code of 1986 to clarify that fees for Internet and other online services are not, and shall not be, subject to tax, and for other purposes; to the Committee on Ways and Means.

By Mr. WELLER (for himself, Mr. LIPINSKI, Mr. CRANE, Mr. RUSH, Mr. FAWELL, Mr. JACKSON, Mr. MANZULLO, Mr. GUTIERREZ, Mr. BLAGOJEVICH, Mr. SHAYS, Mr. DAVIS of Illinois, Mr. COSTELLO, and Mr. EVANS):

H.R. 996. A bill to amend the Internal Revenue Code of 1986 to permit the issuance of tax-exempt bonds to finance environmental remediation of contaminated sites; to the Committee on Ways and Means.

By Mr. WELLER (for himself, Mr. LIPINSKI, Mr. CRANE, Mr. RUSH, Mr. FAWELL, Mr. JACKSON, Mr. MANZULLO, Mr. GUTIERREZ, Mr. ENGLISH of Pennsylvania, Mr. BLAGOJEVICH, Mr. SHAYS, Mr. DAVIS of Illinois, Mr. COSTELLO, and Mr. EVANS):

H.R. 997. A bill to amend the Internal Revenue Code of 1986 to allow expensing and rapid amortization of certain environmental remediation expenditures; to the Committee on Ways and Means.

By Mr. CALLAHAN (for himself, Mr. STUMP, Mr. EVERETT, and Mr. TRAFICANT):

H.J. Res. 60. Joint resolution proposing an amendment to the Constitution of the United States to provide that no person born in the United States will be a U.S. citizen on account of birth in the United States unless a parent is a U.S. citizen at the time of the birth; to the Committee on the Judiciary.

By Mr. OWENS:

H.J. Res. 61. Joint resolution proposing an amendment to the Constitution of the United States to clarify the meaning of the second amendment; to the Committee on the Judiciary.

By Mrs. MALONEY of New York (for herself, Mr. MCDERMOTT, Mr. FROST, Mr. PAYNE, Mr. YATES, Ms. HARMAN, Mr. DAVIS of Illinois, Mr. STARK, and Mr. OLVER):

H. Con. Res. 39. Concurrent resolution supporting the commitments of the United States announced at the United Nations Fourth World Conference on Women, held in Beijing, China, in September 1995; to the Committee on International Relations.

By Ms. ESHOO (for herself, Mrs. MORELLA, Mrs. LOWEY, Mr. ALLEN, and Mr. BERMAN):

H. Con. Res. 40. Concurrent resolution expressing the commitment of the Congress to continue the leadership of the United States in the United Nations by honoring the financial obligations of the United States to the United Nations; to the Committee on International Relations.

By Mr. STUPAK (for himself, Mr. RAMSTAD, Mrs. THURMAN, Mr. GREEN, Mr. STUMP, Mr. CUNNINGHAM, Mr. COOK, Mr. WAXMAN, Mr. ACKERMAN, Mr. FRANK of Massachusetts, Mr. HOLDEN, Mrs. MALONEY of New York, Mr. DINGELL, Mr. COYNE, Mr. EVANS, Mr. FILNER, Mr. FROST, Ms. MOLINARI, Mr. GORDON, Mr. DELAHUNT, Mr. GOODLATTE, Mr. DAVIS of Virginia, Mr. FOLEY, Mr. NEAL of Massachusetts, Mr. ENSIGN, Mr. ROGAN, Mr. SAXTON, Mr. HERGER, Mr. DUNCAN, Mr. OWENS, Mr. STARK, Mr. BARRETT of Wisconsin, Mr. VENTO, Mr. CRAMER, Ms. JACKSON-LEE, Ms. LOFGREN, Mrs. KELLY, Mr. GOODE, Mr. MANTON, Mr. DEUTSCH, Mr. BALDACCI, Mr. TALENT, Mr. MCNULTY, Mr. BISHOP, Mr. CANADY of Florida, Mr. QUINN, Mr. YOUNG of Alaska, Mr. PITTS, Mr. LIPINSKI, Mr. RUSH, Mr. SANDLIN, Mr. GALLEGLY, Mr. BEREUTER, Ms. ESHOO, Mr. STRICKLAND, Ms. FURSE, Mr. BROWN of Ohio, Mr. TOWNS, Ms. DEGETTE, Ms. RIVERS, Mr. LEVIN, Mr. KILDEE, Ms. KILPATRICK, Mr. BARCIA of Michigan, and Mr. BONIOR):

H. Con. Res. 41. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to honor law enforcement officers killed in the line of duty; to the Committee on Government Reform and Oversight.

By Mr. WISE:

H. Res. 84. Resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. THOMAS:

H. Res. 85. Resolution electing members of the Joint Committee on Printing and the Joint Committee of Congress on the Library; to the Committee on House Oversight.

By Mr. BURTON of Indiana:

H. Res. 86. Resolution providing amounts for the expenses of the Committee on Government Reform and Oversight in the 105th Congress; to the Committee on House Oversight.

PRIVATE BILLS AND RESOLUTIONS

Under clause I of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Virginia:

H.R. 998. A bill for the relief of Lloyd B. Gamble; to the Committee on the Judiciary.

By Mr. JONES:

H.R. 999. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for a hopper barge; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1: Mr. PAUL, Mr. SPENCE, Mr. BLILEY, and Mrs. EMERSON.

H.R. 15: Mr. BACHUS, Ms. ESHOO, Mr. EVANS, Mr. HINCHEY, Ms. HOOLEY of Oregon, Mr. BERRY, and Mrs. CUBIN.

H.R. 26: Mr. BLILEY, Mr. HAYWORTH, Mr. PETERSON of Pennsylvania, Mr. HASTINGS of Washington, Mr. BUNNING of Kentucky, Mr. UPTON, and Mr. CAMP.

H.R. 58: Mr. BISHOP, Mr. LEVIN, Mr. MCNULTY, and Mr. DAVIS of Illinois.

H.R. 66: Mr. BENTSEN, Ms. PELOSI, and Mr. TIERNEY.

H.R. 76: Mr. ANDREWS, Mr. BARR of Georgia, Mr. BARTON of Texas, Mr. BILBRAY, Mr. CANADY of Florida, Mrs. CLAYTON, Mr. DEUTSCH, Mr. ENGLISH of Pennsylvania. Mr. HASTINGS of Florida, Ms. LOFGREN, Mr. MANTON, Mrs. MORELLA, Mr. SOLOMON, Mr. STUPAK, Mrs. THURMAN, Ms. WOOLSEY, Mr. WYNN, and Mr. BISHOP.

H.R. 96: Mr. GILMAN.

H.R. 100: Mr. KENNEDY of Rhode Island and Mr. RUSH.

H.R. 145: Ms. DANNER, Mr. LEWIS of Georgia, Mr. STUPAK, Mr. LIPINSKI, and Mr. EHLERS.

H.R. 192: Mr. PARKER and Mr. OBERSTAR.

H.R. 216: Ms. KAPTUR, Mr. DELAHUNT, Mr. BOUCHER, Mr. LAZIO of New York, Ms. PELOSI, Mr. COSTELLO, Mr. SANDLIN, Mr. POMEROY, Mrs. MALONEY of New York, Mr. MURTHA, Mr. FOLEY, Mr. OLVER, Mr. BOYD, Mr. LAFALCE, Mr. QUINN, Ms. LOFGREN, and Mr. COYNE.

H.R. 279: Mr. CLYBURN, Mr. MANTON, Mr. COOK, Mr. KENNEDY of Rhode Island, Mr. BROWN of Ohio, Mr. CUNNINGHAM, Ms. DEGETTE, Mr. KLINK, Mr. LEVIN, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. ROEMER, Ms. STABENOW, Mr. TOWNS, and Mr. YOUNG of Alaska.

H.R. 339: Mr. PETERSON of Pennsylvania and Mr. HANSEN.

H.R. 342: Mrs. MORELLA and Mr. QUINN.

H.R. 343: Mr. LOBIONDO.

H.R. 350: Mr. ANDREWS, Mrs. THURMAN, Mr. QUINN, Mr. SPRATT, Mr. FROST, Mr. KING of New York, Mr. DICKS, Mr. GREEN, Mr. BAKER, Mr. ADAM SMITH of Washington, Mr. MARTINEZ, Mr. BUNNING of Kentucky, Mr. LATOURETTE, Mrs. ROUKEMA, Mr. PRICE of North Carolina, Mr. LEWIS of Kentucky, Mr. RAMSTAD, Mr. WELLER, Mr. CLEMENT, Mr. COSTELLO, Mr. MCINTYRE, Mr. JONES, and Mr. LAHOOD.

H.R. 407: Ms. FURSE, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. OWENS.

H.R. 411: Mr. LEWIS of Georgia and Ms. DEGETTE.

H.R. 414: Mr. PARKER and Mr. OBERSTAR.

H.R. 426: Mr. RYUN and Mr. UPTON.

H.R. 445: Mr. LATOURETTE.

H.R. 446: Mr. LEWIS of Kentucky.

H.R. 450: Mr. DELAHUNT, Mrs. CARSON, Mr. GEJDENSON, and Mr. RAMSTAD.

H.R. 471: Mr. PETERSON of Pennsylvania and Mr. LIPINSKI.

H.R. 548: Ms. VELAZQUEZ, Mr. FOGLIETTA, Ms. DELAURO, Mr. YATES, Mr. EVANS, Mr. MCNULTY, and Mr. CLYBURN.

H.R. 551: Mr. NADLER, Mr. LIPINSKI, and Mr. MCGOVERN.

H.R. 552: Mr. EHLERS.

H.R. 577: Mr. SANDERS and Mr. FRANK of Massachusetts.

H.R. 586: Mr. BONIOR, Mr. LARGENT, Mr. ROHRABACHER, Mrs. LINDA SMITH of Washington, Mr. SOUDER, and Mr. YATES.

H.R. 598: Mr. PARKER.

H.R. 600: Mr. YATES.

H.R. 616: Mr. BACHUS.

H.R. 628: Mr. ENGEL.

H.R. 640: Mr. BLUNT and Mr. SAM JOHNSON.

H.R. 644: Mr. QUINN.

H.R. 659: Mr. CONDIT, Mr. CUNNINGHAM, Mr. GILMAN, Mr. MANZULLO, Mr. MCINNIS, Mr. CRAPO, Mr. DOOLITTLE, Mr. LARGENT, and Mr. VENTO.

H.R. 680: Mr. FOX of Pennsylvania and Ms. RIVERS.

H.R. 683: Mr. BEREUTER, Mr. BONILLA, Mr. EWING, Mr. FOLEY, Mr. GRAHAM, Mr. METCALF, and Mr. SENSENBRENNER.

H.R. 684: Mr. WYNN.

H.R. 753: Mr. HAMILTON, Mr. LEVIN, Mr. LUTHER, Mr. LEWIS of Georgia, and Mr. ADAM SMITH of Washington.

H.R. 767: Mr. SMITH of Michigan.

H.R. 768: Mr. GOODLING.

H.R. 775: Ms. KAPTUR, Mr. SERRANO, Mr. BARRETT of Wisconsin, Mr. MARTINEZ, Mr. VENTO, and Ms. CHRISTIAN-GREEN.

H.R. 786: Mr. ROGERS and Mr. GOODE.

H.R. 793: Mr. YATES, Ms. LOFGREN, and Mr. DAVIS of Illinois.

H.R. 804: Ms. JACKSON-LEE and Mr. SENSENBRENNER.

H.R. 813: Mr. THUNE.

H.R. 814: Mr. BROWN of California, Mrs. MEEK of Florida, Mr. YATES, and Ms. LOFGREN.

H.R. 832: Mr. FROST.

H.R. 845: Mr. LIPINSKI and Mr. FROST.

H.R. 852: Mr. LAFALCE, Mr. EWING, Mr. SKELTON, Mr. MANZULLO, Mr. SISISKY, Mr. BARTLETT of Maryland, Mr. FLAKE, Mrs. LINDA SMITH of Washington, Mr. LUTHER, Mr. RAMSTAD, Ms. MILLENDER-MCDONALD, Mr.

LOBIONDO, Mr. DAVIS of Illinois, Mrs. KELLY, Mr. BOYD, Mr. JONES, Mrs. MCCARTHY of New York, Mr. SOUDER, Mr. PASCRELL, Mr. RYUN, Mr. SNOWBARGER, Mr. PAPPAS, Mr. ENGLISH of Pennsylvania, Mr. MCINTOSH, Mrs. EMERSON, Mr. HILL, and Mr. SUNUNU.

H.R. 911: Mrs. MALONEY of New York, Mr. NETHERCUTT, Mr. FAWELL, Mr. HEFNER, and Mr. FARR of California.

H.R. 919: Mr. BARRETT of Wisconsin.

H.R. 922: Mr. SENSENBRENNER.

H.R. 923: Mr. SENSENBRENNER.

H.R. 934: Mr. HAYWORTH and Mr. NORWOOD.

H.R. 954: Mr. HASTERT and Mr. LARGENT.

H.J. Res. 7: Mr. STEARNS, Mr. PARKER, Mr. MCCRERY, Mr. LATHAM, Mr. SAXTON, Mr. CRANE, Mr. WATTS of Oklahoma, Mr. HULSHOF, Mr. SESSIONS, and Mr. MANZULLO.

H.J. Res. 26: Mr. SHAW, Mr. GOODE, and Mr. COBLE.

H.J. Res. 54: Mr. CHAMBLISS, Mr. CLYBURN, Mr. HEFNER, Mr. MOLLOHAN, Mr. MORAN of Kansas, Mr. SNOWBARGER, and Ms. STABENOW.

H.J. Res. 55: Mr. BISHOP, Mr. KINGSTON, and Mr. LEWIS of Kentucky.

H.J. Res. 58: Mr. KLINK, Mr. GOODLATTE, and Mr. STEARNS.

H. Res. 30: Mr. FOX of Pennsylvania.

H. Res. 48: Mr. HAYWORTH.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 811: Mr. BARR of Georgia.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, THURSDAY, MARCH 6, 1997 No. 28

Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by Rabbi Joshua O. Haberman, Washington Hebrew Congregation, Washington, DC.

PRAYER

The guest Chaplain, Rabbi Joshua O. Haberman, Washington Hebrew Congregation, offered the following prayer:

Oh God, Creator of all, we turn to Thee for we are ever in need of Thy help. Grant us the vision to see light in Thy light so that we might seek the good of our Nation in conformity with Thy laws of justice.

May our personal conduct and our work as legislators be prompted by righteousness and compassion and bear fruit in goodness and peace. May what we do enhance the well-being of all citizens, diminish the evils that beset us and enlarge our Nation's virtues.

O, Thou who didst create order out of chaos, help us create order in the lives and relations of human beings so that all might dwell in safety and none make them afraid. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT, is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today, the Senate will be in a period of morning business to allow a number of Senators to introduce legislation and make statements. I understand the Rules Committee is scheduled to meet this afternoon to begin the markup of the Governmental Affairs Committee funding resolution. It is my hope that there will be an agreement reached on this for the consideration of the funding resolution. If an agreement is reached, the Senate may debate the resolution on Friday and on Monday, and, hopefully, complete action on the resolution early next week. It clearly, though, is our intent to take up the funding resolution for the Governmental Affairs Committee next week, hopefully earlier in the week, but at some point we clearly will want to bring it to a conclusion. We have had a lot of discussion, a lot of efforts to find a reasonable arrangement for the committee to go forward. I think we are close to accomplishing that.

Also, I might say that there had been some thought that we would begin a discussion today, debate, if you will, on legislation involving the independent counsel, and we have some legislation pending in that regard. But in my discussions with the Democratic leader yesterday, he indicated that he thought perhaps we could come to some bipartisan arrangement to deal with independent counsel in the Judiciary Committee. I had hoped the Judiciary Committee could act on that today. I understand that perhaps there was an objection lodged to going forward today, and therefore it may be a week before the Judiciary Committee can act on that.

But the Judiciary Committee, as I understand the independent counsel law, can act in a couple of ways. One, the full committee can act in a bipartisan way to begin a process of looking at whether or not an independent counsel is called for. Or a vote of the majority on the committee could also begin this process. We would like it to be bipartisan, and we will work to try to see if that can be accomplished. Since there was an indication that perhaps we could do that, I thought that the good-faith thing to do would be to make that effort in the Judiciary Committee before we begin debate on forcing that action here in the full Senate.

Mr. President, there are a number of military nominations that the Armed Services Committee reported on Tuesday of this week. I am hopeful the Senate will be able to confirm all or at least most of those during today's session.

Also, the Energy Committee has reported out the Peña nomination this morning, and it is possible that the Senate could take action on the nomination sometime next week. I will be working with interested Senators to see what problems might exist, to see what time they need to address their concerns. It looks like we will not be able to get a vote on the Peña nomination today, but I intend to call it up next week, at the very latest the middle of the week.

As is also usually the case, I will notify our colleagues of the voting schedule as early as possible. I know they will be interested whether or not there will be votes this afternoon or tomorrow. We will get that information to all Senators as soon as we can work through some other scheduling issues with the minority.

I thank all Members for their cooperation and their attention. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. THOMAS). Under the order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the order, there will now be a period for the transaction of morning business, not to extend beyond 1:30 p.m., with Senators permitted to speak for 5 minutes.

Under the order, the Senator from Ohio [Mr. DEWINE] is recognized to speak for up to 20 minutes.

DISASTERS

Mr. DEWINE. Mr. President, as we speak, the flooding continues in Ohio and Kentucky and Indiana and West Virginia. Our hearts and prayers go out

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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to all of those who are suffering and all those who are fighting back, trying to put their lives back in order.

I see on the floor my colleague from Ohio and my colleague from Kentucky and my colleague from West Virginia. All are States, as well as Indiana, that have been hit very hard.

The most heartening thing to see during a tragedy such as this is how people react. We have many organizations that are involved, but probably the biggest organization involved is not an organization at all, it is just Ohioans and Kentuckians and Hoosiers and people from West Virginia who are out there, helping their neighbors and helping their friends, and sometimes just helping people they do not know at all.

It is the American spirit and is something that is a wonderful thing to behold.

PROBLEMS—AND PROGRESS—IN HAITI

Mr. DEWINE. Mr. President, I would like to take a few minutes today to talk about an issue that I have been looking at for some time. I rise today to discuss U.S. policy in regard to one of our most troubled neighbors in this hemisphere. Over the last several years, in my capacity as a member of the Intelligence Committee, I traveled to Haiti on three separate occasions to investigate the problems of that country and to assess the efforts of the United States to help the Haitians cope with these problems and to help them as they try to secure the solid legal and economic infrastructure that has, frankly, eluded them now for centuries.

I did this because I believe Congress and the administration must undertake a candid, realistic look at U.S. policy, what is working, what is not working, and where we go from here. The American taxpayers have already invested a great deal in Haiti, contributing at least $2 billion to the country's recovery, risking the lives of American service personnel in the 1994 invasion, and leaving hundreds of them there today to help keep an uneasy peace.

While Haiti is not of great strategic importance to the United States, we do have a serious interest in what happens in this, the poorest country in our hemisphere. These interests stem from geography and are amply proven by history. I do not think most of us need to be reminded, for example, about the Haitian boat people. It is clear the only thing preventing yet another explosion of refugees into the southern part of this country is a wise, multinational investment in the stability of Haiti.

Fortunately, recent history has given us some good guidelines, some good advice, if you will, on how to help secure such stability. One of the great principles of the Reagan administration was that America's national interest was best served by having neighbors that practiced democratic and free-market principles. In Latin America, the Reagan doctrine certainly has worked.

As free elections and economic liberalization has taken place in country after country, the countries of South and Central America have become better neighbors for the United States. I believe these same principles apply to our national strategy in regard to Haiti.

Mr. President, we need to apply these principles to Haiti so that over the long term, Haiti can move out of the category of ''problem country'' and into a fuller economic and political participation in regional progress. The challenge for us, the challenge for Congress, the challenge for the administration is to provide assistance that actually works, a do-good approach, not a feel-good approach. This means working with the Haitian people to determine the real roadblocks to democracy and to free enterprise and determine what form of United States assistance will help overcome these obstacles.

Two years after the United States invasion, Haiti still is struggling by any reasonable measure. But a closer examination reveals several seeds of progress struggling to take root.

First, Let's start, Mr. President, with the justice system. For democracy to survive, it is not enough that Haitians have the power to effect change at the ballot box. They also must have a working judicial system. Frankly, Haiti has never had a functioning judiciary, certainly not the way we understand it. There are sitting judges today who can't read or write. Others are just incompetent.

Understandably, the Haitian people are demanding change. Specifically, they want to know if President Preval is committed to building an independent and a competent judiciary. Since President Aristide's return, there has been a series of commando-style killings of political opponents. The numbers have dropped off since the inauguration of President Preval, but, disturbingly, too many people in Haiti still think they can commit political murders with impunity.

Mr. President, there are two things you always need if you want to solve high-profile crimes. First, you have to have the expertise, good solid police work, good professional police investigation. And Second, you also have to have the political will from the top so that everyone in the country, everyone in the judicial system, everyone in law enforcement understands the priority.

The good news is that the Haitian national police have established a special investigations unit, SIU, to investigate human rights crimes. The bad news is that while I was there in November, my most recent visit, the SIU consisted of one experienced United States police officer and roughly 36 inexperienced Haitians. This has changed somewhat since my visit, since two more U.S. police officers have been added to the force.

This is one area in which American expertise can make a big difference. Indeed, with some extra United States help, Haiti could succeed in convicting some of the worst defenders, like the murderers of Mireille Bertin and Guy Malary. Mireille Bertin was an anti-Aristide lawyer. Guy Malary was Aristide's justice minister. To prosecute and convict the killers in those kinds of cases would send an unmistakable message to Haitian society: Your chance of getting justice does not depend on what side you are on.

Mr. President, these reforms will not happen without leadership from the President of Haiti. President Preval needs to push judicial reform and make clear that the period of impunity from the left and from the right is now over.

These reforms will not take place either, Mr. President, without expertise and without assistance from the United States. The SIU needs the kind of know-how that U.S. law enforcement officials can provide; indeed, they can provide it better than anyone else in the world.

After my recent visit, I wrote to Deputy Secretary of State Strobe Talbott and told him that additional U.S. expertise is needed in this area. I am pleased to report that I have received a letter back from Secretary Talbott. He wrote me that two additional Creole-speaking U.S. citizens, U.S. police officers, have been added to the SIU since my last visit, and further, that the FBI has agreed to provide a medical examiner to perform autopsies. Furthermore, he told me that the FBI will visit Haiti with a view toward possibly helping to develop an investigation plan for the SIU.

Mr. President, I ask unanimous consent that Secretary Talbott's letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DEWINE. Mr. President, it is my view that this would be a big step forward for the progress of restoring civil society in Haiti. It would help bring high-profile killers to justice and send a powerful message to the people of Haiti that they can count on law and order becoming a reality in the future of their country.

Let me discuss a broader topic—topic No. 2—the ordinary day-to-day operation of the Haitian police as it deals with run-of-the-mill, nonpolitical crimes, the crimes that most people face the threat of each day.

The United States has already helped to train 5,000 young recruits as a civilian police force to replace the discredited Haitian military. This task was and remains daunting. Try to imagine, Mr. President, the Washington, DC police force fired one day, everyone fired en masse and replaced by kids fresh out of the police academy who are then asked to patrol the city's most dangerous neighborhoods. Or think of any other big city in this country.

As one would expect, there have been some pretty serious problems with this police force. They are alleged to have killed innocent people. In fact, even Pierre Denize, director general of the Haitian national police has acknowledged these problems. He has a letter in Time magazine that reached the newsstands earlier this week, in which he writes the following:

I take responsibility for the actions of my subordinates and acknowledge that some HNP members have committed human rights abuses, but the majority of these offenses have been identified through the investigative efforts of HNP officials. The HNP does not condone these acts. In addition, the Haitian Government is working to ensure HNP officers face criminal charges when warranted. Unfortunately, there is no quick fix, as the problems did not originate with the creation of HNP in 1996 but have developed over decades.

Mr. President, one major problem is that these Haitian recruits lack experience, and they also lack the midlevel support that is essential to successful police work. I personally met with 10 of these United States police officers who are mentoring these young Haitian recruits. These Americans are veterans of big city police departments. They were born in Haiti and speak Creole. They are United States citizens. They have worked in some of the biggest, toughest cities and have great police experience. I found them to be enthusiastic and doing a great job. I was very proud of them.

But, frankly, Haiti must have more of them. In his letter that I mentioned earlier, Secretary Talbott wrote me that in response to interest on the part of the Haitian Government, there are now 10 more United States officers there, for a total of 32.

The expectation of law and order is always a prerequisite for a working society, but it is also a prerequisite for a working economy. Therefore, let me turn now to the third major issue I would like to discuss, the state of Haiti's economy, and I have mixed news to report.

After a decade and a half of negative growth, the Haitian economy is finally beginning to grow, very slowly. But if the Haitians do not move forward, if the Government does not move forward immediately on privatizing their State industries, growth is going to stop. People need to see real economic progress if they are going to support the free market over the long run. If Haiti pays lip service to the free market while continuing its dead-or-dying state-run businesses, the prosperity will not be there for the Haitian people, and support for market reforms and support for democracy will erode very quickly.

The Haitian Parliament has taken a meaningful first step by passing privatization legislation. But legislation is only a first step. To make a difference in national prosperity, privatization has to be real. It has to actually happen. President Preval must move forward quickly and forcefully on privatization.

Mr. President, another thing that absolutely must happen in Haiti is the fundamental reform of Haiti's corrupt and inefficient ports. And this brings me to my fourth topic.

My wife Fran and I visited an orphanage in Haiti, at which a nun approached us and told us that her orphanage had been expecting a vitally important x-ray machine. Where was it? She told us it was sitting on the docks for months. Then it was finally stolen. A second replacement x-ray machine, estimated to be worth a great deal of money, sat on the docks for months and months awaiting the payment of a 30-percent tax.

Mr. President, a few weeks after returning to the United States, I met with Joe Busken in Cincinnati, a private citizen. Mr. Busken has been involved for years with a different orphanage in Haiti. He outfitted a bakery for them and taught them to make highly nutritious bread. I found, in talking to Mr. Busken, that last July—last July—he had shipped flour to that bakery, only to find that flour was also stuck on the docks since July. This was in November when I was talking to him. Once my office became involved, and with the help of the U.S. Embassy and the USAID, the flour and the other orphanage's x-ray machine were finally liberated, but that was 7 months later.

Mr. President, Haiti is an island. It is therefore very vulnerable to the poor functioning of its ports. On an island such as Haiti, a badly run and corrupt port can become a major chokepoint for imports and also exports. A vibrant assembly sector, for example, cannot hope to grow as long as the port authority exacts a $750-per-container export fee.

The Inter-American Development Bank, Mr. President, is to spend literally hundreds of millions of dollars to build roads in Haiti. The main purpose of these roads is to allow farmers and others to get goods to the ports for export. But those roads will not do any good if Haiti cannot even get things in or out of the port to begin with.

Humanitarian aid, Mr. President, is just as vulnerable as are ordinary commercial imports and exports. Because economic reform remains a long-term goal, continued humanitarian aid remains an immediate need that must be met. Many concerned American volunteer groups are sending food and other emergency aid to Haiti. But huge tariff or port entry fees are keeping aid sitting on the docks for months. Food shipments are simply left to rot, discouraging many from even trying.

Mr. President, here is an example of where American know-how can help. I am glad to report we have made some progress in making the humanitarian-aid train run on schedule. United States Ambassador William Swing has informed me that the Haitian Government has agreed to let assistance from private voluntary organizations, PVO's, who are affiliated with the United States Government enter Haiti without having to pay the 4-percent so-called verification fee. Shipments of food, pharmaceuticals and scholastic materials will be exempt from that verification fee for all PVO's, as well as United States Government agencies shipping aid to Haiti. That, Mr. President, is certainly a step in the right direction.

Let me now turn to a related humanitarian matter, the current U.S. food-aid policy. That policy is shifting from a general feeding program to one targeted to women and infants. That is a wise step. But, Mr. President, I believe it should be modified so that the children in orphanages and the elderly in institutional care continue to receive this food until there is an alternative feeding program in place.

In Port-au-Prince, my wife Fran visited an orphanage run by a nun who goes to hospitals to gather as many children as her orphanage will hold. These children who have been abandoned as babies are simply left at the hospital. She now takes care of 50 babies and children, many of whom came to the orphanage horribly malnourished. My wife had the opportunity to see some of these children, and it was a very pitiful sight.

Mr. President, if the proposed U.S. food-aid policy is left unchanged, it would harm the neediest and most vulnerable patients, such as these babies. USAID is evaluating this policy now. I would urge them to reformulate the policy so that the most vulnerable people, children in orphanages and the elderly in institutions, are not left out.

Mr. President, there is another topic that I do not intend to address today. That is the issue of Haitian agriculture. Haiti cannot recover—true progress cannot be made—without a viable agricultural sector. But Haitian agriculture has been devastated. Haiti needs to do what it can to help themselves in this particular area. I intend to return to the floor at some future date, Mr. President, to discuss this issue in greater detail than time would permit today.

Let me conclude by underlying the central fact about today's Haiti. It is an extremely troubled country. The road ahead is uphill, and it is very steep. Turning around two centuries of poverty and misrule is not a task that can be accomplished by Haitians overnight.

That is why, Mr. President, it is important for Congress and the administration to work out a realistic bipartisan consensus on Haiti. The United States cannot make Haiti an island paradise. Only the people of Haiti can determine their own destiny. But we can help the Haitian people transform their country into one that works, one that exports goods and services, one where the people will come together to escape from their past rather than escaping from their homeland. That is their only hope for a viable future. That is a goal worthy of America's support.

Mr. President, I will continue to work with the administration, with Members of both parties here in Congress to make sure this goal gets the attention that it needs.

EXHIBIT 1

U.S. DEPARTMENT OF STATE,
Washington, DC, February 6, 1997.

Hon. MIKE DEWINE,
U.S. Senate.

DEAR SENATOR DEWINE: I read with interest your January 24 OpEd article in the Wall Street Journal.

I wholeheartedly concur with you on the need for further reforms in the police, judiciary and economy if Haiti is to realize the full benefits from the restoration of democracy. In this regard, I believe you would be interested in some developments that have occurred since your November visit to Haiti which address these shared concerns.

Police and Judicial Reforms: The Inspector General (IG) of the Haitian National Police (HNP) has continued to crack down on police officers implicated in malfeasance or other improper activity, including during the last month the detention of four HNP officers involved in a November 5 shootout in the Delmas suburb of Port-au-Prince. Over the last year, IG investigations have resulted in the dismissal of dozens of police officers. As you note, one of the most positive elements of our own effort to strengthen the fledgling Haitian National Police has been the contribution of U.S. police mentors working with their Haitian counterparts. Responding to continued Haitian Government interest in this program and to your recommendation that additional U.S. civilian police officers be assigned to Haiti, the current U.S. contingent of 22 officers will be augmented this week with the arrival of ten new mentors.

I also believe that additional measures are needed to ensure a thorough investigation of the murders of Haitian political figures. Two additional experienced, Creole-speaking U.S. investigators have been assigned to the Special Investigation Unit (SIU), and in response to a formal request from Haitian authorities, the FBI has agreed to provide a medical examiner to perform autopsies. We will give positive consideration to additional areas of support to the SIU that might be identified during a forthcoming FBI visit to Haiti to develop an investigation plan for the SIU.

In the area of judicial reform, strengthening prosecutorial capabilities and the courts remain a priority USG effort, and we will work with the Congress to provide adequate resources for these efforts.

Economic reforms: I agree with you that progress on privatization and tariff reform are essential to encourage economic development and private-sector investment. The Department remains committed to working closely with the Congress to establish and apply realistic conditions that will encourage sustainable economic development. We also plan to target USAID safety-net programs toward those most in need including, as you recommend, maintaining feeding programs directed at vulnerable sectors such as mothers and their infants.

Again, I wish to express my appreciation for your interest in Haiti and your desire to work with the Administration in pursuit of democratization, political security and economic reform. Your visits have helped to galvanize a bipartisan effort that, in turn, will help Haiti to help itself. National Security Advisor Sandy Berger and I hope to visit Haiti in the near future. I look forward to continuing close cooperation with you to address the problems of the poorest and least developed of our neighbors.

Sincerely,

STROBE TALBOTT.

Mr. DEWINE. Mr. President, I thank the Chair for his indulgence and yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

ISRAELI SETTLEMENTS POLICY IN JERUSALEM

Mr. BYRD. Mr. President, last week the Israeli leader, Prime Minister Benjamin Netanyahu, decided to authorize a politically volatile housing project for Israeli settlers in predominantly Arab East Jerusalem. This disappointing act has thrown into confusion the promising opening that was generated by the long and difficult, but successful negotiations last month, which culminated in an agreement returning control of the West Bank city of Hebron to the Palestinians. The United States invested very considerable efforts, negotiating talent and prestige to move the peace process along. The agreement over Hebron gave the world great hope that a long-term peaceful settlement of the outstanding issues between Israel and the Palestinians was on an upward track.

Therefore, it is very unfortunate, in my view, that the reality of the substantial success over Hebron prompted the right wing of Israeli politics to pressure Prime Minister Netanyahu into this latest act on housing settlements. According to the New York Times of March 2, 1997, ''a powerful group of Mr. Netanyahu's conservative colleagues'' ''leaned on him'' to prove his commitment to Jerusalem by building Har Homa, threatening to bring down the government if he failed. With new territorial concessions to the Palestinians looming, Mr. Netanyahu told Americans and Palestinians privately that he had to ''fill his right wing tank'' on Har Homa if he was to keep on the peace route.

This is a most disappointing situation. Progress on peace is regarded as a threat by the Israeli right wing and has resulted in efforts to force the Prime Minister to retreat from his own success. The Israeli right wing should know that their behavior will have consequences in the United States, and I for one will relate my support for their agenda to their support of that of the United States, which is a fair, equitable and just peace in Jerusalem and the Middle East. The process of American intermediations between the Israelis and Palestinians is a serious matter and we cannot stand by and watch the Israeli right wing, at their whim, pull the rug out from under whatever progress is accomplished. Such actions should be understood to have consequences for support for Israel's various interests as they are considered by Senators.

I hope the Israeli Prime Minister will do better at withstanding the pressure of his right wing and, that the considerable influence of American groups will be exercised to counter those negative pressures. I hope, as I am sure my colleagues do, that the peace process will not be derailed by the actions of an extreme right wing minority in Israel and that the settlements issue will be adjusted by the Prime Minister to reflect the opportunity that the successful Hebron agreement has provided.

Mr. President, I thank my friend from Indiana, Senator COATS, for his courtesy in allowing me to proceed ahead of him. I thank him very much indeed.

Mr. COATS. Mr. President, it is not difficult to yield to the Senator from West Virginia because the content of what he says is always instructive, and I am always pleased to be on the floor when he is speaking because I always learn something.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I thank the Chair.

(The remarks of Mr. COATS pertaining to the introduction of S. 409 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GRASSLEY. Mr. President, I ask unanimous consent to extend the normal time of 5 minutes to 13 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FBI MANAGEMENT FAILURES—PART THREE

Mr. GRASSLEY. Mr. President, troubling facts continue to surface in the FBI crime lab issue. These facts are putting flesh on the bones of allegations that much of the lab's analysis is sloppy, not credible, fabricated, or all of the above.

The FBI has charged that these allegations are unfounded, and that they are the musings of one Dr. Frederic Whitehurst. Dr. Whitehurst has come forward as a whistleblower with serious charges against the lab and its management. The FBI chose to shoot the messenger instead of taking Dr. Whitehurst seriously.

After a year of studying Dr. Whitehurst's claims and his information, I was not so sure the FBI took the wise course. Then, after a private briefing by the Justice Department's inspector general on his investigation into these matters, I was even more convinced that the FBI has taken the wrong course. And now that the FBI has taken personnel action against Dr. Whitehurst in retaliation for his telling the truth, I am convinced that the Bureau is dead wrong.

The FBI's defense—some would say coverup—is slowly unraveling. Last week, we discovered that it wasn't just Dr. Whitehurst that has raised serious concerns. Another respected scientist, Dr. William Tobin, had raised equally serious allegations in 1989. He alleged that an FBI agent tampered with evidence and made a series of false statements while testifying in court proceedings against then-Judge ALCEE L.

HASTINGS. I discussed this before this body on February 26, Mr. President.

The FBI covered up this matter. There may be a missing document. Last week, at my request, the Attorney General ordered that the FBI not be involved in the investigation. The investigation has been given instead to the IG. This is because there are major questions about the FBI's ability to police itself. The Attorney General gets much credit for recognizing the potential conflict involved when the FBI investigates these issues.

In the past 2 weeks, two additional cases—in addition to the Alcee Hastings case—appear to reveal similar improper behavior by FBI agents testifying in Federal cases. If it sounds to you like a pattern is developing, Mr. President, you have been paying close attention. Up to now, the FBI's denials had been set in concrete. What you are hearing now is the sound of concrete cracking.

Thus far, the IG has had remarkable success keeping the draft report under wraps. But a few press stories about its contents have been popping out. Last week, the Miami Herald ran a story about a Florida case reviewed by the IG. In that 1988 case, George Trepal was convicted of murdering his neighbor by poisoning her soft drink. Mr. Trepal was sentenced to death, and is still on death row.

But as the Herald reports, the testimony of evidence linking Mr. Trepal to this murder may have been tainted by an FBI lab supervisor. The supervisor may not have had adequate scientific support to identify the poison as he did. If the Herald is correct, this is another example of the problems found in the Hastings case.

And now there's a third case, Mr. President. The Associated Press reported yesterday that the IG found similar problems in the VANPAC case. That is the case involving the 1991 conviction of Walter Leroy Moody for the murder of U.S. Circuit Judge Robert Vance and Georgia civil rights attorney Robert Robinson. It was Justice Department attorney Louis J. Freeh who prosecuted the case.

Before I get into the specifics of the FBI's wrongdoing apparently uncovered by the IG in this case, let me provide some context.

More than a year before the bombing tragedy in Oklahoma City, Director Freeh and his general counsel, Howard Shapiro, had been fully briefed about Dr. Whitehurst's allegations of misconduct within the lab. They were aware of Whitehurst's charges of a systemic quality control breakdown in the lab.

On February 7, 1994, Whitehurst's attorney wrote to Mr. Shapiro informing him of the sensitive nature of the allegations, and how a thousand cases could be affected. Whitehurst asked that a special, independent, or outside counsel review the matters.

But the FBI chose another course. It did not empanel an independent review. Instead, the matter was assigned to two attorneys within the Office of the general counsel. They reported directly to Mr. Shapiro and Mr. Freeh.

No scientist was placed in the decisionmaking chain of command. Mr. Freeh, in conjunction with his attorneys, decided they could perform a diligent and thorough internal investigation. Mr. Shapiro's exact words in his February 14 reply—and remember these words, Mr. President, because I intend to refer to them liberally in the future—his exact words were, ''The FBI has a long and proud history of performing diligent and thorough internal investigations.''

What is amazing to me is that neither Mr. Freeh nor Mr. Shapiro recused himself from the decisionmaking role with respect to the review. After all, they had prosecuted one of the cases—the VANPAC case—in which Dr. Whitehurst alleged misconduct had occurred.

In other words, nonscientists with a conflict of interest assumed the authority to review significant allegations of scientific and evidentiary misconduct that could affect hundreds, if not thousands of cases.

I have now obtained a redacted copy of the results of that review, headed by Mr. Freeh and Mr. Shapiro. The findings and recommendations were approved by both.

The first thing they did was fire at the messenger. On the very first page, the FBI notes that Dr. Whitehurst could be disciplined for providing information about the lab's misconduct to Congress.

You see, Mr. President, providing information to Congress—and I'm quoting the FBI—''violates FBI and DOJ regulations.'' Were you aware, Mr. President, that FBI and DOJ regulations override the first amendment guarantee of the people's right to petition Congress? If I could anticipate your response, Mr. President, neither was I.

The second issue: During this 1994 review, Mr. Freeh and Mr. Shapiro learned that the lab ''would not meet minimal accreditation standards.'' The report notes that it was ''incredulous that the premiere forensic laboratory in the world'' was ''not accredited.''

Instead of asking how the failure to reach minimal accreditation standards had impacted on past cases, or might impact on future cases, the FBI took a different course. The FBI concluded, ''no further investigation or action'' was needed.

In other words, rather than evaluating the potentially serious ramifications of the FBI's failure to meet minimal accreditation standards, the Bureau circled the wagons and whitewashed the problem. They set up a committee to come up with a timetable for accreditation. That was 3 years ago. Now, the Bureau tells us they'll be accredited in 18 months from now. And if you believe that, Mr. President—

This brings me back to the VANPAC matter. As I mentioned, Mr. Freeh had been the lead prosecutor on that case. He got national recognition. Mr. Shapiro was his cocounsel. Larry Potts—of Ruby Ridge infamy—was the FBI's case agent.

Dr. Whitehurst had alleged that there were problems with the evidence in the VANPAC case. Despite the clear conflict, Mr. Freeh and Mr. Shapiro did not recuse themselves. They recused themselves about a year and a half later—in September 1995. But at this point in time—February 1994—they kept themselves at the top of the investigation into misconduct in that case.

Instead of using real scientists to independently review the evidence—as the IG did, by the way—Mr. Freeh and Mr. Shapiro used their own subordinates. And what was their conclusion after reviewing the VANPAC allegations, Mr. President? ''Whitehurst's allegations are not supported by any facts.'' That's what it says in their report.

Now we have a new account—by the Associated Press—that gives us an insight into what the IG found in VANPAC. And it seems to conflict with the FBI's interpretation. Remember, the IG followed up on Dr. Whitehurst's suggestion, and did an independent review. And, the IG went out and recruited five of the world's most renowned lab scientists for his investigation. In other words, the IG did a proper review.

According to the AP, the IG report states that ''a lab witness overstated test results during the trial.'' And that's not all. Let me quote further from the AP story: ''In addition to overstated testimony in VANPAC, the report found the lab lacked databases to support its conclusions, used unvalidated tests, lacked written test procedures, inadequately documented why it discounted test results that undercut its conclusions and lacked any record for some tests.''

Now, this is interesting if true, Mr. President. Because less than 2 months ago, on January 23, Mr. Freeh told his deputy, Weldon Kennedy, ''Based upon the VANPAC allegations investigated by the Office of the Inspector General [OIG], and despite their findings that none of the allegations regarding VANPAC are substantiated, I have decided to recuse myself from any of the Whitehurst-related disciplinary or administrative matters contained in the OIG report regarding the FBI laboratory.''

Mr. President, I'm not sure whose version is correct—Director Freeh's or the AP's. But if this AP story is correct, this is the second time Mr. Freeh has been misleading on what's in the IG report. On February 26 I pointed out on this floor Mr. Freeh's other discrepancy. He said he had been unaware of the Tobin memo: Remember, he's the other scientist I referred to earlier who lodged complaints. I questioned how he could possibly say that when the IG report containing the Tobin allegations had been on his desk for a full month.

In sum, Mr. President, we're beginning to see some patterns that back up Dr. Whitehurst, and contradict Mr. Freeh and the FBI. First, other scientists have surfaced with allegations—not just Dr. Whitehurst. Second, it appears that three cases reviewed by the IG found misconduct and/or sloppiness.

When I was growing up back on the farm in Iowa, we had a saying. If you reach into a barrel of apples for the first time and pull out a bad one, the chances are pretty good there's more bad apples in there. Maybe a barrel-full of bad apples.

So far, based on press reports, that's three bad apples—three out of three. Those are pretty high odds.

What's to be done? Director Freeh made a big splash yesterday announcing a new way to handle internal reviews of alleged criminal behavior and misconduct. He will increase the number of people working on such reviews from 30 to 60.

The Director doesn't seem to get it, Mr. President. The issue is that the FBI can't police itself. Doubling the number of self-policers won't change the bottom line. Zero times two is still zero.

I'm beginning to think those 60 slots are a lot better off—from the taxpayers' point of view—being moved to the IG instead. And I intend to discuss this with my colleagues on the Judiciary Committee.

The FBI does not have a long and proud history of self-policing notwithstanding what Mr. Shapiro leads us to believe. Look at Ruby Ridge. That case certainly doesn't inspire confidence in the FBI's ability to self-examine.

Mr. President, I believe the American people are being mislead by the FBI on the problems we're seeing in its crime lab. And all that does is continue the erosion of confidence the people have in the FBI.

It's time the Bureau stopped its narcissistic infatuation with its own image. It's time to stop selling an inferior product with false advertising. The American people deserve from its chief law enforcement agency a product with integrity. They deserve an FBI that does what it would have you believe it does. This is an issue of leadership. Quite frankly, I am beginning to join the ranks of those whose confidence in the Bureau's leadership is diminishing.

Mr. President, I yield the floor. I do not see any other Members ready to speak, so I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized for up to 15 minutes.

NOMINATION OF ANTHONY LAKE

Mr. GRAHAM. Mr. President, I wish to speak today on the nomination of Anthony Lake to be Director of the Central Intelligence Agency. This nomination has raised a troubling issue, an issue that has nothing to do with the candidate's qualifications. Rather, that issue is the credibility of the Senate Select Committee on Intelligence to conduct a fair, nonpartisan examination of this nominee.

That committee, of which I have been a proud member for 4 years, has a well-earned reputation for bipartisanship. But that hard-won reputation is being jeopardized by the committee's conduct in this matter.

In a speech before the Senate last night, Chairman SHELBY said he wants to treat the Lake confirmation ''in a serious, thorough and fair manner.'' That is a laudable goal. It is a goal I fully support. I commend the chairman for establishing a high standard. The position of Director of Central Intelligence is an extremely sensitive one. We have a responsibility to the American people to subject the nominee to close scrutiny.

I accept and welcome the responsibility as a member of the committee. Unfortunately, it is a responsibility my colleagues and I have been unable thus far to exercise.

The reason for this failure is that the committee, although having officially received this nomination on January 9, has yet to conduct its first hearing on the nominee. Meanwhile, the Senate has acted judiciously but swiftly on two other members of the President's foreign policy team, the Secretary of State and the Secretary of Defense.

Mr. Lake remains the exception. Indeed, his hearings have been postponed not once, but twice. In the first instance, the chairman postponed the hearings ''dependent upon the status of the Justice Department's investigation'' into Mr. Lake's stock transactions and his role in the Iran-Bosnia arms sale.

The Department of Justice completed its investigation on February 7, giving Mr. Lake a clean bill of health in regard to the arms sale and determining there was no evidence that he ever took any action to conceal or misrepresent his or his wife's financial holdings.

Nevertheless, the chairman again postponed the hearings, this time asserting that the Department of Justice investigation ''is only a small part of the Senate Select Intelligence Committee's overall, ongoing investigation * * *'' He now cites new concerns.

After two delays, the chairman is now committed to a hearing on March 11. I welcome that commitment.

Mr. President, I fear, however, that the March 11 hearing is only a prelude to what is turning into an extended fishing expedition. If anyone doubts that, they only have to read the February 27 issue of the Washington Post, which reported that the Senate Intelligence Committee has now requested White House documents involving Haiti—documents which our House colleagues requested last year as part of their extensive investigations into the administration's Haiti policy.

Those investigations have so far produced rather paltry results, despite extensive hearings, document reviews and testimony.

The International Relations Committee was able to generate only a majority staff report. The members of that committee—neither Republican or Democrat—signed the report—not exactly a vote of confidence.

The Republican majority of the House Permanent Select Committee on Intelligence has yet to produce any report at all.

In each case, the administration made available literally hundreds of documents for congressional review.

Although withholding approximately 50 documents, citing executive privilege, the administration did offer to brief House Members and provide certain redacted versions of those documents. Republicans rejected the proposal.

The administration has made the same offer to our committee. It is a reasonable one that balances congressional rights and executive privilege. I urge the chairman to accept it, rather than creating a pretext for further delay.

Mr. President, the Haiti issue is just one of several the committee is pursuing.

The implication of the chairman's remarks are that the committee now intends to investigate the Department of Justice's investigation of Mr. Lake's divesture of stock. The Justice Department, as I mentioned earlier, found no evidence that Mr. Lake ever took any action to conceal or misrepresent his or his wife's financial holdings. It found no fault in his conduct of the Iran-Bosnia matter.

With regards to Mr. Lake's FBI file and the Tower nomination, the chairman has requested Mr. Lake's complete FBI file, based on the purported precedent of the nomination of former Senator John Tower for Secretary of Defense in 1989. As my colleague from Michigan, Senator LEVIN, stated yesterday, ''neither the Armed Services Committee nor the full Senate ever had access to the raw investigative files used by the FBI to compile its summary of the background investigation of Senator Tower.''

In his statement, Senator LEVIN further cites Senator Nunn's comments in 1989. Senator Nunn stated on the Senate floor that, ''What we have in S–407 is the summary of interviews the FBI conducted. They prepare the summary. We do not see nor do we have the underlying interviews.''

In the case of Mr. Lake, that summary has already been provided to the chairman and vice chairman of the Senate Intelligence Committee.

I am concerned that we are engaged in a fishing expedition in which the

hearings are being used to determine if some malfeasance can be found, rather than to develop information on a credible hypothesis of inappropriate behavior.

Mr. President, I am also concerned that the goalposts are clearly being moved on this nominee. Questions are asked; responses are given; and then new, different questions are asked. If members of the committee have inquiries, we should all welcome the opportunity to question this nominee in the best possible forum, under oath, during his confirmation hearings. He in turn has the right and the opportunity to respond. That is the purpose of a nomination hearing.

Unfortunately, there is a growing public perception, aptly expressed by one commentator, that the committee ''seems to be waiting for something scandalous to turn up to sink the nomination.'' The perception, right or wrong, is that we are leaving Mr. Lake to twist in the wind. I am afraid that that says more about our committee than it does about Mr. Lake.

Some history. The Senate Select Committee on Intelligence has a hard-earned and proud tradition of bipartisanship. It is the successor to the Church committee of 1975–76, which was an investigative committee only. The purpose of the Senate Select Committee on Intelligence is both to oversee sensitive intelligence activities and to maintain and improve intelligence capabilities and efficiency.

The issues that come before the committee, including the nomination of the Director of the Central Intelligence Agency, are extremely sensitive. They demand a high level of bipartisanship. I fear that the committee's bipartisanship is fraying and that fair play is falling victim to partisan gamesmanship.

That, Mr. President, should concern all of us, Republican and Democrat alike. Intelligence activities, by their sensitive nature, run counter to Democratic principles of openness. Yet, in my view, good intelligence is essential to our democracy's security.

Effective congressional oversight, in turn, is a critical ingredient to maintaining some balance between these two inherently contradictory forces—democratic openness and the necessary secrecy that surrounds intelligence procedures and operations. Oversight is a serious responsibility. The public must have confidence that we are above politics when we deal with intelligence issues.

In almost every other area of Federal Government, the public has multiple sources of information. That is what freedom of speech and freedom of press provide in a democratic society. But as it relates to the operations of the intelligence community, the general public must rely on a handful of its representatives to provide the necessary oversight and scrutiny to assure that the operations are being conducted in a manner that advances the public interest and assures that the public interest is not being rendered vulnerable by clandestine operations.

So far, the committee has largely succeeded. One measure of the committee's success has been the impressive number of newly emerging democracies that have sought the Senate Intelligence Committee's advice over the past few years. Each of those countries is struggling to establish an intelligence community that will safeguard democracy, not undermine it. They look to us as a model of bipartisan oversight and have come to us for guidance.

That expression of confidence is our most valuable asset. We have earned it through hard work, diligence and a determination to play the honest broker. We can ill-afford to fritter it away and give life to the perception that the CIA is becoming an instrument of partisan warfare, that the Lake nomination is simply an attempt to attack the President's foreign policy over the last 4 years.

The CIA, in turn, can ill-afford partisan bickering at a time when it is struggling with a painful transition from a cold war where we faced one principal enemy to a new world in which we face multiple threats.

Those emerging threats run the gamut from terrorism and biological and chemical weapons proliferation to narcotics trafficking. Each in its own way is as serious and in some ways more challenging a threat than that presented by the former Soviet Union.

In attacking these targets, we will need to be focused, creative, and open to new ways of conducting intelligence operations.

Whether the CIA successfully meets this challenge of transition depends in a large measure on stable leadership, something that has been in disgraceful short supply.

Whether the CIA successfully meets that challenge depends in large measure on stable leadership, something that has been in disgracefully short supply. Four DCI's have rotated through the Agency in the last 5 years.

The position of Director of Central Intelligence has become Washington's ultimate revolving door. That's got to stop, and I hope it will with this nominee.

Success also depends in no small part on the actions the SSCI and this Senate take in regard to Mr. Lake's nomination. This nomination provides us a valuable opportunity to publicly discuss the role of intelligence and its future in our democracy.

A number of important questions call out for answers.

With the demise of the Soviet Union, does the CIA have a mission?

If so, what is it? And if it has a mission, has the Agency lost its way in pursuing it?

How effectively is the community protecting the interests of America and its citizens?

Is the culture of the Directorate of Operations hobbling the Agency's effectiveness. If so, how do we change it?

Is the Agency ready to be held accountable for its actions and its failures?

What role should human rights play in Agency operations?

Is the Agency keeping congressional oversight committees and Members of Congress appropriately informed? How effective has it been in this regard?

An elevated debate, one marked not by partisan rancor but by honesty and openness, can help answer these questions and contribute to reaching a consensus about the intelligence community's role in our society as we enter the 21st century.

More important, such a debate will help educate ourselves and as well as the voters who sent us here about the appropriate role of intelligence in a democracy—its pluses and its minuses.

Having said that, there clearly are specific issues regarding this nominee that deserve the committee's scrutiny.

I question whether Mr. Lake's opponents have focused on the right ones. His supposed connections with the left and his views as to Alger Hiss' guilt or innocence obviously have enthralled some.

But as former Director of Central Intelligence Bob Gates under President Bush wrote in the January 29 issue of the Wall Street Journal, these issues are ''wholly irrelevant and silly.''

I certainly respect the right of any Member to purse these questions during upcoming hearings. Indeed, I would hope that those who find these issues troubling would urge the chairman to deal with this nomination expeditiously so that we can conclude committee hearings and move to floor debate.

One question, I intend to ask of Mr. Lake is whether he can provide the President objective intelligence analysis after serving as his National Security Adviser the past 4 years.

I also intend to ask him whether, having attempted to curry favor with representatives of the Directorate of Operations in an effort to bolster his nomination, he has weakened his ability to act decivisely as DCI on issues of accountability and reform.

I also plan to ask him whether the nomination process and the criticism he has been subjected to will jeopardize his effectiveness if he is confirmed. Has he been so bloodied that he will be unable to perform effectively?

Finally, I plan to question him about his management philosophy and skills, his attitude toward secrecy, and the role of human rights in intelligence operations.

I am confident that Mr. Lake will acquit himself well before the committee. He has shown himself to be a man of great ability and integrity. Moreover, as National Security Adviser he has been an avid customer of intelligence and will bring that critical perspective to the job.

Barring any stunning revelations that may arise during the hearings—and I see no indication of any

occuring—I will vote for Tony Lake. In my view, he will make a fine Director of Central Intelligence.

Mr. President, the issue for today is, will we protect the credibility? Will we protect the now almost 20 years of investment that has been made in a credible Senate oversight of this most sensitive of Government activities, or will we allow it to be frittered away and degraded by partisan wrangling? That will be the challenge that our committee will face, commencing with the hearings that will begin on March 11. I trust that the committee will meet its high standard.

Mr. President, I ask unanimous consent that a January 29, 1997, column by former Director of the Central Intelligence Agency, Robert Gates, as printed in the Wall Street Journal in support of Mr. Lake's nomination as well as a January 26, 1997, column by Reagan administration official Richard Schifter, as printed in the Washington Times, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 29, 1997]

THE CASE FOR CONFIRMING ANTHONY LAKE

(By Robert M. Gates)

I am barely acquainted with Tony Lake, the president's national security adviser and nominee to become CIA director. But I have read about his views on foreign policy for years and disagree with him on a number of important issues. I think that the administration's foreign policy, which he has helped shape, has been erratically interventionist, excessively tactical, insufficiently supportive of resources for defense and intelligence, and lacking in strategic priorities, coherence and consistency. Even so, I believe Mr. Lake should be confirmed.

An ideal nominee for CIA director would have universally recognized integrity, expertise in foreign affairs (but with no controversies), experience managing large enterprises, savvy in intelligence operations (with no failures), analytical insight (with no mistakes), political skill, the confidence of and ready access to the president, and a winning personality. None of the 17 men who have been CIA director have had that combination of credentials. Mr. Lake has three of the most important, however.

First, he is broadly recognized as a man of integrity and principle—and as a man with the courage to stand up for what he believes is right. This offers reassurance that he will be independent of the White House in which he served and will be directed by a moral grounding most Americans would find admirable. Second, whether or not one agrees with him on the issues, he is thoroughly knowledgeable about foreign affairs. Moreover, as national security adviser, he is clearly familiar with current intelligence operations and analysis, and will be able to improve both. Third, he has the confidence of the president and knows well the rest of the president's national security team, two assets without which a CIA director is deeply, if not fatally, weakened.

Mr. Lake does have deficiencies. He has no relevant intelligence background, but then neither did 13 of his 17 predecessors. He has not managed a large (and difficult) organization, but his power of appointment (and the incumbent deputy) can compensate for that. As for a winning personality, I am in no position to judge.

There are contentious issues surrounding Mr. Lake that will doubtless be important in his confirmation hearings before the Senate Select Committee on Intelligence. Most significantly, the administration's failure to tell Congress about its actions in at least tacitly encouraging Iran to arm Bosnia was, at minimum, a serious mistake. Mr. Lake should say so, and the committee should extract appropriate pledges from him about keeping Congress informed—and his willingness to resign if ordered by the president to keep lawmakers in the dark, a pledge I made prior to my confirmation in 1991. At the same time, primary responsibility for this mistake in Bosnia rests more heavily with the president and the then-secretary of state, and Mr. Lake should not be disqualified as CIA director simply because others senior to him are beyond the reach of the Senate.

Other issues that have been raised in connection with his nomination are not, in my view, disqualifying. He obviously must satisfactorily explain his tardy disposal of stock after entering public office. But the charge that Mr. Lake was once equivocal as to the guilt of Alger Hiss and allegations of other manifestations of ''left-leaning'' views years ago strike me—someone who was attacked in my own confirmation hearings as too much of a Cold War hawk—as wholly irrelevant and silly in 1997, even if true.

The committee must satisfy itself on Iran-Bosnia and Mr. Lake's commitment to congressional oversight, as well as other issues, such as the stock sale. But these should be resolvable. Then perhaps the hearings can serve a positive function by eliciting Mr. Lake's thinking on continued reform and restructuring of U.S. intelligence, his views of its strengths and weaknesses and the adequacy of resources in light of the tasks assigned by the president and Congress. The answers to these tough questions could prove illuminating, not to mention highly relevant to his confirmation.

The bipartisan nature of the Senate intelligence committee since its early days under the leadership of Daniel Inouye and Barry Goldwater has been one of its greatest assets, and a source of its credibility. As Congress becomes more polarized and partisan, it would be a tragedy if the Republican and Democratic leadership of this very sensitive committee were to allow its special nonpartisan character to be weakened. I was nominated to be CIA director by President Reagan in 1987 and again by President Bush in 1991, and despite the struggles I went through in a Democratic-controlled Senate, I never felt the disputes were partisan.

Mr. Lake's confirmation ought not become a matter of partisan conflict, an opportunity to attack the administration's foreign policy. There are other, more appropriate forums for that, even in Congress—the Senate's Foreign Relations and Armed Services committees, and the House's equivalent committees. Republicans should not use hearings for CIA director—a position that should be outside of politics—to make Mr. Lake the designated partisan target.

Tony Lake isn't perfect for CIA director, but he is a capable senior official of integrity who is the choice of the president to head the U.S. intelligence community. As the last CIA director nominated by a Republican president and confirmed by a Democratic-controlled Senate, I strongly believe that hard questions should be asked of Mr. Lake, and then he should be confirmed expeditiously with broad bipartisan support. This would be in the best interests of the country and of the intelligence community.

[From the Washington Times, Jan. 26, 1997]

CLOSE AND CONFIDENT OF LAKE

For the last month, a stream of unsubstantiated charges have been leveled against the nomination of Anthony Lake to be the next director of central intelligence. These attacks are based on inaccurate information.

I have worked closely with Tony Lake on the staff of the National Security Council for the last three-and-a-half years. I came to this job as a hard-liner on U.S. foreign policy, a lifelong foe of communism, and one of the initial members of the Committee on the Present Danger. I found Tony Lake to be a kindred spirit in his devotion to the enlargement of democracy and the global promotion of American interests. Whether the issue was stopping aggression in Bosnia or moving ahead with the expansion of NATO, Mr. Lake's leadership, vision and competence played a vital role in the formulation and success of these policies.

Some have asserted that Mr. Lake's April 1994 decision neither to approve nor to object to Iranian arms shipments to Bosnia facilitated creation of a radical Islamic foothold. According to the intelligence community, the Iranian military and intelligence services have been present in Bosnia since 1992. There was no significant increase in that presence after April 1994. Tony Lake, we should note, was the main architect of the president's August 1995 initiative that led to the Dayton agreement. That agreement banned foreign forces and led the Bosnian government to sever military and intelligence links with Iran as a condition for the train and equip program. Hundreds of Iranian Revolutionary Guards have left Bosnia, Mujahideen units have disbanded, and the Bosnians are looking to the United States and moderate Islamic states for security assistance. Mr. Lake, thus, played a key role in the reduction of Iranian influence on Bosnia, not the opposite.

As for the issue of congressional consultation, Mr. Lake—recently praised by Senator Majority Leader Trent Lott for his efforts to keep Congress informed—has said, in retrospect, that informing key members of Congress on a very discreet basis would have been wise. The Senate Select Intelligence Committee report later confirmed there was nothing illegal about this diplomatic exchange.

Assertions that during Mr. Lake's tenure as national security adviser CIA resources were massively diverted from monitoring military threats to addressing global environmental issues, and that this would continue with Mr. Lake as the director of intelligence, are misguided. Environmental issues are important—a Chernobyl reactor disaster or a major oil spill in the Persian Gulf would have major economic and security implications. However, Mr. Lake and the CIA have, by no means, massively diverted resources to look at the environment. In fact, the agency's program on the environment, initiated during the Bush administration, remains very modest. Mr. Lake's intelligence priorities remain those previously decided upon: critical support for military operations involving U.S. forces, political, economic and military intelligence about countries hostile to the United States, and intelligence about transnational issues—weapons of mass destruction, terrorism, organized crime, drug trafficking—that affect national security and the lives of Americans.

Allegations that Mr. Lake had ties to the ''extreme Left'' are ridiculous and tend to subvert fair discussion of an important nomination. This, too, is not the case. An initial supporter of our effort to stem communism in Vietnam, Mr. Lake volunteered to serve there as a State Department official. Like

many other Americans, he later changed his mind as to whether our continued military interest in Vietnam served the national interest. After leaving the Foreign Service, he supported, in 1971–72, the centrist presidential campaign of Edmund Muskie. Mr. Lake was not a member of the Center for National Security Studies, and did not ''help found'' it, as has recently been charged. Mr. Lake's connection with the Institute of Policy Studies was that at the invitation of an acquaintance he delivered a single lecture to an IPS seminar on Washington's government institutions.

We currently live in an extraordinarily complex world, in which our national security concerns are no longer focused on a single country and a single movement. In this world we need a director of central intelligence who is able to see the whole picture and can then identify the multiple concerns which require our special attention. We also need a director who can incisively analyze the material presented to him by his staff, can spot the flaws and insufficiencies and see to it that a superior, thoroughly reliable product emerges from the process. Finally, we need a director who combines professional integrity with personal decency. Having seen Tony Lake at work, I am confident that he meets all of these criteria.

Mr. GRAHAM. 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.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WILLIAM RANDOLPH HEARST FOUNDATION SENATE YOUTH PROGRAM

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of Senate Resolution 60, which was reported by the Judiciary Committee today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 60) to commend students who have participated in the William Randolph Hearst Foundation Senate Youth Program between 1962 and 1997.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, before I begin my remarks on the sense-of-the-Senate resolution before us today, I would like to express my appreciation to my colleagues, Senator KAY BAILEY HUTCHISON of Texas and Senator WYDEN of Oregon, who joined me in introducing this measure earlier this week.

I am also very grateful for the fact that a number of Senators from both sides of the aisle have subsequently expressed their support for this effort by cosponsoring this resolution.

I would like to finally thank Senator HATCH and Senator LEAHY, the chairman and ranking minority members of the Senate Judiciary Committee, who have very graciously allowed us to bring this resolution to the Senate floor quickly while the 1997 U.S. Senate Youth Program delegates are still here in Washington visiting.

Senate Resolution 60 pays tribute to the 3,600 students who have participated in the U.S. Senate Youth Program over the last 35 years.

Under this program, which has been very successfully administered by the William Randolph Hearst Foundation, two students from every State of the Nation, the District of Columbia, and the Department of Defense schools abroad are selected to spend a week right here in Washington learning about their Federal Government.

Typically, each year the delegates meet with Senators, Representatives, Supreme Court Justices, Cabinet members, White House personnel, and other officials, and have the opportunity to ask them questions directly and to offer comments or concerns on current events.

Earlier this week, I had the pleasure of addressing the 1997 delegates. It was a very enjoyable and memorable event for me for two reasons. First, the questions and the comments raised by the delegates were both timely and insightful. Their knowledge was impressive and their enthusiasm contagious.

Second, I have the honor and the privilege of being the first Senate youth delegate who has gone on to actually serve in the Senate. I still remember vividly when I visited Washington, DC, in the spring of 1971, more than 25 years ago. We met with various Representatives and Senators, including my colleagues, Senator ROBERT BYRD and Senator STROM THURMOND, both of whom I am now privileged to serve with in this body. In fact, I brought out my journal and I read my notes on both Senators' speeches to us, and it was a wonderful experience to reread and relive that week.

The high point of my visit, however, was the time that I was fortunate to spend with Maine's Senator Margaret Chase Smith. She was very much an inspiration and a role model for me and countless other girls growing up in Maine and young women throughout the Nation who aspire to public service.

While I am the first Senate youth delegate to serve in the Senate, I fully expect that there will be other delegates who will serve one day in the House, the Senate, on the Supreme Court, in the Cabinet, and even as President of the United States.

I urge my colleagues to join me in supporting this resolution, which recognizes the value of this program, salutes the individual students who have participated in it, and commends the William Randolph Hearst Foundation for its generous sponsorship over the years.

At this point, Mr. President, I ask unanimous consent that the resolution be agreed to, that the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution was agreed to.

The preamble was agreed to.

The resolution (S. Res. 60), with its preamble, is as follows:

S. RES. 60

Whereas the continued success of our Nation's constitutional democracy is dependent upon our Nation's youth striving toward higher goals;

Whereas a student's intelligence, determination, perseverance and continued interest in the workings of our Nation's political processes must be nurtured and encouraged;

Whereas the pursuit of higher education, and participation and interest in the political processes, remain priorities of young citizens around our Nation; and

Whereas the United States Senate and the William Randolph Hearst Foundation Senate Youth Program have provided high school juniors and seniors who are leaders in education and student government, as well as in their communities, with the opportunity to travel to their Nation's capital and witness the political process, supported solely by private funds with no expense to the Federal Government since the program's inception in 1962: Now, therefore, be it

Resolved, That the Senate hereby congratulate, honor, and pay tribute to the 3,600 exemplary students who have been selected, on their merit, to participate in the William Randolph Hearst Foundation Senate Youth Program between 1962 and 1997.

Ms. COLLINS. I thank the Chair.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair. Mr. President, I ask unanimous consent that I might be able to speak for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. I thank the Chair.

CAMPAIGN FINANCE REFORM

Mr. WELLSTONE. Mr. President, we have had a lot of focus in the media about money and politics, and we are involved in a debate here on the Rules Committee about the Government Operations Committee and the scope of the inquiry. I thought I would speak in this Chamber for a few moments about what I think is the most important issue in American politics. I guess I want to start out by saying to colleagues, Democrats and Republicans alike, and to people in the country, if what happens in the Congress is that you just have accusations going back and forth and the climate becomes really poisonous, I fear we will not do anything right.

I really do believe that this is the core issue of American politics. I think the ethical issue of our time is the way in which money has come to dominate politics. I do not think it is so much the wrongdoing of individual officeholders. As a matter of fact, Mr. President, I have said it in debates, I have

said it in interviews: The whole system is inappropriate. The whole system is inappropriate. It needs to be turned not upside down —it is upside down right now—but right side up.

If we are going to talk about any kind of corruption, it is not the wrongdoing of individual officeholders. We are talking about something far more serious. It is systemic corruption. By systemic corruption, I mean we now have reached the point where too few people have way too much wealth, power and say, too much access, too much say by virtue of their economic resources and their big contributions, and the vast majority of people feel left out of the loop.

That is the fundamental issue. To most people in the country, the vast majority of people in the country, it is really clear:

First, too much money is spent in these campaigns;

Second, there is too much special interest access and influence as a result of the money spent;

Third, too much time is spent by all of us—all of us—in what can be described as a money chase, trying to raise money because you are running for office; and

Fourth, regular people, ordinary citizens, which I do not use in a pejorative sense but in a positive way, do not feel they can run for office.

Mr. President, we are talking about nothing less than the question of whether or not we are going to have a real representative democracy. We have now really gotten to the point —and I am not going to use all the terms such as ''independent expenditures'' and ''soft money'' and ''hard money.'' Let me just make a more basic point. We are talking much more about auctions than elections. We are not even talking about authentic democracy anymore. It is a minidemocracy at best. If you believe that each person should count as one and no more than one, and you believe in equality and you believe in fair and open elections, people in the country know this is all trumped by big money.

It is time for reform. It is time for reform. It is time to get big money out of politics. There are a lot of proposals. Some of us really believe you ought not to have any private money in the system and that ultimately, absolutely is the way to go. Some focus on other legislation. Some focus on soft money.

I just want to make this clear, that we are going to be making a huge mistake, all of us are going to be making a huge mistake if we do not pass a major reform bill this Congress. We are going to make a huge mistake if the only thing this boils down to is just sort of piling acquisitions on accusations and people going after one another. If this becomes a kind of slash-and-burn politics, search-and-destroy politics, we are going to get absolutely nowhere.

I will say this. I am only speaking for myself. I do not know how the Chair feels. Actually, I believe, even though the argument is made often that the problem is that those in office do not really want to change the system because the system is wired toward incumbents, because we are able to raise more money than our challengers—the statistics bear that out—I think it has come to the point where all of us should hate the system, because when you are raising money and you are running for office and you have to be on television and you are trying to figure out how you are going to go after your opponent and destroy your opponent—that is the way some people view politics; they should not but they do—or you are figuring out how to raise millions of dollars so you do not get ripped up into shreds, the fact is even if you are absolutely sure in your head and your heart that not one time has the compelling need to raise money ever affected any position you have ever taken on any issue, it certainly does not look that way to the public.

I am convinced that all the good things that could happen here are trumped by money in politics. I am convinced that one of the reasons we are not responding to the very real concerns of citizens across this country, which have to do with affordable education and good jobs and the standard of living and reducing violence in communities and all the rest of it, is because of this influence of money in politics.

This is the core issue. There is too much access for the big givers and the heavy hitters and the well connected, and the vast majority of people feel left out of the loop and they are right. What concerns me is I have heard some colleagues say, ''But the fact of the matter is, the polls do not show this. The polls do not show that the people seem to consider this a burning issue.''

I think what is sad is that people's expectations are so low in the country right now that they are not at all sure there is anything we are going to do about this. But we better prove ourselves to the people we are asked to represent. We better pass a reform bill. We better make sure that we dramatically reduce the amount of money that is spent in these campaigns. We better make sure we try to lessen—if you cannot eliminate it, at least lessen—special-interest access. We better make sure we do something about this constant money chase. We better make sure our elections do look like elections and not like auctions. We better make sure that people in the country, whether they are Democrats or Republicans or independents, feel like they can run for office. We better do that, because this is all about democracy.

We keep spending more and more money every election cycle, and participation goes down, down, down. So I am hopeful, even though this is a tough time in the Senate. We have major divisions. People are drawing the line. It seems to be an all-out battle. By the way, I am all for good debate. I do not like to hate but I like debate. But I am telling you, every single one of my colleagues, Democrats and Republicans alike, are making a big mistake if we do not line up behind major reform.

We should want to do this. If we want people to at least have more confidence in the political process than they have now, if we want people to begin to believe in us, if we want people to believe in the legislation that we pass, which is a product of this process, then people have to believe that politics in Washington, DC, is not dominated by big money. People have to believe the Congress belongs to them, that the Capitol belongs to them, that all of us, Democrats and Republicans, belong to them.

I know I may sound melodramatic on the floor of the Senate, especially since today there is no one to debate. But I came to the floor to speak because I am absolutely convinced that this is the priority. There is nothing that we could do that would be more important than to try to move forward on a reform agenda. I am hoping that, in this Congress, we will do that.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAMS. 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. GRAMS. Mr. President, I ask unanimous consent that I may speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NOMINATION OF FEDERICO PEÑA TO SERVE AS U.S. SECRETARY OF ENERGY

Mr. GRAMS. Mr. President, I rise today on behalf of our Nation's taxpayers and ratepayers in seeking to reaffirm the promises made to them by the Federal Government well over a decade and a half ago. Given that the Energy and Natural Resources Committee this morning reported out the nomination of Federico Peña to be the new Secretary of Energy and that full consideration by the Senate on his nomination is likely to occur soon, I find it both necessary and timely to reignite today the debate on our Nation's nuclear waste storage problem.

Since 1982, our nuclear energy ratepayers have been required to pay over 12 billion of their hard-earned dollars to the Federal Government. And that was in exchange for the promise to transport and store commercially generated nuclear waste in a centralized Federal facility by January 31, 1998.

Unfortunately, this obligation has never been met by the DOE, which has already spent over 6 billion of those ratepayer dollars, yet has little to show in exchange for that massive investment. Today, our ratepayers continue to pay into the Nuclear Waste

Fund, as well as for on-site storage at commercial nuclear facilities across the Nation, including the one at Prairie Island in southeastern Minnesota.

So now ratepayers are being asked to pay twice for the storage of nuclear waste.

Even as 41 States wait for the Department of Energy to fulfill its promise to begin accepting domestic nuclear waste, the Federal Government continues to accept, transport, and store spent nuclear fuel from Federal facilities and foreign research reactors. For national security reasons, the Federal Government is even helping to pay for an interim storage facility in Russia.

Yet, Mr. President, despite the strides we are making toward interim storage of foreign and Federal waste, the situation has grown critical for our own nuclear utilities and ratepayers.

For example, even though the Federal courts have ruled that the DOE will be liable if it does not accept commercial nuclear waste by January 31, 1998—thereby putting taxpayers at risk for the Federal Government's inaction—the DOE has shrugged off this legal mandate, claiming that it will not be able to meet the deadline. Even worse, the DOE has yet to recommend the specific action it would take in order to accept any of our commercial nuclear waste.

So again, it can accept foreign or Federal nuclear waste, transport and even pay for interim storage in Russia, but yet our Government says it cannot handle what it is under contract and obligation to do for our nuclear waste.

I find this very troubling, particularly for my fellow Minnesotans, who stand to lose up to 30 percent of their energy resources if a solution is not found soon. Mr. President, the clock is ticking.

In 1994, the Federal Government's failure to live up to its promise of accepting nuclear waste sparked a prolonged and controversial debate in the Minnesota State Legislature over whether to continue on-site storage at Prairie Island. While the legislature eventually voted to extend storage capacity until 2002, it would not have been forced to do so had the DOE met its legal obligation to begin accepting waste from Minnesota.

At every turn, the DOE's response to this growing problem has been one of sheer arrogance and inaction. For example, when asked by me at an Energy Committee hearing how the DOE expected to resolve the situation facing Minnesota, DOE Undersecretary Thomas Grumbly argued that the problem was a State issue, in spite of the fact that the Federal government signed a contractual, legally binding agreement with utilities and the States to accept their waste by January 31, 1998.

He said, take that back to the States. That is your problem, not theirs.

In other words, now that the DOE has elected not to meet its responsibility, it has simply buried its head in the sand in a brazen attempt to avoid accountability. Instead of taking action, the Clinton-Gore administration is making excuses—trying once again to take a national policy problem and turn it into a crassly political debate. Unfortunately, the losers of this cynical gamesmanship are the American people.

Maybe that is why 46 State agencies and 36 utilities recently sued the Department of Energy to stop requiring future payments into the Nuclear Waste Fund and to escrow over $600 million in current payments. If the Clinton-Gore administration does not wake up and take action, this lawsuit will mark only the beginning of a costly legal process to force the Federal Government to own up to its responsibilities.

Because obviously, if a solution is not reached now, taxpayers, consumers, and those who care about the environment will be left stranded. That is the reality—and some of those who once argued the loudest against resolving this issue have come to the very same conclusion.

For example, last month, former Department of Energy Secretary Hazel O'Leary contradicted Vice President GORE's longstanding objection to meaningful action on this issue. Her comments on the need to move forward with a temporary nuclear waste storage site after the completion of a viability assessment at Yucca Mountain reflected the national will to resolve this issue.

Although I am disappointed that Mrs. O'Leary's honest assessment came after her tenure as Secretary, I strongly believe the next Department of Energy Secretary must provide the commitment, the leadership necessary to immediately resolve this critical situation.

Again, it is not a technical problem. It is not a problem of science. It is a problem of political will to be able to make that political decision within the administration to accept this responsibility and to provide the answers.

With that in mind, I, like many of my colleagues on the Energy and Natural Resources Committee, took the time to ask Secretary-designate Peña his views on resolving this issue. Unfortunately, he failed to give specific and definitive answers to our questions during his confirmation hearing.

Because I do not believe the Senate should confirm Mr. Peña's nomination before we have received specific answers, I sent a letter asking Mr. Peña for a detailed response outlining the exact steps the department plans to take in order to meet the January 31, 1998, deadline.

Yesterday, I received a letter from Mr. Peña that failed to articulate any specific solution. So in response, I again sent him another letter reiterating my question, and I hope to hear back from him today.

Mr. President, I ask unanimous consent that our correspondence be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, March 4, 1997.

Mr. FEDERICO PEÑA,
Secretary-designate, Department of Energy, Washington, DC.

DEAR MR. PEÑA: As the Senate Energy and Natural Resources Committee further deliberates on your nomination as Secretary of the Department of Energy (DOE), I'm writing to solicit your views on recent comments made concerning our nation's failed commercial nuclear waste disposal program.

As you know, the DOE has announced that it will be unable to meet its legal deadline of January 31, 1998 to begin accepting commercial nuclear waste despite a mandate by a federal court and the collection of over $12 billion in ratepayer's funds. As a result of this failure, the Court of Appeals will decide the appropriate amount of liability owed by the DOE to certain utilities, possibly putting taxpayers at risk because of the Department's lack of measurable action. Meanwhile, the federal government continues to collect and transport foreign-generated spent fuel for interim storage without any apparent technical or environmental risks.

In light of these activities, it was no surprise that former DOE Secretary Hazel O'Leary recently contradicted the Clinton Administration's longstanding objection to resolving the centralized interim-storage impasse for our ratepayers and, ultimately, our taxpayers. Her comments on the need to move forward with a temporary waste storage site upon completion of the viability assessment at Yucca Mountain reflect the bipartisan, common-sense reforms contained in S. 104, the Nuclear Waste Policy Act of 1997. Unfortunately, the Clinton Administration has ignored this reality by failing to become a constructive player in this process.

Although I am disappointed that Mrs. O'Leary's comments came after her tenure as Secretary, I applaud her courage in expressing her views honestly and thoroughly. I strongly believe that the next DOE Secretary must provide the committed leadership necessary to resolve this critical situation while in office. With this in mind, I want to know your specific thoughts on Mrs. O'Leary's comments that the DOE should move forward on a temporary nuclear waste storage site next year at Yucca Mountain if a viability assessment is completed at the permanent site. If you disagree with Mrs. O'Leary, I want to know what specific alternatives you would propose to meet the federal government's legal obligation to accept nuclear waste by January 31, 1998.

For too long, our nation's ratepayers and taxpayers have been held hostage to what has become a political debate. They deserve better and, more importantly, deserve an immediate solution to this issue. For that reason, I expect a specific, constructive response to my questions before the Senate votes to confirm your nomination.

Sincerely,

ROD GRAMS,
U.S. Senator.

MARCH 5, 1997.

Hon. ROD GRAMS,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMS: Thank you for your letter of March 4, 1997 concerning the Department of Energy's civilian nuclear waste disposal program and the comments made recently by former Secretary Hazel O'Leary. I have not spoken with Secretary O'Leary about her remarks and, therefore, am not in a position to comment on them.

As I stated when I appeared before the Committee on Energy and Natural Resources, I am committed to working with the

Committee and the Congress toward resolving the complex and important issue of nuclear waste storage and disposal in a timely and sensible manner, consistent with the President's policy, which is based upon sound science and the protection of public health, safety, and the environment.

I am very cognizant of the Department's contractual obligation with the utilities concerning the disposal of commercial spent fuel, and, after confirmation, I also expect to meet with representatives of the nuclear industry and other stakeholders to discuss the Department's response to the recent court decision and the consequences of the delay in meeting that contractual obligation.

As Chief of Staff Erskine Bowles emphasized in his February 27 letter to Chairman Murkowski, the Administration believes that the Federal government's long-standing commitment to permanent, geologic disposal should remain the basic goal of high-level radioactive waste policy. Accordingly, the Administration believes that a decision on the siting of an interim storage facility should be based on objective, science-based criteria and should be informed by the viability assessment of Yucca Mountain, expected in 1998. Therefore, as the President has stated, he would veto any legislation that would designate an interim storage facility at a specific site before the viability of the Yucca Mountain site has been determined.

In conclusion, I want to strongly emphasize again that I am committed to working with you and other members of the Committee and the Congress on these difficult issues.

Sincerely,

FEDERICO PEÑA.

U.S. SENATE,
Washington, DC, March 5, 1997.

Mr. FEDERICO PEÑA,
Secretary-designate, U.S. Department of Energy, Washington, DC.

DEAR MR. PEÑA: I received your letter, dated today, in response to my most recent questions on our nation's nuclear waste policy. Although I appreciate the timeliness of your response, I am still concerned about the absence of specific proposals from you on how best to resolve this important issue.

In your letter, you wrote that the Clinton Administration ''believes that a decision on the siting of a storage facility should be based on objective, science-based criteria and should be informed by the viability assessment of Yucca Mountain, expected in 1998.'' Frankly, this response states nothing more than the position you have taken in the past, leaving questions about whether the viability study can be completed in time for the DOE to realistically accept waste by the legal deadline of January 31, 1998 and what can be done to meet the deadline if the permanent site at Yucca Mountain is not determined to be viable.

I certainly hope you can understand my concerns, given that you yourself have publicly admitted that following this track would make it impossible for the DOE to meet the January 31, 1998 deadline.

More importantly, you did not answer my central question regarding what specific, constructive alternatives you would propose in order for the DOE to begin accepting waste from states by January 31, 1998, as outlined in statute and ordered by the courts.

With that in mind, I would again request a specific response from you—prior to the Senate vote on your confirmation—to the following question: given that the current Administration position would result in the failure of the DOE to accept waste from states by January 31, 1998, what specific, constructive alternatives would you propose to guarantee that the DOE will meet this legal, court-imposed deadline?

I look forward to your response.

Sincerely,

ROD GRAMS,
U.S. Senator.

Mr. GRAMS. Today, when the Energy and Natural Resources Committee took up Mr. Peña's nomination, I voted ''present,'' as I had announced I would several weeks ago.

As the author of legislation to eliminate the Department of Energy—legislation prompted, in part, by the nuclear waste fiasco—I had decided that I could not in good conscience vote for Mr. Peña's nomination to head up a department that should not continue to exist.

Yet, at the same time, I did not want to cast a vote that would be misinterpreted as a vote against Mr. Peña personally.

Since then, I have grown increasingly troubled, however, for the reasons that I have outlined here today, by Mr. Peña's inability to provide specific answers about how he and the Clinton-Gore administration intend to resolve our Nation's nuclear waste storage problem.

Again, he has to get these answers from the administration. And it is Clinton-GORE that have to make these decisions.

We in the Senate have our own proposal, and that is our bill S. 104. That is the Murkowski-Craig-Grams bill, which won the support of 63 Senators last year.

As a Senator representing Minnesota ratepayers who already have paid over $250 million in exchange for no tangible benefit, representing taxpayers who may be held financially liable for the Federal Government's failure to act, and representing citizens concerned about protecting our environment, I believe that the Senate must not rush ahead in confirming Mr. Peña's nomination before we receive from him a specific and constructive response to our questions.

Now, while I hold out hope that we will receive such answers from Mr. Peña in the immediate future, I am willing to work with my colleagues in ensuring that a final vote is not taken before a specific, constructive response is given. Accordingly, I would object to any unanimous-consent agreement to bring up Mr. Peña's nomination for a vote at this time.

The Senate cannot simply allow itself to be lulled by vague promises to work together on this issue. Fifteen years of unfulfilled promises should have taught us that lesson.

Again, with the January 31, 1998, deadline fast approaching, we have our own responsibility to the American people to ensure that the obligations of the Federal Government are satisfied. We owe them nothing less.

DR. PIERCE BLITCH

Mr. COVERDELL. Mr. President, I rise today and ask my colleagues to join me in extending condolences to the family and loved ones of Dr. Pierce Blitch, Jr., of Augusta, GA, who passed away on Wednesday, February 12, 1997. Dr. Blitch leaves a proud and indelible legacy for his family, profession, and community. He spent his professional and personal life dedicated to the field of medicine. After completing service to his country in the Navy during World War II, he graduated from the Medical College of Georgia in 1952. Dr. Blitch embarked on his medical career with an internship at University Hospital and a cardiology fellowship at Massachusettes General Hospital in Boston. He was active on staff at University Hospital and St. Joseph Hospital from 1956 until 1996. At University Hospital he served as a member of the executive committee and chief of staff and chairman of the department of medicine from 1976 until 1981. Dr. Blitch then went on to teach at the Medical College of Georgia as an instructor in the department of medicine in 1956, clinical professor of medicine in 1976 and ultimately awarded professor emeritus of medicine in 1992. He was truly a public servant and devoted leader of his field. He will remain a role model to the medical community for generations to come. I am proud of this fellow Georgian, his achievements and his contributions to our State and country. His passing is a great loss for the community.

TRIBUTE TO FDA COMMISSIONER DAVID KESSLER

Mr. KENNEDY. Mr. President, I welcome this opportunity to pay tribute to an outstanding public servant who is leaving office as Commissioner of Food and Drugs, Food and Drug Administration, Dr. David Kessler. In 1991, the Food and Drug Administration was at one of the lowest points in its history. The agency was recovering from the generic drug scandal. It was not consistently enforcing the law. Patients felt they were not receiving the therapies they needed.

The appointment of David Kessler as commissioner changed all that. He launched an extraordinary period of reform and improvement in the agency's effectiveness. He began with the obvious—enforcing the law.

He initiated many other important reforms. He has worked tirelessly to provide improved treatments for cancer and AIDS, and to assure that life-saving drugs move quickly from the laboratory to the marketplace. Because of his leadership, the information supplied with prescription and over-the-counter drugs will soon be more user-friendly. He led the administration's initiative to reduce teenage smoking.

He led the way to many other impressive achievements. The United States is now as fast or faster than any other country in the world in getting new drugs to patients. David Kessler achieved this result without sacrificing the FDA's high standards for safety and effectiveness.

For David Kessler, the first priority was always the public health. He used his brilliant intellect, his boundless energy, and his unparalleled commitment to serve that great goal. He represents the best in public service. It has been a great privilege to work with him, and I wish him well in the years ahead.

I yield the floor and 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. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KEMPTHORNE). Without objection, it is so ordered.

Mr. GREGG. Mr. President, may I ask what the parliamentary status is?

The PRESIDING OFFICER. Morning business recently expired.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE AMERICAN PRODUCTIVITY RENEWAL PACKAGE

Mr. GREGG. Mr. President, I want to speak about a series of initiatives that I have introduced to try to address what I see as the major public policy concerns as we move into the next century, on the fiscal side of the ledger, that affect people in their lives.

As we move out of the 20th century, we have seen a period where, certainly throughout most of the 20th century, there was a sense that, through a centralized Government, through an economy dominated by a Government, you could manage the lives and affairs of individuals and improve their lifestyle. Of course, the most exaggerated example of this was communism and the Russian revolution, which began the major Communist state of this century or any time. And it did not work. One of the great truths of the 20th century, of which there have been about three, one of the great truths is that communism—the concept that the state can manage the marketplace and make people better off by requiring that people function under a top-down system where their lives and their style of economic production is controlled by a central mechanism—simply does not function effectively. Instead of producing prosperity, it produced despair. Instead of producing freedom, it produced totalitarianism.

So, one of the great truths that has come out of this century is that capitalism works, that the free market works, that giving the individual the incentive to be productive, by allowing the individual to retain a large amount of the product of their work, is something that produces prosperity for the individual and, as a result, produces prosperity for society. And a prosperous society is a freer society, we have also learned that. That is the second truth.

Yet, our Government continues to function, even here in the United States, with a hybrid of the theory that a centralized decisionmaking process can handle major social and economic issues more effectively than the marketplace can handle them or the individual can handle them. In the 1930's and 1940's, we as a nation, our intellectual community, especially the Northeastern intellectual community, was caught up in the concept that you could manage almost every major social and economic problem from the top down. We were caught up in the concept that a few good minds put together in a room, thinking, could resolve issues of major concern for the society at large, especially fiscal issues.

This led to a centralization of decisionmaking here in Washington throughout the 1950's, 1960's and 1970's, which reached its peak in the early 1970's, and gained momentum from that peak throughout the 1970's until the arrival of Ronald Reagan, who said, ''Let's stop and think a minute as to what we have done here and whether it has been successful.''

The conclusion was that many of the decisions to centralize the process of policymaking in the hands of a few here in Washington simply was not working, that it was not producing a resolution to the problems that were at the core of our society, and especially it was not helping the prosperity of the Nation and individuals who lived in the Nation in many ways. So, we have, as we move toward the end of this century, come to the conclusion that maybe a centralized Federal Government is not all that effective in solving all of our problems; maybe we should slow the rate of growth of this Government and return authority to the people and to the States. And that, really, is what the Republican revolution has been about.

If we take that as true, and I do happen to believe that is one of the things that has been proven by time, now—it is not a question of philosophy or theory any longer, it is a time-tested, proven event—then we still have some major issues to address, because some of the most significant social/fiscal issues which we have as a country today are still being driven in their policies as to how they are resolved by these concepts which came out of the thirties and the forties and the fifties of centralizing the decision in Washington and making the process of addressing those decisions a Washington-driven one.

The three issues that are at the core of this, the three concerns that we as a society must have, from a fiscal policy standpoint—I am not talking about social policy; there are a whole set of other issues dealing with social policy—but from a fiscal policy standpoint of how Government deals with major issues, the three core concerns which we must have, as we head into the next century, are, one, how do we deal with Social Security; two, how do we deal with Medicare, which is a health care component for our senior citizens, and Medicaid; and three, our tax laws, how do we structure our taxes?

All three of those issues, all three of those functions of Government which deal with the broad spectrum of the quality of life of a vast majority of Americans, are now dominated by a philosophy which grew out of the thirties, which was that a centralized, Government-decisionmaking process can better manage these systems than a decentralized, marketplace-driven approach.

As a result, we have some chaos headed our way. We know that, under the present Social Security system, as a function of its present rate of return on investment and as a function of demographics, the system goes broke, taking the country with it, starting in about the year 2010. It goes broke in about the year 2020, but gets into what one might call a fiscal spiral beginning about the year 2017 which is not reversible.

This is driven by the fact that returns on investment in Social Security dollars put into the trust fund have been extraordinarily low. They are basically a rate of return set by the Federal Government on special bonds given to the Social Security fund, which is where the Government borrows.

Second, we have a population shift in this country, which is a function of the postwar, baby-boom generation, where we now have 3½ people paying into the system for every 1 person taking out, and in the year 2012, we will have 2 people paying into the system for every 1 person taking out, and this cannot support the present benefit structure when you have such a change.

In addition, there is the fact that people are living longer. When Social Security was first created, people lived to be 61. The time was set at 65. That was Franklin Roosevelt's choice. He was no slouch and understood actuarial tables. Today, people live to be, on the average, male, 72, female 78, and it is going up.

So we have a Social Security system which we know is headed toward bankruptcy due to demographics and due to the fact there is no prefunded system. It is a pay-as-you-go system with a very low rate of return on the investment.

Then we have the Medicare system, which is going broke, managed by the Federal Government. Basically, it is a Federal Government program, single manager, single opportunity for seniors. They have to buy fee-for-service delivery. They have to buy a certain set of benefit structures. That system is going to go broke in the year 2001 at the latest; probably in the year 2000, only 3 years from now.

It is going to go broke because of the fact that it is a system which is using

a 1960's model of health care delivery in the 1990's. It is a system which still relies on fee for service when, in fact, we know that in the marketplace today, very few people use fee-for-service health care. Most people choose some sort of fixed-cost, prepaid health care plan, whether it is a HMO, PPO, PSO, or whatever. They choose some sort of alternative rather than going out to a doctor on a cost-plus basis who refers you to another doctor on a cost-plus basis, then refers you to another doctor, which is what the present system does.

It is a classic program which was designed by Government bureaucrats in the 1960's which was probably outdated even then, but which has clearly not been updated for the 1990's and is going to go broke in the year 2000 because it is not structured for these times. That is the second system which represents a major issue of fiscal policy.

Between those two, Medicare and Social Security, they will be accounting, between them, for almost 50 percent of the Federal budget by the year 2000, and by the year 2017, if you throw in interest on the Federal debt, they will be counting for all the revenues of the Federal Government. That is their size and their impact under their present structure.

The third issue, of course, is our tax laws. Our tax laws are, again, a centralized decisionmaking process where we in Washington, a group of elite in the Government, choose winners and losers in the marketplace. We choose that this type of market activity will be a benefit and that type of market activity will be penalized because, for some reason, we think we can think better than the marketplace and individuals can think on how they should invest their money, and tax laws are structured to be a top-down, centralized, essentially Government-driven exercise in managing the marketplace through the Government. Of course, nothing affects the prosperity of a country more than the level of taxation and the manner in which you tax.

So my representation is this. I have put together a package of bills which I call the American productivity renewal package, which addresses these three core issues of fiscal policy from a marketplace approach, instead of using the dynamics which have dominated these policies since the thirties, which is a Government-driven approach and which is a centralized-planning approach. Instead of using that approach, which has clearly failed and which is predicted to be a catastrophic failure as we move into the next century, I am acknowledging the fact, the truism of the 20th century, which is that the marketplace, not the Government, is the primary provider of prosperity within a society.

These three proposals which I put forward involve, first, in the Social Security area, that we recognize that you cannot have a pay-as-you-go system with an unfunded liability of $3 to $4 trillion and an aging population that is exceeding the ability of the working population to pay for it and expect that system to survive. So what we need to do is to create a better return for those younger people who are now paying into the system on their savings. We need to be able to say to the working American who is under the age of 45, ''In order for you to get a decent Social Security retirement, we are going to have to have you earn more money on the dollars that you pay into Social Security and, more important, we are going to have to give you the ability to identify those dollars to yourself.''

Today under Social Security, if you pay a dollar in, the dollar goes out. You have no account. There is no savings account which says, ''Bob Smith'' or ''Mary Jones'' on it. It is basically a dollar in, dollar out, and, as a result, you have this huge unfunded liability.

We need to prefund that liability, No. 1, so that people can have their own savings account designated to themselves. And, second, we need to allow people to get a better return than what is presently occurring under the present system, which is about a 3 percent rate of return, which is not inflation adjusted, so if inflation is more than 3 percent, it is no return at all. We need to allow people to get a better rate of return.

What my proposal does, in the Social Security area it says today Social Security is running a surplus. It is running about a $29 billion actual surplus. It actually has about a $70 billion surplus, but half of that is interest which the Federal Government is paying on debt, so it is, basically, paying interest to itself. But there is actually about a $29 billion real surplus in Social Security, which represents about 1 percent of the 7.5 percent payroll tax people pay.

So what my proposal says is that, rather than paying a 7.5-percent payroll tax, people will only have to pay a 6.5-percent payroll tax. They will get that percentage back, that percent difference back. They will have the right to take that percentage difference and invest it in a savings account or some other vehicle that allows them to produce income for their retirement.

It will have to be a retirement account, like an IRA. And the practical implications of that are two: No. 1, people will start to generate a nest egg for retirement that will be real, that they will be able to look at every year when they get their statement; it will be there, and it will be able to generate a better return than 3 percent. And, No. 2, it has no impact on present-day Social Security recipients or people who would be receiving Social Security who are over the age of 45, because we are now running a surplus and we could pay the cost of their Social Security benefits without impacting them with this type of private account. It is using the marketplace and recognizing that the marketplace must be used to prefund the liability of Social Security.

In the area of Medicare, this package of bills does something called choice, where essentially we say to the senior citizen, rather than having a program where the Government tells you who insures you, we will give you a program where, like a Member of Congress or a Federal employee, you can go out and choose who would insure you. They would have to give you a certain set of benefits and the benefits will have to at least equal what you are presently getting under Medicare, but you will be able to choose the benefit package you feel best meets your needs—you, the senior citizen. You will not be limited to one choice or, at most, two choices, which, at present, the present Medicare Program has.

Equally important, what we are going to say to the senior citizen is, today it costs, for example, $4,800 for a senior to be on Medicare. To the extent that a senior can go out and find a health care plan which gives the basic benefits of Medicare, maybe even more benefits, but gives it to them for less than $4,800—say, $4,500—we will let the senior keep the difference, or at least 75 percent of it, that $300 between $4,800 and $4,500.

What does this do? It creates three marketplace forces which will lead to making the Medicare system more solvent. No. 1, it means the senior becomes a cost-incentive buyer of health care. They think about where they are going to buy their health care. Granted, people who are already in the system who are in their late 70's or 80's probably are not going to change. But you have a whole group of seniors coming into the system who have been used to looking at a variety of health care options, so they will be comfortable doing this. But getting that 75 percent back of your savings makes them cost-incentive buyers.

No. 2, it will create a marketplace which will compete for the seniors' dollars. Because, believe me, there are a lot of health care providers who deliver high-quality health care who would be very excited about the chance to buy into this.

And, No. 3, it gives the Federal Government a predictable rate of growth as to how much health care is going to increase in Medicare accounts. And we, in order to make the trust funds solvent, do not need to cut Medicare. All we need to do is slow its rate of growth to about 7 percent, 6.5 percent—what is now a 10-percent rate of growth. That rate of growth, by the way, is still twice the rate of inflation and a multiple of 5, possibly, the rate of health care inflation.

So this creates a marketplace atmosphere around which Medicare would compete and around which seniors could participate in their health care system and which would control costs and which would give seniors more choices than they have today, more options in health care than they have

today. It recognizes the fact that, you know, a 1960 system, where the Federal Government basically picks who you can have health care with, simply does not work. You have to use the marketplace.

The third element of this American productivity renewal package is to look at the tax laws and acknowledge the fact that the tax laws are arbitrary. They are as arbitrary as some bureaucrat in Washington could possibly make them, or some Member of Congress could possibly make them. Why should somebody be a winner and why should somebody else be a loser under the tax laws? Simply because a Member of Congress or somebody at Treasury decided unilaterally to affect the marketplace by making the decision that this person will be a loser and this person will be a winner, that is not right. That perverts the flow of capital; it perverts investment; it perverts the manner in which people go out and make decisions in the marketplace. It causes an inefficient use of dollars that are used to create capital and create savings.

So we need a flatter system. We need a system that eliminates the vast majority of the deductions and says to the taxpayer, ''You can fill your form out on one page, one postcard, and in doing that, we won't control how you make decisions with your money. We'll take your taxes still, but we won't control whether or not you invest in this item or that item. That is simply a decision as to whether or not you're going to get better or worse tax treatment.'' And, thus, capital will flow much more efficiently to those items which are most productive and those items which will create the most prosperity, because that is the way a capitalist system works and a marketplace system works.

So by addressing these three core issues of fiscal policy from a marketplace approach as versus from a centralized planning approach, which is what has been done for the last half century, we can, I believe, ready ourselves for the next century, make this country more competitive, and, most importantly, put the country in a position where our children will be assured that we are going to be a fiscally solvent place and a prosperous place for them to raise their children, rather than a place subject to the vagaries of a huge Government debt and inflation that would cause a bankruptcy of the Social Security system.

Mr. President, I appreciate your time. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

(The remarks of Mrs. HUTCHISON pertaining to the introduction of S. 411 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mrs. HUTCHISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. 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. GRASSLEY. Mr. President, I ask unanimous consent to have 7 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IT'S FOR KIDS II

Mr. GRASSLEY. Mr. President, in December, the Department of Health released annual figures on teenage drug use. As in the preceding 3 years, what the numbers showed was a continuing, alarming increase in teenage drug use. The number of eighth graders using any illicit drug in the year before the survey has almost doubled since 1991, from 11 to 21 percent. The proportion of increased use among 10th graders has risen by almost two-thirds, from 20 to 33 percent. It has risen by almost 50 percent among seniors in high school, from 27 to 39 percent. Stop for a minute and think about the reality behind the numbers.

One in every five 13 year olds has used an illicit drug in the last year. One in every three 15 year olds and close to two of every five seniors have used drugs. Marijuana use is leading the way. Regular use of marijuana by kids is on the rise. Nearly 1 in every 20 seniors now uses marijuana daily. We know from bitter experience, that marijuana use, especially regular use, increases dramatically the likelihood of further, more serious drug use. We know only too well that such use leads to dramatic increases in addiction, violent crime, treatment dependency, and a cycle of hurt that can endure for years.

Moreover, the recent survey reveals that teenage attitudes about the dangers of drug use are also changing—for the worse. An increasing number of young people at younger ages no longer see drug use as dangerous.

Just this past Tuesday, the Partnership for a Drug Free America released information that showed that kids at younger ages, including kids in fourth, fifth, and sixth grades, are starting to try drugs.

We have not seen increases in use or changes in beliefs about the dangers of use like this since the late 1960's and 1970's. Those of us who are adults today know what that increase in use and changes in attitudes did to this country. We are still living with the consequences of social attitudes that legitimized drug use. We are still paying the costs to treat the addicts that began as teenage users then.

Let's remind ourselves of a simple truth. The most likely users of drugs are kids. Not adults. Not grown men and women. Not our peers and friends and colleagues. Not our business partners or professional associates. Kids. It begins with kids. Most addicts today began as teenagers. Most addicts tomorrow will begin as teenagers or younger. And whom do the pushers of drugs target? Kids. Whom do the purveyors of drug messages in our movies and popular music target? Kids.

You do not have to go very far to discover why. Young people are more vulnerable to messages that would have them test limits. They are less aware of long-term consequences for present acts. They are more easily influenced by peers and fashions. It is our kids that are most at risk for messages about drug use. It is in order to protect kids that we take steps to control drugs in our society. Even the majority of the most ardent legalization advocates do not advocate drug use by kids. Most of them draw the line at that. Most.

But our problem lies in this. We cannot be halfhearted and ambivalent in our counterdrug messages if we are to tell our kids not to use drugs. We cannot, on the one hand, make drugs readily available and condone their use by law and custom and keep them from our kids. We have ample evidence of this in legal drugs, in the problems of teenage use of alcohol and tobacco.

But I am talking about substances that are far worse and more dangerous. We cannot afford to make these drugs part of our daily lives. The public is aware of that. They oppose it. But what we see is a growing effort by a few to get around that opposition. Ultimately they are not likely to succeed. But they can and have so muddled the public message as to send mixed signals to the very people we want to protect. Kids.

From music to videos to movies and political campaigns, we are seeing efforts once again to glamorize drugs. We are seeing opinion leaders and members of our cultural elite portray drug use as simply a personal choice that is harmless and benign. Many of these individuals act as if the only issue is for responsible adults to decide for themselves. They speak as if it is only adults that we need to think about. This, however, is not in fact the case.

If you do not believe this, talk to parents. Talk to teachers. Talk to the health and law enforcement professionals who daily see the consequences. Most important, listen to what kids are telling us about what is happening in their schools. To their friends.

Like other Members here, I receive mail from many people. Among them are our young people. Their letters are full of concern and hope. One of the concerns is about drugs in school. Thus Byron, 14 years old, writes, ''As I have

grown up, I have begun to notice more and more people I know using legal and illegal drugs. Never before did I even know 'Meth' existed. But now, my school feels there is a need to take courses about it. I agree with you that drug use should stop, and fast.'' Or Christina, 12, who writes about her concern for what's being done to stop underage drug use. Or Heath, a senior, concerned about growing use in junior high and elementary schools. Or Jennie, a junior, who has seen peers using PCP and crack or acid. Or the many others who have written confused about what they should think or what our policy is.

It is to this and following generations that we are responsible for and to. They look to us for guidance. They rely on us to protect them and their futures. That is what is at issue here. The efforts that we undertake to keep our society drug free are the things that we do to protect our kids. We do this because it is the responsible thing to do. We do this because no sane or civilized society can long endure that fails its children.

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. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, March 5, the Federal debt stood at $5,359,515,287,678.12.

One year ago, March 5, the Federal debt stood at $5,016,462,000,000.

Five years ago, March 5, 1992, the Federal debt stood at $3,849,118,000,000.

Ten years ago, March 5, 1987, the Federal debt stood at $2,258,090,000,000.

Fifteen years ago, March 5, 1982, the Federal debt stood at $1,045,007,000,000 which reflects a debt increase of more than $4 trillion—$4,314,508,287,678.12—during the past 15 years.

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 a nomination which was referred to the Committee on Governmental Affairs.

(The nomination received today is printed at the end of the Senate proceedings.)

REPORT CONCERNING THE TRADE POLICY AGENDA AND THE TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT—PM 21

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance.

To the Congress of the United States:

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1997 Trade Policy Agenda and 1996 Annual Report on the Trade Agreements Program.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 6, 1997*.

MESSAGES FROM THE HOUSE

At 2:11 p.m., a message from the House of Representatives, delivered by Ms. Goetz, 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. 513. An act to exempt certain contracts entered into by the government of the District of Columbia from review by the Council of the District of Columbia; to the Committee on Government Affairs.

The message also announced that the House agrees to the following concurrent resolution, without amendment:

S. Con. Res. 4. Concurrent resolution commending and thanking the Honorable Warren Christopher for his exemplary service as Secretary of State.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 17. Concurrent resolution congratulating the people of Guatemala on the success of the recent negotiations to establish a peace process for Guatemala.

H. Con. Res. 18. Concurrent resolution congratulating the people of the Republic of Nicaragua on the success of their democratic elections held on October 20, 1996.

H. Con. Res. 31. Concurrent resolution expressing the sense of Congress regarding the display of the Ten Commandments by Judge Roy S. Moore, a judge on the circuit court of the State of Alabama.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 513. An act to exempt certain contracts entered into by the government of the District of Columbia from review by the Council of the District of Columbia; to the Committee on Government Affairs.

The following measures were read and referred as indicated:

H. Con. Res. 17. Concurrent resolution congratulating the people of Guatemala on the success of the recent negotiations to establish a peace process for Guatemala; to the Committee on Foreign Relations.

H. Con. Res. 18. Concurrent resolution congratulating the people of the Republic of Nicaragua on the success of their democratic elections held on October 20, 1996; to the Committee on Foreign Relations.

H. Con. Res. 31. Concurrent resolution expressing the sense of Congress regarding the display of the Ten Commandments by Judge Roy S. Moore, a judge on the circuit court of the State of Alabama; to the Committee on Governmental Affairs.

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–1318. A communication from the Administrator of the Food and Consumer Service, Department of Agriculture, transmitting, pursuant to law, a rule entitled ''Food Assistance in Disaster and Distress Situations'' received on February 26, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1319. A communication from the Secretary of the U.S. Securities and Exchange Commission, transmitting, pursuant to law, two rules including a rule entitled ''Anti-manipulation Rules Concerning Securities Offerings'' (RIN3235-AF54, AF97); to the Committee on Banking, Housing, and Urban Affairs.

EC–1320. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, a rule entitled ''New Starts Criteria'' (RIN2132-AA50) received on February 27, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–1321. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 95-16; to the Committee on Appropriations.

EC–1322. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 95-14; to the Committee on Appropriations.

EC–1323. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, four rules including a rule entitled ''Approval and Promulgation of Implementation Plans'' (FRL5660-2, 5698-1, 5697-9, 5688-8) received on March 5, 1997; to the Committee on Environment and Public Works.

EC–1324. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, a rule entitled ''Special Local Regulations'' (RIN2115-AE46) received on February 27, 1997; to the Committee on Commerce, Science, and Transportation.

EC–1325. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to law, a rule entitled ''Regulatory Flexibility Analysis'' received on March 6, 1997; to the Committee on Commerce, Science, and Transportation.

EC–1326. A communication from the Vice-Chairman of the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, a notice relative to the D.C. fiscal year 1998 Budget and Financial Plan; to the Committee on Governmental Affairs.

EC–1327. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, a draft of proposed legislation entitled

''The Contract Costs Act of 1997''; to the Committee on Governmental Affairs.

EC–1328. A communication from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, a rule relative to plastic explosives (RIN1512-AB63) received on February 24, 1997; to the Committee on the Judiciary.

EC–1329. A communication from the Vice President (Government Affairs), National Railroad Passenger Corporation, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1996; to the Committee on the Judiciary.

EC–1330. A communication from the Executive Secretary of the National Security Council, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1996; to the Committee on the Judiciary.

EC–1331. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Procedure 97-20 received on March 4, 1997; to the Committee on Finance.

EC–1332. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 97-12 received on March 4, 1997; to the Committee on Finance.

EC–1333. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Notice 97-16 received on March 4, 1997; to the Committee on Finance.

EC–1334. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Announcement 97-22 received on March 4, 1997; to the Committee on Finance.

EC–1335. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Announcement 97-24 received on March 4, 1997; to the Committee on Finance.

EC–1336. A communication from the Assistant Secretary of the Interior (Land and Minerals Management), transmitting, pursuant to law, a rule entitled ''Mining Claims Under the General Mining Laws'' (RIN1004-AC40) received on February 25, 1997; to the Committee on Energy and Natural Resources.

EC–1337. A communication from the Chair fo the Federal Energy Regulatory Commission, transmitting, pursuant to law, two rules including a rule entitled ''Open Access Same-Time Information System'' received on March 4, 1997; to the Committee on Energy and Natural Resources.

EC–1338. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the production of nuclear weapons; to the Committee on Foreign Relations.

EC–1339. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the certification of a proposed approval of a manufacturing license agreement; to the Committee on Foreign Relations.

EC–1340. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a Presidential Determination relative to suspending restrictions; to the Committee on Foreign Relations.

EC–1341. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the certification of the proposed issuance of an export license; to the Committee on Foreign Relations.

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–38. A resolution adopted by the Knoxville City Council relative to the land and water conservation fund; to the Committee on Appropriations.

POM–39. A resolution adopted by the Toledo City Council relative to the Clear Air Act; to the Committee on Environment and Public Works.

POM–40. A resolution adopted by House of Representatives of the General Assembly of the State of Delaware; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 11

Whereas, the annual Federal budget has not been balanced since 1969, and the federal public debt is now more than $5 trillion—or $20,000 for every man, woman, and child in America; and

Whereas, continued deficit spending demonstrates an unwillingness or inability of both the federal executive and legislative branches to spend no more than available revenues; and

Whereas, fiscal irresponsibility at the federal level is lowering our standard of living, destroying jobs, and endangering economic opportunity now and for the next generation; and

Whereas, the federal government's unlimited ability to borrow raises questions about fundamental principles and responsibilities of government, with potentially profound consequences for the nation and its people, making it an appropriate subject for limitation by the Constitution of the United States; and

Whereas, the Constitution of the United States vests the ultimate responsibility to approve or disapprove constitutional amendments with the people, as represented by their elected state legislatures; and opposition by a small minority repeatedly has thwarted the will of the people that a Balanced Budget Amendment to the Constitution should be submitted to the states for ratification; Now, therefore: Be it

Resolved by the House of Representatives of the 139th General Assembly of the State of Delaware That the Congress of the United States expeditiously pass, and propose to the legislatures of the several states for ratification, an amendment to the Constitution of the United States requiring, in the absence of a national emergency, that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year; be it further

Resolved That the Clerk of the House transmit copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives of the United States, each Member of the Delaware Congressional Delegation, and the Secretary of State and the presiding officers of both Houses of the Legislatures of each of the other States in the Union.

EXECUTIVE REPORTS OF COMMITTEES

The following executive report of committees was submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Federico Peña, of Colorado, to be Secretary of Energy.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. HATCH, from the Committee on the Judiciary:

Merrick B. Garland, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

Rose Ochi, of California, to be Director, Community Relations Service, for a term of four years.

Colleen Kollar-Kotelly, of the District of Columbia, to be United States District Judge for the District of Columbia.

Lyle Weir Swenson, of South Dakota, to be United States Marshal for the District of South Dakota for the term of four years.

(The above nominations were reported with the recommendation that they be confirmed.)

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. COATS:

S. 409. A bill to amend the Communications Act of 1934 to provide for the implementation of systems for rating the specific content of specific television programs; to the Committee on Commerce, Science, and Transportation.

By Mr. D'AMATO (for himself, Mr. GRAMM, Mr. SARBANES, and Mr. DODD):

S. 410. A bill to extend the effective date of the Investment Advisers Supervision Coodination Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HUTCHISON (for herself, Mr. ABRAHAM, Mr. CAMPBELL, Mr. D'AMATO, Ms. MOSELEY-BRAUN, and Mr. SPECTER):

S. 411. 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; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COATS:

S. 409. A bill to amend the Communications Act of 1934 to provide for the implementation of systems for rating the specific content of specific television programs; to the Committee on Commerce, Science, and Transportation.

TV RATING SYSTEM LEGISLATION

Mr. COATS. Mr. President, this past Thursday the Senate Commerce Committee held a hearing on the current television rating system. I want to commend Senator MCCAIN for calling that hearing. It was very instructional for all of us. What was apparent from that hearing is the near universal dissatisfaction with the current Hollywood rating system, the need for immediate change, the utter failure of the industry to understand what parents want in a rating system, and the basic

responsibility that goes with using publicly owned broadcast spectrum.

Mr. President, we are beyond debate regarding the influence of television programming on children, particularly the most vulnerable of our children, growing up in single-parent homes or homes where the demand of work keep parents away and children unsupervised for long hours. This is, unfortunately, an increasing norm in our society.

It was a combination of these facts and the increasingly violent and explicit nature of television programming that produced the ''V'' chip legislation that passed last year and the demand for ratings that empower parents with content information so that they can exercise control over the type of television programming invading their households and their children's minds that they believe is inappropriate.

I call attention to the 1995 study of children age 10 to 16 conducted by the Los Angeles polling firm of Fairbank, Maslin, Maulin & Associates. In that poll, one-third of the children stated they would like to try what they see others doing on television; two-thirds stated that their peers are influenced by what they see on TV; 65 percent said programming like the Simpsons encouraged them to disrespect their parents; and an alarming 62 percent said that sex portrayed on television influences kids to have sex when they are too young. These are the results of the study of children 10 to 16. These are their responses to the questions that were asked by the poll.

Upon hearing the results of this poll, entertainer Steve Allen told editorialist Cal Thomas, ''My first reaction is that we should take this information and beat (network TV executives) over the head with it.'' I think some of last week's hearing, for those who tuned in and those who were there, may have had the same effect, because there was universal, near universal, dissatisfaction with the efforts, lack of effort, made by the broadcasters, Hollywood producers and others to address some of these fundamental questions. That was a bipartisan response not confined to any one particular party.

Unfortunately, the system offered by the television industry to address this is critically flawed. There are two fatal problems with the system. First is the fact that the system does not provide program-specific, content-based information. This is the critical point.

The Hollywood ratings system adopted by the television industry essentially hides the true content of programs behind a generic rating that suggests to parents what may be in a program—I say what ''may be'' in a program, not what actually is in a program. Take the TV ''PG'' rating, which 61 percent of current television programs receive. In a 52-word explanation of this rating, it is stated: ''This program may contain infrequent coarse language, limited violence, some suggestive dialog and situations.''

Mr. President, I suggest that telling a parent what a program ''may'' include does not tell them very much. I ask, what would be so difficult, what is so hard about simply substituting the word ''does'' for the word ''may.'' The program ''does'' contain infrequent coarse language. The program ''does'' contain limited violence. This program ''does'' contain some suggestive dialog and situations. In addition, why not provide parents with an audible explanation of content just prior to airing the programming and stating the information clearly and prominently on the screen.

The second fatal flaw in the current system proposed by Hollywood and adopted by the broadcasters is there is no standard format for how ratings are arrived at. In other words, each station or channel uses their own methods and priorities in assigning ratings. Fox uses one method, NBC another and so on. What is recommended as a standardized system to parents is, in fact, completely unique from station to station, channel to channel. In other words, it a rating in search of a meaning.

The Hollywood system designed by the Motion Producers Association head Jack Valenti was created to avoid giving parents information on the content of programs. I do not think you can come to any other conclusion. It is so confusing, it is so imprecise, I think you have to conclude that it was designed not to give specific information. Why? Well, clearly, I think they were concerned about advertisers not wanting to advertise on programs that included offensive language. Ultimately, it is the parents who turn off the sets, or the sets that are turned off because of the contents of programs, that will determine where those advertising dollars flow.

Now, Mr. President, I want to make sure that we all understand that we cannot and we should not be censors, but that our society depends on informed choices. We need to provide informed information and informed choices for parents. To do that requires information which the current Hollywood-Valenti rating system refuses to give.

It had been my hope that the television industry would be responsive to the public outcry against their age-based rating system. Polls conducted in response to the industry proposal by the PTA/Institute for Mental Health Initiatives demonstrated that 80 percent of parents desire a content-based system and a Media Study Center poll found similar results. Ask any parent, ask any parent what they need in order to make a determination on what they think their children should watch, and they say tell us what is in it. Do not give us some rating scheme where we do not know what it relates to, that is not standardized, that changes from station to station. Just tell us what is there.

Unfortunately, the industry has not simply ignored the American public; it has defied them. Mr. Valenti, the architect and the cheerleader for the current system, claims the system must be simple so that parents can understand it. Must be simple? Parents can understand it? The TV-Y rating requires a 47-word explanation; TV-Y7 requires 73 words to explain what it means; TV–14, 61 words. All of these ratings explanations are riddled with ambiguity. The only thing easy to understand about these ratings is who came up with them and why.

The system is not profamily, it is pro-Hollywood. It is designed to protect the Hollywood production houses. It is designed to protect advertisers who, confronted with content-specific ratings, would shun programs that include explicit material.

Now, supposedly there was some miraculous coming together of television executives and Hollywood for a commonsense rating of programs. Well, I think there has been some confusion here in the statement that they have refused to change, regardless of what the public wants. Now, thankfully, under the pressure of the congressional investigation, the congressional hearing, and the outpouring of outrage and frustration and dissatisfaction and disgust with the current system, there have been expressions that, yes, the industry is willing to take another look at this. I hope they not only take another look, but that they will do it quickly and do it effectively, because the industry doesn't own the broadcast spectrum, the public owns the broadcast spectrum. And because the public owns the spectrum, I think it is reasonable to ask that those who use the spectrum be responsive to the public's requests—again, not for censorship, but simply for information so they can make decisions about what is appropriate and not appropriate for their children to watch. Therefore, I think combining the request for granting or renewal of a license to broadcast on that spectrum is a reasonable thing to ask for in return for a content-based, program-specific rating system. In other words, if you want to use the public spectrum, if you have a responsibility—and the responsibility is to provide parents with information.

I, therefore, am introducing legislation today that will ensure that the changes the American people demand as a condition for license renewal, for license granting, or for loan of spectrum for the transition of digital broadcast—in return for that, we get broadcaster consent to accurately label their programming. I don't create a Government rating system. I simply want to put some information in the hands of parents.

The spectrum that is going to be loaned to broadcasters for digital transmission is extremely valuable. This resource also belongs to the American public, a public that overwhelmingly supports a program-specific, content-based rating system. The basic criteria for issuing a broadcast license is service of the public good. If a

broadcaster can't comply with the basic will of the American people, by accurately labeling the product they seek to provide, on the taxpayers' spectrum, then I don't believe they deserve, nor should they receive, the precious resource of broadcast spectrum.

Mr. President, we cannot use Government to force more family-friendly programming—as much as sometimes I wish we could, given what we currently see.

Mr. President, we can empower parents with information that they need to guide their children's viewing habits. In doing so, we empower them to send a message to the networks, and television advertisers to stop the onslaught of the kind of programming that flows through our television sets into the minds of our children.

Mr. President, in conclusion, let me just say that in this age where it's harder and harder to protect children from information and from behavior and from activities in our society that is damaging not only to their bodies, but to their minds and souls, the parents need tools; they are crying out for weapons and tools to fight back against this onslaught of a hostile culture. They want to try to protect the innocence of their children—even if just for a little while. I think they have every right to demand the tool of accurate and responsible television ratings in return for the use of the public broadcast system.

My legislation would ensure this end. I hope my colleagues will join me in support of this effort. With that, I send to the desk the legislation designed to accomplish this very purpose.

By Mr. D'AMATO (for himself, Mr. GRAMM, Mr. SARBANES, and Mr. DODD):

S. 410. A bill to extend the effective date of the Investment Advisers Supervision Coodination Act; to the Committee on Banking, Housing, and Urban Affairs.

THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1997

• Mr. D'AMATO. Mr. President, today, I introduce with Senator GRAMM, Senator SARBANES, and Senator DODD, a bill to extend for 90 days the effective date of title III of the National Securities Markets Improvement Act of 1997.

The Investment Advisers Supervision Coordination Act enacted as part of the National Securities Market Improvement Act, divides the regulation of the Nation's 22,500 registered investment advisers between the SEC and State commissions. Under the new divided jurisdiction, investment advisers entrusted with over $10 trillion in customer funds, will be subject to better regulation and regular examination. As a result, consumers and investors will be better protected.

The legislation we introduce today will extend the effective date of the title III, section 308 of the National Securities Markets Improvement Act of 1996 90 days, from April 9, 1997 to July 8, 1997. This extension was requested by the Chairman of the SEC, Arthur Levitt, in his letter to the committee dated February 12, 1997. The legislation is necessary to ensure that the proper rules are in place to carry out the provisions of this title. While the Securities and Exchange Commission is working diligently to complete its rules by the original effective date, the Commission is concerned that investment advisers will not have enough time to examine the final rules and to complete and submit the new forms required.

Mr. President, Congress intended for State commissions to regulate investment advisers with assets under $25 million. However, State law will be preempted as it relates to all investment advisers who are still registered with the SEC when the provision becomes effective, regardless of their asset value. This means that if the SEC rules are not final or if investment advisers have not submitted forms to end their registration by April 9, 1997, State commissions will be unable to regulate the investment advisers who fall within their jurisdiction. Extending the effective date of the Investment Advisers Supervision Coordination Act would ensure that all investment advisers have sufficient time to register with the proper commission and prevent a gap in effective regulation.

I would like to thank the chairman of the Securities Subcommittee, and the ranking members of both the Banking Committee and the Securities Subcommittee for their cosponsorship of this legislation. It is my hope that the Senate will pass this legislation without amendment or delay so that the SEC and the State commissions can continue to move forward with these important changes to improve the regulation of investment advisers and protect investors.

Mr. President, I ask unanimous consent that the full text of the bill and the February 12, 1997 letter from Securities and Exchange Commission be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 410

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

SECTION 1. EXTENSION OF EFFECTIVE DATE.

Section 308(a) of the Investment Advisers Supervision Coordination Act (110 Stat. 3440) is amended by striking ''180'' and inserting ''270''.

U.S. SECURITIES AND EXCHANGE COMMISSION,
Washington, D.C., February 12, 1997.

Hon. ALFONSE M. D'AMATO,
Chairman, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, DC.

DEAR CHAIRMAN D'AMATO: I am writing to request that Congress extend the effective date of Title III of the National Securities Markets Improvement Act of 1996 for 90 days, from April 9 to July 8, 1997. Title III reallocates regulatory responsibilities over investment advisers between the states and the Commission.

The Commission has made substantial progress in completing the many rulemaking directives given to the Commission in the Improvement Act. In October, the Commission proposed a rule providing a safe harbor to allow journalists access to off-shore press conferences. In December, we proposed rules implementing new exemptions from the Investment Company Act for pools sold only to qualified investors. The Commission also proposed, on December 18, 1996, rules to implement Title III.

The Commission is making every effort to meet the legislative deadlines of the Improvement Act. Our rule proposals were issued only two months after the legislation was enacted, and the comment period for the proposals ended earlier this week. While we believe the Commission should be able to finish work on the adoption of the proposed rules by April 9, the effective date of Title III, we are very concerned that this timetable is likely not to afford investment advisers sufficient time to examine the new rules, consult with counsel as to their continuing regulatory status, and properly complete and submit the required forms.

We are also concerned about the effect of the April 9th effective date on state regulatory programs. As you know, Title III assigns important responsibilities for the regulation of investment advisers to state regulators. Because Title III will become effective on April 9th (whether or not the proposed rules are adopted), state law will be preempted as to all advisers still registered with the Commission, including those advisers that will be exclusively regulated by the states. If all (or most) advisers remain registered with the Commission on April 9 because they have not submitted the required forms, much of state investment adviser laws will be preempted, compromising state regulatory and enforcement programs.

By dividing jurisdiction over the 22,500 advisers currently registered with the Commission, the Improvement Act promises to provide more efficient and effective regulation of the investment advisory industry. The Commission strongly supported the enactment of the Act and has moved quickly to implement its purposes. We believe that by providing an additional 90 days, Congress will allow investment advisers adequate time to meet their obligations under the new rules and will avoid disrupting state regulatory efforts that are important if the goals of Title III of the Improvement Act are to be achieved.

If I or any of the Commission staff can answer any questions, please do not hesitate to contact us.

Sincerely,

ARTHUR LEVITT.•

By Mrs. HUTCHISON (for herself, Mr. ABRAHAM, Mr. CAMPBELL, Mr. D'AMATO, Ms. MOSELEY-BRAUN and Mr. SPECTER):

S. 411. 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; to the Committee on Finance.

THE COMMERCIAL REVITALIZATION TAX ACT OF 1997

Mrs. HUTCHISON. Mr. President, I stand today to sponsor, along with Mr. ABRAHAM, Mr. CAMPBELL, Mr. D'AMATO, Ms. MOSELEY-BRAUN, Mr. SPECTER, and Mr. COCHRAN, the introduction of the Commercial Revitalization Tax Credit

Act of 1997. This bill is identical to the bipartisan and widely supported legislation I sponsored during the last session.

This measure will create jobs, expand economic activity, and improve the physical appearance and increase the value of residential and commercial buildings in America's most distressed urban and rural communities. The bill provides a targeted tax credit to businesses to help defray the cost of construction, expansion, and renovation in these areas, and in the process will generate billions in privately based economic activity in those areas that need the most help in our country.

The Commercial Revitalization Tax Credit Act will fill in the gap between the broad range of tools our States and localities utilize to make declining neighborhoods healthy places to do business, to work, and to raise families. This tax credit will help businesses form a partnership with the Government to help revitalize areas of our country that have, in many cases, suffered from neglect and despair.

As we continue to look for ways to combat the decay of our inner cities and to raise the standard of living in many of our rural areas, I believe, and numerous studies demonstrate, that improving the physical structures in our neighborhoods not only has economic benefits but also tends to lift the hopes and expectations of the residents of those neighborhoods. Indeed, one of the key recommendations of the recent top-to-bottom review of law enforcement in this city, our Nation's Capital, was to improve the many abandoned buildings in the city that create an atmosphere conducive to crime and despair.

This legislation will build on local initiatives like this in the District of Columbia, as well as many now underway in cities in Texas and throughout the country. The Commercial Revitalization Tax Credit Act will build upon the empowerment zone/enterprise community program that is now unfolding in 109 communities in the United States. Texas has five of these specially designated areas: Houston, Dallas, El Paso, San Antonio, and Waco, as well as one rural zone in the Rio Grande valley covering four counties. Not only will these cities qualify for the credit under my bill, but so will the 400 communities in the United States that sought such designation but were not selected. State-established enterprise zones and others specifically designated revitalization districts established by State and local governments will also be able to participate. In all, over 1,000 areas will qualify for this credit nationwide.

Our bill contains the following main features: A tax credit that may be applied to construction amounting to at least 25 percent of the basis of the property, in designated revitalization areas; qualified investors could choose a one-time 20-percent tax credit against the cost of new construction or rehabilitation. For instance, if the expansion of a supermarket in Brownsville, TX, in the Rio Grande valley, in the empowerment zone there, cost $150,000, the tax credit against income would be $30,000. Alternatively, the business owner could take a 5-percent credit each year over a 10-year period; And tax credits totaling $1.5 billion would be allocated to each State according to a formula, with States and localities determining the priority of the projects.

Mr. President, with a minimum level of bureaucratic involvement and through a proven tax mechanism, this initiative will make a significant difference in the lives of thousands of families in need and for the economies of hundreds of distressed urban and rural communities across this Nation. I hope my colleagues will join me in supporting this sound and effective pro-growth initiative.

I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 411

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Commercial Revitalization Tax Act of 1997''.

SEC. 2. COMMERCIAL REVITALIZATION TAX CREDIT.

(a) ALLOWANCE OF CREDIT.—Section 46 of the Internal Revenue Code of 1986 (relating to investment credit) is amended by striking ''and'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting '', and'', and by adding at the end the following new paragraph:

''(4) the commercial revitalization credit.''

(b) COMMERCIAL REVITALIZATION CREDIT.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to rules for computing investment credit) is amended by inserting after section 48 the following new section:

''SEC. 48A. COMMERCIAL REVITALIZATION CREDIT.

''(a) GENERAL RULE.—For purposes of section 46, except as provided in subsection (e), the commercial revitalization credit for any taxable year is an amount equal to the applicable percentage of the qualified revitalization expenditures with respect to any qualified revitalization building.

''(b) APPLICABLE PERCENTAGE.—For purposes of this section—

''(1) IN GENERAL.—The term 'applicable percentage' means—

''(A) 20 percent, or

''(B) at the election of the taxpayer, 5 percent for each taxable year in the credit period.

The election under subparagraph (B), once made, shall be irrevocable.

''(2) CREDIT PERIOD.—

''(A) IN GENERAL.—The term 'credit period' means, with respect to any building, the period of 10 taxable years beginning with the taxable year in which the building is placed in service.

''(B) APPLICABLE RULES.—Rules similar to the rules under paragraphs (2) and (4) of section 42(f) shall apply.

''(c) QUALIFIED REVITALIZATION BUILDINGS AND EXPENDITURES.—For purposes of this section—

''(1) QUALIFIED REVITALIZATION BUILDING.—The term 'qualified revitalization building' means any building (and its structural components) if—

''(A) such building is located in an eligible commercial revitalization area,

''(B) a commercial revitalization credit amount is allocated to the building under subsection (e), and

''(C) depreciation (or amortization in lieu of depreciation) is allowable with respect to the building.

''(2) QUALIFIED REHABILITATION EXPENDITURE.—

''(A) IN GENERAL.—The term 'qualified rehabilitation expenditure' means any amount properly chargeable to capital account—

''(i) for property for which depreciation is allowable under section 168 and which is—

''(I) nonresidential real property, or

''(II) an addition or improvement to property described in subclause (I),

''(ii) in connection with the construction or substantial rehabilitation or reconstruction of a qualified revitalization building, and

''(iii) for the acquisition of land in connection with the qualified revitalization building.

''(B) DOLLAR LIMITATION.—The aggregate amount which may be treated as qualified revitalization expenditures with respect to any qualified revitalization building for any taxable year shall not exceed $10,000,000, reduced by any such expenditures with respect to the building taken into account by the taxpayer or any predecessor in determining the amount of the credit under this section for all preceding taxable years.

''(C) CERTAIN EXPENDITURES NOT INCLUDED.—The term 'qualified revitalization expenditure' does not include—

''(i) STRAIGHT LINE DEPRECIATION MUST BE USED.—Any expenditure (other than with respect to land acquisitions) with respect to which the taxpayer does not use the straight line method over a recovery period determined under subsection (c) or (g) of section 168. The preceding sentence shall not apply to any expenditure to the extent the alternative depreciation system of section 168(g) applies to such expenditure by reason of subparagraph (B) or (C) of section 168(g)(1).

''(ii) ACQUISITION COSTS.—The costs of acquiring any building or interest therein and any land in connection with such building to the extent that such costs exceed 30 percent of the qualified revitalization expenditures determined without regard to this clause.

''(iii) OTHER CREDITS.—Any expenditure which the taxpayer may take into account in computing any other credit allowable under this part unless the taxpayer elects to take the expenditure into account only for purposes of this section.

''(3) ELIGIBLE COMMERCIAL REVITALIZATION AREA.—The term 'eligible commercial revitalization area' means—

''(A) an empowerment zone or enterprise community designated under subchapter U,

''(B) any area established pursuant to any consolidated planning process for the use of Federal housing and community development funds, and

''(C) any other specially designated commercial revitalization district established by any State or local government, which is a low-income census tract or low-income nonmetropolitan area (as defined in subsection (e)(2)(C)) and is not primarily a nonresidential central business district.

''(4) SUBSTANTIAL REHABILITATION OR RECONSTRUCTION.—For purposes of this subsection, a rehabilitation or reconstruction shall be treated as a substantial rehabilitation or reconstruction only if the qualified revitalization expenditures in connection

with the rehabilitation or reconstruction exceed 25 percent of the fair market value of the building (and its structural components) immediately before the rehabilitation or reconstruction.

''(d) WHEN EXPENDITURES TAKEN INTO ACCOUNT.—

''(1) IN GENERAL.—Qualified revitalization expenditures with respect to any qualified revitalization building shall be taken into account for the taxable year in which the qualified rehabilitated building is placed in service. For purposes of the preceding sentence, a substantial rehabilitation or reconstruction of a building shall be treated as a separate building.

''(2) PROGRESS EXPENDITURE PAYMENTS.—Rules similar to the rules of subsections (b)(2) and (d) of section 47 shall apply for purposes of this section.

''(e) LIMITATION ON AGGREGATE CREDITS ALLOWABLE WITH RESPECT TO BUILDINGS LOCATED IN A STATE.—

''(1) IN GENERAL.—The amount of the credit determined under this section for any taxable year with respect to any building shall not exceed the commercial revitalization credit amount (in the case of an amount determined under subsection (b)(1)(B), the present value of such amount as determined under the rules of section 42(b)(2)(C)) allocated to such building under this subsection by the commercial revitalization credit agency. Such allocation shall be made at the same time and in the same manner as under paragraphs (1) and (7) of section 42(h).

''(2) COMMERCIAL REVITALIZATION CREDIT AMOUNT FOR AGENCIES.—

''(A) IN GENERAL.—The aggregate commercial revitalization credit amount which a commercial revitalization credit agency may allocate for any calendar year is the portion of the State commercial revitalization credit ceiling allocated under this paragraph for such calendar year for such agency.

''(B) STATE COMMERCIAL REVITALIZATION CREDIT CEILING.—

''(i) IN GENERAL.—The State commercial revitalization credit ceiling applicable to any State for any calendar year is an amount which bears the same ratio to the national ceiling for the calendar year as the population of low-income census tracts and low-income nonmetropolitan areas within the State bears to the population of such tracts and areas within all States.

''(ii) NATIONAL CEILING.—For purposes of clause (i), the national ceiling is $100,000,000 for 1998, $200,000,000 for 1999, and $400,000,000 for each calendar year after 1999.

''(iii) OTHER SPECIAL RULES.—Rules similar to the rules of subparagraphs (D), (E), (F), and (G) of section 42(h)(3) shall apply for purposes of this subsection.

''(C) LOW-INCOME AREAS.—For purposes of subparagraph (B), the terms 'low-income census tract' and 'low-income nonmetropolitan area' mean a tract or area in which, according to the most recent census data available, at least 50 percent of residents earned no more than 60 percent of the median household income for the applicable Metropolitan Standard Area, Consolidated Metropolitan Standard Area, or all nonmetropolitan areas in the State.

''(D) COMMERCIAL REVITALIZATION CREDIT AGENCY.—For purposes of this section, the term 'commercial revitalization credit agency' means any agency authorized by a State to carry out this section.

''(E) STATE.—For purposes of this section, the term 'State' includes a possession of the United States.

''(f) RESPONSIBILITIES OF COMMERCIAL REVITALIZATION CREDIT AGENCIES.—

''(1) PLANS FOR ALLOCATION.—Notwithstanding any other provision of this section, the commercial revitalization credit dollar amount with respect to any building shall be zero unless—

''(A) such amount was allocated pursuant to a qualified allocation plan of the commercial revitalization credit agency which is approved by the governmental unit (in accordance with rules similar to the rules of section 147(f)(2) (other than subparagraph (B)(ii) thereof)) of which such agency is a part, and

''(B) such agency notifies the chief executive officer (or its equivalent) of the local jurisdiction within which the building is located of such project and provides such individual a reasonable opportunity to comment on the project.

''(2) QUALIFIED ALLOCATION PLAN.—For purposes of this subsection, the term 'qualified allocation plan' means any plan—

''(A) which sets forth selection criteria to be used to determine priorities of the commercial revitalization credit agency which are appropriate to local conditions,

''(B) which considers—

''(i) the degree to which a project contributes to the implementation of a strategic plan that is devised for an eligible commercial revitalization area through a citizen participation process,

''(ii) the amount of any increase in permanent, full-time employment by reason of any project, and

''(iii) the active involvement of residents and nonprofit groups within the eligible commercial revitalization area, and

''(C) which provides a procedure that the agency (or its agent) will follow in monitoring for compliance with this section.

''(g) TERMINATION.—This section shall not apply to any building placed in service after December 31, 2000.''

(b) CONFORMING AMENDMENTS.—

(1) Section 39(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(8) NO CARRYBACK OF SECTION 48A CREDIT BEFORE ENACTMENT.—No portion of the unused business credit for any taxable year which is attributable to any commercial revitalization credit determined under section 48A may be carried back to a taxable year ending before the date of the enactment of section 48A.''

(2) Subparagraph (B) of section 48(a)(2) of such Code is amended by inserting ''or commercial revitalization'' after ''rehabilitation'' each place it appears in the text and heading thereof.

(3) Subparagraph (C) of section 49(a)(1) of such Code is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following new clause:

''(iv) the basis of any qualified revitalization building attributable to qualified revitalization expenditures.''

(4) Paragraph (2) of section 50(a) of such Code is amended by inserting ''or 48A(d)(2)'' after ''section 47(d)'' each place it appears.

(5) Subparagraph (B) of section 50(a)(2) of such Code is amended by adding at the end the following new sentence: ''A similar rule shall apply for purposes of section 48A.''

(6) Paragraph (2) of section 50(b) of such Code is amended by striking ''and'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting '', and'', and by adding at the end the following new subparagraph:

''(E) a qualified revitalization building to the extent of the portion of the basis which is attributable to qualified revitalization expenditures.''

(7) Subparagraph (C) of section 50(b)(4) of such Code is amended by inserting ''or commercial revitalization'' after ''rehabilitated'' each place it appears in the text and heading thereof.

(8) Subparagraph (C) of section 469(i)(3) is amended—

(A) by inserting ''or section 48A'' after ''section 42'', and

(B) by striking ''CREDIT'' in the heading and inserting ''AND COMMERCIAL REVITALIZATION CREDITS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 1997.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. ASHCROFT, the name of the Senator from Wyoming [Mr. THOMAS] was added as a cosponsor of S. 4, a bill to amend the Fair Labor Standards Act of 1938 to provide to private sector employees the same opportunities for time-and-a-half compensatory time off, biweekly work programs, and flexible credit hour programs as Federal employees currently enjoy to help balance the demands and needs of work and family, to clarify the provisions relating to exemptions of certain professionals from the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and for other purposes.

S. 28

At the request of Mr. THURMOND, the name of the Senator from Pennsylvania [Mr. SANTORUM] was added as a cosponsor of S. 28, a bill to amend title 17, United States Code, with respect to certain exemptions from copyright, and for other purposes.

S. 304

At the request of Mr. DORGAN, the names of the Senator from New York [Mr. D'AMATO] and the Senator from Arizona [Mr. KYL] were added as cosponsors of S. 304, a bill to clarify Federal law with respect to assisted suicide, and for other purposes.

S. 314

At the request of Mr. THOMAS, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 314, a bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes.

S. 366

At the request of Mr. COVERDELL, the name of the Senator from Nebraska [Mr. HAGEL] was added as a cosponsor of S. 366, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to prohibit the consideration of retroactive tax increases.

S. 368

At the request of Mr. BOND, the name of the Senator from Colorado [Mr. CAMPBELL] was added as a cosponsor of S. 368, a bill to prohibit the use of Federal funds for human cloning research.

S. 380

At the request of Mr. KENNEDY, the names of the Senator from Rhode Island [Mr. CHAFEE] and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of S. 380, a bill to

prohibit foreign nationals admitted to the United States under a nonimmigrant visa from possessing a firearm.

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 380, supra.

S. 381

At the request of Mr. ROCKEFELLER, the names of the Senator from Maine [Ms. COLLINS] and the Senator from Maryland [Mr. SARBANES] were added as cosponsors of S. 381, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for Medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

SENATE RESOLUTION 60

At the request of Ms. COLLINS, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Michigan [Mr. ABRAHAM], and the Senator from Indiana [Mr. LUGAR] were added as cosponsors of Senate Resolution 60, a resolution to commend students who have participated in the William Randolph Hearst Foundation Senate Youth Program between 1962 and 1997.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that the hearing scheduled before the full Energy and Natural Resources Committee to receive testimony from the Department of Energy and FERC on the President's 1998 budget, has been postponed.

The hearing was scheduled to take place on Tuesday, March 11, 1997, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC, and will be rescheduled later.

For further information, please call Karen Hunsicker, counsel (202) 224–3543 or Betty Nevitt, staff assistant at (202) 224–0765.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Tuesday, March 11, 1997, at 9:30 a.m. in room 485, Russell Senate Building to approve the committee's letter to the Committee on the Budget relating to the budget views and estimates for fiscal year 1998 for Indian programs.

Those wishing additional information should contact the Committee on Indian Affairs at 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Wednesday, March 12, 1997, at 2:30 p.m. in room 106 of the Dirksen Senate Building with the Committee on Banking, Housing, and Urban Affairs to conduct a joint oversight hearing on Indian housing programs operated by the Department of Housing and Urban Development [HUD].

Those wishing additional information should contact the Committee on Indian Affairs at 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, March 6, 1997, beginning at 2:15 p.m. to hold a hearing and markup on the Governmental Affairs Committee request for additional funding.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, March 6, 1997, at 10 a.m. in open session, to consider the nomination of Keith R. Hall to be Assistant Secretary of the Air Force for Space.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, March 6, 1997, to conduct a hearing of the following nominees: Yolanda T. Wheat, of Maryland, to be a member of the National Credit Union Administration Board; Charles A. Gueli, of Maryland, to be a member of the Board of Directors of the National Institute of Building Sciences; Niranjan S. Shah, of Illinois, to be a member of the National Institute of Building Sciences; and Jeffery A. Frankel, of California, to be a member of the Council of Economic Advisers.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. COLLINS. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Thursday, March 6, 1997, beginning at 10 a.m. in room 213, Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. COLLINS. Mr. President, the Finance Committee Subcommittee on Health Care requests unanimous consent to conduct a hearing on Thursday, March 6, 1997, beginning at 2 p.m. in room SD–215.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 6, 1997, at 2 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, March 6, 1997, at 9:30 a.m. for a hearing on Federal tax policy for the District of Columbia.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, the Committee on the Judiciary asks unanimous consent to hold an executive business meeting on Thursday, March 6, 1997, at 10 a.m., in room 226 of the Senate Dirksen Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on health care quality and consumer protection during the session of the Senate on Thursday, March 6, 1997, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Ms. COLLINS. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Committee on Veterans' affairs to receive the legislative presentation of the Paralyzed Veterans of America, Jewish War Veterans, the Retired Officers Association, Association of the U.S. Army, Non-Commissioned Officers Association, the Military Order of the Purple Heart, and the Blinded Veterans Association. The hearing will be held on March 6, 1997, at 9:30 a.m., in room 345 of the Cannon House Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on International Operations of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 6, 1997, at 10 a.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER AFFAIRS AND FOREIGN COMMERCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Consumer Affairs and Foreign Commerce and Tourism Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on March 6, 1997, at 2:30 p.m. on product liability reform: Success of the General Aviation Revitalization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday March 6, 1997, at 2

p.m. to hold a closed business meeting on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Transportation and Infrastructure be granted permission to conduct a hearing Thursday, March 6, at 9:30 a.m., hearing room SD–406, on the Intermodal Surface Transportation Efficiency Act and innovative transportation financing, technology, construction, and design practices.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OCEANS AND FISHERIES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Oceans and Fisheries and Science, Technology and Space Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on March 6, 1997, at 10 a.m. on review of NOAA's fiscal year 1998 budget request.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

FARMING THE NEW FRONTIER

• Mr. LUGAR. Mr. President, I rise today to congratulate a group of young Indiana students who have shown great educative achievement. I would like to bring to the attention of my colleagues the winners of the 1996–97 Eigth Grade Youth Essay Contest which I sponsored in association with the Indiana Farm Bureau and Bank One of Indianapolis. These students have displayed strong writing abilities and have proven themselves to be outstanding young Hoosier scholars. I submit their names for the CONGRESSIONAL RECORD because they demonstrate the capabilities of today's students and are fine representatives of our Nation.

This year, Hoosier students wrote on the theme, ''Farming the New Frontier.'' Students were encouraged to consider and creatively express the role of Indiana agriculture in our country and in the world marketplace. I would like to submit for the RECORD the winning essays of Shannon McArtor of Monroe County and Kyle Roth of Pulaski County. As State winners of the Youth Essay Contest, these two outstanding students are being recognized on Friday, March 7, 1997, during a visit to our Nation's Capitol.

The essays are as follows:

FARMING THE NEW FRONTIER

(By Shannon McArtor)

Vegetables that grow in water? Seedless watermelon? Miniature cobs of corn? Hearty soybeans? American farmers are boldly going where no one has gone before!

Biotechnology is going through major changes that will affect our lives as we approach the 21st century. Biotechnology will help farmers grow more, and better, crops such as corn, beans, alfalfa, and wheat. The future is bright for forage producers, due in part to new technology that allows industries to grow bigger, tastier, and better vegetables and grains.

Biotechnology has created a hybrid of soybean that can withstand certain harmful herbicides. The STS gene protects soybeans from sulfonylurea herbicides only. Soybean varieties with resistance to certain herbicides are now available. The farmer has a choice in selecting programs to control weeds.

Because of advances in biotechnology there are corn hybrids that can resist the harsh substance called glufosinate-ammonium which is the active ingredient in New Liberty herbicide. Biotechnology has also helped to find hybrids that can resist the European corn borer. These hybrids produce a gene that contains a protein that protects these plants from damage caused by ECB (European corn borer). This gene originated from a bacterium and originally placed in the corn inbred line using techniques of biotechnology. The addition of B+ gene enhances protection of crops because the plants will achieve levels of insect resistance which are not possible using traditional breeding methods.

These new discoveries in farming will keep our nation healthy in more than one way. It will give us an ample supply of corn and beans on less acres. It will protect the vitamins contained in grains and vegetables thus providing better foods to eat. Biotechnology is going to make life better!

FARMING THE NEW FRONTIER

(By Kyle Roth)

Hello! Welcome to Bio Tech Laboratories. My name is Dr. Bio. Tech and I will be your tour guide today as we take a walk through my laboratory. Follow me while I show you just a few of the interesting things we have been working on. You know, biotechnology research wants to make a crop production more efficient and also create new varieties of crops.

Take a look at the tomato and potato. We have genetically transferred a gene from an Arctic fish to the tomato increasing its freeze tolerance. The potato has been crossed with soil bacteria to make it insect resistant.

As we go outside, Keep in mind that the world population is increasing and valuable farm ground is being gobbled up by land developers. We try to help farmers by developing seeds that will be resistant to weeds, insects, and disease. Every number that you see by this corn test plot has a different ''specialty''. This one is drought resistant. Another one has long full ears. That one prefers a certain soil type. Because farmers feed the world, we want them to have access to global positioning-farming by computer-so that they will produce more food.

Trying not to be scientific, I must say genetic engineering is a very powerful tool in biotechnology. We are developing new traits into crops and livestock. Vegetable crops can be altered to produce vegetables that taste and look better. Don't those green beans look appetizing? They also have improved nutritional quality.

Feast your eyes on that bread! The yeast has been altered to make the bread taste better. With the wide variety of food we have to offer, consumers can have a greater choice; and because we have improved the quality and nutrients, these food products are also healthier. Thanks for stopping by, and try a slice of our great tasting bread on your way out!

1996–97 DISTRICT WINNERS

District 1: Kyle Roth, Melissa Lichtenbarger
District 2: Ryan Johnson, Heather Butts
District 3: Ryan Frey, Julia Pokorney
District 4: Shawn Smith, Trisha Penner
District 5: Timothy Heck, Marni Yeagley
District 6: Cory Bohlander, Melissa Winebarger
District 7: Brandon Roe, Shannon McArtor
District 8: Thomas Naylor, Christine Jeffrey
District 9: John Saalweachter, Christa Rentehler
District 10: Allen Haberthier, Katrina Madden

1996–97 COUNTY WINNERS

Bartholomew: Peter Reichenbach, Christine Jeffrey
Boone: Timothy Heck, Charlotte Orr
Cass: Shawn Baker, Julia Pokorney
Carroll: Lance Hofmann
Dearborn: Nathan Lehn, Claire Cradler
Decatur: David Stewart
Delaware: Joel Rossol, Melissa Winebarger
Fayette: Thomas Naylor
Fulton: Johanna Martin
Gibson: Carolyn Moseley
Hamilton: Sam Tischfield, Natalie Templeton
Hancock: Jimmy Asher, Heather Hobbs
Henry: John Sweigart
Huntington: Nathan Scheiber, Jennifer Stetzel
Jackson: Christopher Lambring, Cheyenne Hackman
Jay: Dustin Knipp, Tarra Rothburn
Kosciusko: Isaac Wildman, Heather Butts
Lake: Wesley Gordon, Mary Owen
Madison: Cory Bohlander, Jessica Landess
Marion: Bob Cook, Christy Utnage
Miami: John Einselen
Montgomery: Wes Ambrose, Marni Yeagley
Newton: Ryan Haste
Portor: Bryan Martinez, Allison Payer
Posey: John Saalweachter, Jennifer Symanski
Randolph: Wade Chalfant
St. Joseph: Andrew Callan, Melissa Lichtenbarger
Spencer: Carmen Dominquez
Vanderburgh: Bradley Painter, Leslie Rudolph
Wabash: Shawn Smith, Trisha Penner
Warrick: Benfamin Baker, Christa Rentchler
Wells: Jenni Mason.•

NATIONAL SPORTSMANSHIP DAY

• Mr. REED. Mr. President, I rise in honor of National Sportsmanship Day, which was observed on March 4, in over 8,000 schools in all 50 States and 75 countries throughout the world.

National Sportsmanship Day was conceived by the Institute for International Sport, located in my home State of Rhode Island. The Institutes slogan, ''Dare to Play Fair,'' challenges athletes, coaches, administrators, and parents to reflect on the true meaning of competition and to discuss the importance of ethics and fair play in sport, the classroom, and everyday life.

The centerpiece of this years National Sportsmanship Day was a seminar and town meeting at the University of Rhode Island discussing the issue of violence in sport. This day long event included panels composed of professional athletes, coaches, and journalists who discussed the many different aspects of this issue.

In addition, the Institute has enlisted the help of several Sports Ethics Fellows, including the winner of baseball's

Roberto Clemente Man of the Year Award and 10 time All-Star for the Minnesota Twins, Kirby Puckett, Rhode Island's own Brad Faxon, one of the top golfers on the PGA tour and the cofounder of the Billy Andrade-Brad Faxon Charities for Children Program. These men and women are wonderful role models who can be admired for more than just their athletic prowess. They have consistently demonstrated an interest in furthering the principles of honesty and integrity in sport and society.

Indeed, the Sports Ethics Fellows are helping to teach the important lessons of National Sportsmanship Day by writing articles on sportsmanship and developing programs for National Sportsmanship Day. Through competition, young athletes can learn that while winning is a worthy goal, honor, discipline, and hard work are more important. Indeed, these values will guide them in all aspects of everyday life.

Mr. President, I ask my colleagues to join the President's Council on Physical Fitness and Sports and the Rhode Island congressional delegation in recognizing this day and the principles it embodies.●

HOME OFFICE TAX DEDUCTION

● Mr. BURNS. Mr. President, as an original cosponsor of the home office tax deduction bill introduced today by Senator HATCH, I rise in strong support of this measure and urge its expeditious passage in the Senate.

Today, home-based business is the new workplace. The new workplace is interactive video, the Internet, and digital documents. Telecommuting is now common, saving travel costs and time. But it's not just a matter of cost, it's a matter of lifestyle. With technology, the new workplace means you can live anywhere you want and still make a living doing what you love. And spend a few extra hours with the kids. In my State of Montana, where there's a lot of dirt between light bulbs, those extra hours really add up.

Back in 1993, shortly after the Supreme Court's Soliman decision, I introduced the home office tax deduction bill, and I've been pushing for it ever since. We must allow a tax deduction for essential activities, such as billing, performed in the home when that is the only available place for such activities. As the law now stands, workers like Dr. Soliman who spend 15 hours per week doing billing in an exclusive home office are denied the deduction. That's not right. Home offices that are used regularly and solely for business purposes—whether it's by physicians, salespeople, or mothers working at home—should be an allowable deduction.

A few weeks ago the Senate Small Business Committee, of which I am a member, held a hearing on women-owned and home-based businesses. We heard from small businesspeople who expressed their frustration with Federal tax laws that hinder their ability to succeed. Some of today's largest companies started as home businesses, and the potential for job and economic growth is unlimited, provided the tax code is not a barrier to that growth.

I thank Senator HATCH for introducing this measure today.●

HONORING THE WOMEN'S BUSINESS DEVELOPMENT CENTER

Ms. MOSELEY-BRAUN. Mr. President, I want to take a moment to recognize the achievements of the Women's Business Development Center [WBDC]. Today, they are celebrating their 10th anniversary, and I truly wish I were able to join their celebration in person.

Currently, there are over 8 million women-owned businesses in the United States, generating $2.3 trillion in sales. In my home state of Illinois alone, there are over 350,000 women business owners. Women business owners across the country employ one of every four U.S. company workers, and women in business are contributing to economic growth both at home and abroad. The story of women in business is one of unqualified success, and that success is thanks in no small part to organizations like the Women's Business Development Center.

For the past decade, the WBDC has dedicated itself to providing services and programs that support and accelerate women's business ownership and strengthen the impact of women on the economy. Founded in 1986 by Carol Dougal and Hedy Ratner, the WBDC is currently active in six States—Illinois, Indiana, Ohio, Florida, Massachusetts, and Pennsylvania, and has served over 30,000 women business owners. The highly successful programs and services of the WBDC are many in number, including counseling, workshops, entrepreneurial training, the women's business finance programs, the women's business enterprise initiative, the entrepreneurial women's conference and women's business and buyer's mart.

I wish to commend the WBDC for their vital role in the growing economic impact of women business owners on our Nation's economy. I am proud that the WBDC was founded in Illinois, and that the effects of their good works are felt far beyond the borders of my State.●

PARTIAL BIRTH ABORTION BAN ACT OF 1997

● Mr. BURNS. Mr. President, I rise to express my strong support for S. 6, the Partial Birth Abortion Ban Act of 1997. As a cosponsor of this bill, I want to take a moment to discuss why it is so important that we act on it as soon as possible.

Mr. President, as my voting record shows, I have always voted pro-life on issues concerning abortion. However, my support for S. 6 and my vote on the partial birth abortion ban during the 104th Congress was not simply a moral judgment on abortion. This debate is not about reproductive choice; it's not even about abortion. Partial birth abortion is a cruel procedure and is abhorrent to most Americans. In fact, most physicians believe it is never medically necessary. This procedure is far beyond human decency.

Mr. President, it is shocking to me that the debate over partial birth abortion is even necessary. A procedure whereby a child is partly delivered and then its brains are suctioned out has no place in a civilized society. It certainly has no place in America. Let's join together, pro-life and pro-choice, and do the right thing. Let's put an end to this cruel procedure.●

HONORING THE GLEANERS COMMUNITY FOOD BANK OF GREATER DETROIT

● Mr. LEVIN. Mr. President, I have the distinct honor of paying tribute to the Gleaners Community Food Bank of Greater Detroit, which this year celebrates its 20th year of providing food to needy people in southeastern Michigan.

On March 12, 1997, the Gleaners annual Women's Power Breakfast will bring together more than 200 of southeast Michigan's civic, professional, and corporate leaders to help lead the fight against hunger. The power breakfast was created 4 years ago by Gleaners board member Dulcie Rosenfeld and is led this year by honorary co-chairs Michelle Engler and Judge Trudy Archer, and by breakfast co-chairs Irma Elder, Barbara Levin, Helen Love, and Amanda Van Dusen. Knowing the considerable talent and commitment of these women, I have no doubt that breakfast participants will meet their challenge of raising money and awareness to help Gleaners find solutions to hunger in southeastern Michigan.

Gleaners Community Food Bank was founded in 1977 with a mission of bringing together food, resources, and manpower into a single collection, storage, and distribution center to help feed southeastern Michigan's hungry. Since its creation, Gleaners has collected surplus food from the region's farmers, food distributors and processors, supermarkets, grocery stores, and individuals. Each year, this vital organization collects, stores, and distributes more than 12 million pounds of food to more than 200 agencies, including soup kitchens, church pantries, and shelters for homeless or battered women.

Since its inception, Gleaners has been able to rely on the generosity of the people of southeastern Michigan. Each Saturday, approximately 100 volunteers from church groups, schools, unions, and corporations come together to assemble food packs for distribution to various agencies. Food drives, fundraising events, corporate donations, foundation grants, and donations from individuals contribute greatly to Gleaners success.

Hunger is faced by people of all ages, races, and socio-economic levels in communities throughout our Nation. I am proud to have such a dedicated and successful organization leading the fight against this problem in my home State. We should all take inspiration from the example we see here and recommit our efforts to eradicate hunger in this country and around the world.●

FAMILY FRIENDLY WORKPLACE ACT

● Mr. BURNS. Mr. President, as a cosponsor of S. 4, the Family Friendly Workplace Act of 1997, I rise to express my strong support for this legislation.

Mr. President, Americans have always struggled to balance the conflicting demands of work and family, but today, more than ever, families, especially double earners, are finding the old, rigid workplace structure of a different era to be the main barrier to a family friendly schedule. This is ironic because today's technology makes telecommuting from home common through the Internet and interactive video, allowing the flexibility many workers need to spend more time with their families.

The problem is that in the eyes of our Federal laws the workplace has not changed since the 1930's. Federal wage-and-hour laws were developed during the New Deal era, when about one mother in six with school-aged children worked. But the workplace is vastly different today. Over 70 percent of mothers with kids in school work, and the rigid 8-hour-per-day, 40-hour-per-week work schedule is less rational or justifiable. Simply put, the wage-and-hour laws belong in a different era—one that ended about 50 years ago.

Federal Government workers have had a flexible work schedule option for three decades. Under a flextime arrangement, many Federal employees work 10-hour days, 4 days per week. For a mother with a young child, this means 1 less day per week she'll have to pay for daycare. You can bet that adds up.

Flextime has been a tremendous benefit for Federal workers, especially women. Why shouldn't non-Federal workers have this benefit as well? The answer is that they should, and that's what S. 4 will do. Under this bill, an employee will have three options: First, flexible scheduling—to work additional hours 1 week for credit, up to 50 hours, toward a shorter work day or work week later at full pay; second, biweekly scheduling—to schedule 80 hours over a 2-week period in any combination; or third, compensatory time off—to choose time-and-a-half compensatory time off, up to 240 hours—160 hours at time-and-a-half, for overtime hours worked in lieu of time-and-a-half pay. No employee may be required to participate in these programs, and coercion or intimidation by the employer with respect to participation is prohibited.

This is commonsense legislation endorsed by Working Women and Working Mother magazines. It's time to tear down the barriers to a family friendly workplace and give hardworking Americans the flexibility to spend time with their families.●

FOREIGN CURRENCY REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following report(s) of standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
David W. Carle:									
Canada	Dollar	553	404.00					553	404.00
United States	Dollar				684.00				684.00
Edward J. Barron:									
Singapore	Dollar	2,294.84	1,638.00					2,294.84	1,638.00
United States	Dollar				4,698.95				4,698.95
Switzerland	Franc	868.10	686.00					868.10	686.00
Italy	Lire	2,132,790	1,405.00					2,132,790	1,405.00
United States	Dollar				3,529.55				3,529.55
Katherine M. Howard:									
Japan	Dollar		656.00						656.00
Hong Kong	Dollar		1,577.90						1,577.90
Singapore	Dollar		2,185.37						2,185.37
United States	Dollar				4,701.95				4,701.95
Switzerland	Dollar		1,029.00						1,029.00
Italy	Dollar		1,405.00						1,405.00
United States	Dollar				4,124.55				4,124.55
Total			10,986.27		17,739.00				28,725.27

RICHARD G. LUGAR,
Chairman, Committee on Agriculture, Nutrition, and Forestry, Feb. 6, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Patrick Leahy:									
Canada	Dollar	553.20	389.00			20.00	14.60	573.20	403.60
United States	Dollar				684.00				684.00
Timothy Rieser:									
Canada	Dollar	478.20	349.23					478.20	349.23
United States	Dollar				684.00				684.00
Total			738.23		1,368.00		14.60		2,120.83

MARK O. HATFIELD,
Chairman, Committee on Appropriations, Oct. 28, 1996.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Charles S. Abell:									
Japan	Dollar		512.00						512.00
Hong Kong	Dollar		394.00						394.00
Korea	Dollar		1,248.00						1,248.00
Patrick T. Henry:									
Japan	Dollar		1,250.00						1,250.00
Hong Kong	Dollar		394.00						394.00
Korea	Dollar		1,248.00						1,248.00
Senator John S. McCain:									
Thailand	Baht	5,507	217.00					5,507	217.00
Burma	Dollar		155.00						155.00
Cambodia	Dollar		472.00						472.00
Vietnam	Dollar		882.00						882.00
Hong Kong	Dollar		970.00						970.00
United States	Dollar				3,285.95				3,285.95
Marshall A. Salter:									
Thailand	Baht	5,507	217.00					5,507	217.00
Burma	Dollar		155.00						155.00
Cambodia	Dollar		472.00						472.00
Vietnam	Dollar		882.00						882.00
Hong Kong	Dollar		970.00						970.00
United States	Dollar				3,221.95				3,221.95
J. Philip Reberger:									
Korea	Dollar		524.00						524.00
Senator Dirk Kempthorne:									
Korea	Dollar		524.00						524.00
Steven Wolfe:									
Korea	Dollar		936.00						936.00
Senator John Warner:									
United Kingdom	Dollar		927.00						927.00
Cord Sterling:									
Panama	Dollar		75.00						75.00
Colombia	Dollar		486.00						486.00
United States	Dollar				892.95				892.95
Bert Mizusawa:									
Panama	Dollar		808.02						808.02
United States	Dollar				1,335.95				1,335.95
Total			14,718.02		8,736.80				23,454.82

STROM THURMOND,
Chairman, Committee on Armed Services, Feb. 18, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JAN. 1, TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Brent Franzel:									
Indonesia	Dollar		675.00						675.00
United States	Dollar				763.00				763.00
Total			675.00		763.00				1,438.00

ALFONSE D'AMATO,
Chairman, Committee on Banking, Housing, and Urban Affairs,
Feb. 7, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mark Ashby:									
Singapore	Dollar	2,609,60	1,864.00					2,609.60	1,864.00
United States	Dollar				4,224.95				4,224.95
Earl W. Comstock:									
Russia	Dollar		1,700.00						1,700.00
United States	Dollar				1,843.95				1,843.45
John T. McCabe:									
Russia	Dollar		1,700.00						1,700.00
United States	Dollar				1,843.45				1,843.45
Senator Ernest F. Hollings:									
Ireland	Pound	833.46	1,355.00					833.46	1,355.00
Ivan A. Schlager:									
Ireland	Pound	833.46	1,355.00					833.46	1,355.00
United States	Dollar				972.45				972.45
Senator Bill Frist:									
Thailand	Baht	16,490	651.00					16,490	651.00
Mark Tipps:									
Thailand	Baht	16,490	651.00					16,490	651.00
Total			9,276.00		8,884.30				18,160.30

JOHN McCAIN,
Chairman, Committee on Commerce, Science, and Transportation,
Feb. 6, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Frank Murkowski:									
Hong Kong	Dollar	9,200	776.60					9,200	776.60
Taiwan	Dollar	17,411	634.50					17,411	634.50
Japan	Yen	96,282	851.00					96,282	851.00
United States	Dollar				4,776.32				4,776.32
Gregg Renkes:									
Hong Kong	Dollar	9,200	776.60					9,200	776.60
Taiwan	Dollar	17,411	634.50					17,411	634.50
Japan	Yen	127,735.92	1,129.00					127,735.92	1,129.00
United States	Dollar				4,098.32				4,098.32
Deanna Okun:									
Hong Kong	Dollar	9,200	776.60					9,200	776.60
Taiwan	Dollar	17,411	634.50					17,411	634.50
Japan	Yen	96,282	851.00					96,282	851.00
United States	Dollar				4,098.32				4,098.32
David Garman:									
Switzerland	Franc		2,223.70						2,223.70
United States	Dollar				1,117.15				1,117.15
Total			9,288.00		14,090.11				23,378.11

FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, Feb. 25, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Steve Biegun:									
Belarus	Dollar		750.00						750.00
Ukraine	Dollar		750.00						750.00
United States	Dollar				3,783.00				3,783.00
Daniel Fisk:									
Nicaragua	Dollar		1,178.00						1,178.00
United States	Dollar				846.95				846.95
Panama	Dollar		446.25						446.25
United States	Dollar				520.95				520.95
Garrett Grigsby:									
Rwanda	Dollar		1,715.00						1,715.00
United States	Dollar				6,690.95				6,690.95
Michael Haltzel:									
Germany	Mark	1,014.35	662.50					1,014.35	662.50
United Kingdom	Pound	375.37	618.00					375.37	618.00
United States	Dollar				5,371.35				5,371.35
Gina Marie Hatheway:									
Panama	Dollar		578.00						578.00
United States	Dollar				971.59				971.59
Linda Rotblatt:									
Italy	Lira	2,428,198	1,599.60					2,428,198	1,599.60
United States	Dollar				3,430.25				3,430.25
Daniel Shapiro:									
China	Dollar		753.00						753.00
Hong Kong	Dollar		1,576.00						1,576.00
Taiwan	Dollar		282.00						282.00
Nepal	Dollar		1,442.00						1,442.00
United States	Dollar				4,617.95				4,617.95
Curt Silvers:									
Hong Kong	Dollar	10,500	1,358.00					10,500	1,358.00
Taiwan	Dollar	15,482	564.00					15,482	564.00
Malaysia	Ringgit	1,530.15	606.00					1,530.15	606.00
United States	Dollar				4,197.85				4,197.85
Senator Fred Thompson:									
Hong Kong	Dollar	10,500	1,358.00					10,500	1,358.00
Taiwan	Dollar	15,482	564.00					15,482	564.00
Malaysia	Ringgit	1,530.15	606.00					1,530.15	606.00
United States	Dollar				7,131.85				7,131.85
Christopher Walker:									
Rwanda	Dollar		1,660.00						1,660.00
United States	Dollar				6,690.00				6,690.00
Steve Phillips:									
Singapore	Dollar	1,912.37	1,365.00					1,912.37	1,365.00
United States	Dollar				4,250.95				4,250.95
Marshall Billingslea:									
The Netherlands	Guilder	1,554.53	895.00					1,554.53	895.00
United States	Dollar				3,271.55				3,271.55
Total			21,326.35		51,775.19				73,101.54

JESSE HELMS,
Chairman, Committee on Foreign Relations, Jan. 30, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Richard Hertling:									
United States	Dollar				4,320.95				4,320.95
Argentina	Peso	1,667	1,667.00	50	50.00			1,717	1,717.00
Michael Myers:									
United States	Dollar				6,359.35				6,359.35

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Kenya	Shilling	26,169.60	470.00					26,169.60	470.00
Kenya	Dollar		315.00						315.00
Rwanda	Dollar		565.00						565.00
Steven Etka:									
United States	Dollar				2,944.95				2,944.95
Singapore	Dollar	1,874.54	1,338.00					1,874.54	1,338.00
Total			4,355.00		13,675.25				18,030.25

ORRIN HATCH,
Chairman, Committee on the Judiciary, Jan. 24, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), SELECT COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Suzanne Spaulding			818.44		4,635.00				5,453.44
Mark Heilbrun			1,792.00		5,395.95				7,187.95
Senator Richard Shelby			2,192.00		2,805.95				4,997.95
Tom Young			2,240.00		2,841.95				5,081.95
Pete Dorn			2,293.00		2,841.95				5,134.95
Senator Arlen Specter			259.79						259.79
Craig Synder			2,760.48						2,760.48
Senator Mike DeWine			345.00						345.00
Mark Heilbrun			471.00						471.00
Laura Pressler			549.90						549.90
Emily Francona			1,746.00		3,978.95				5,724.95
Randy Schieber			1,433.00		3,978.95				5,411.95
Alfred Cumming			410.10		1,396.95				1,807.05
Melvin Dubee			389.10		1,396.95				1,786.05
Total			17,699.81		29,272.60				46,972.41

ARLEN SPECTER,
Chairman, Select Committee on Intelligence, Jan. 16, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), JOINT ECONOMIC COMMITTEE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Representative Pete Stark:									
France	Franc	1,703.36	333.00	2,335.98	457.14			4,039.34	790.14
Total			333.00		457.14				790.14

CONNIE MACK,
Chairman, Joint Economic Committee, Jan. 13, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL AUTHORIZED BY THE DEMOCRATIC LEADER FROM NOV. 8 TO NOV. 17, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tom Daschle:									
Vietnam	Dollar		842.00						842.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	2,836.91	367.00					2,836.91	367.00
Taiwan	Dollar	6,089.46	222.00					6,089.46	222.00
Senator John Glenn:									
Vietnam	Dollar		722.00						722.00
People's Republic of China	Yuan	2,462.13	297.00					2,462.13	297.00
Hong Kong	Dollar	1,777.90	230.00					1,777.90	230.00
Taiwan	Dollar	3,513.60	128.00					3,513.60	128.00
Senator Patrick Leahy:									
Vietnam	Dollar		850.00						850.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	3,045.62	394.00					3,045.62	394.00
Taiwan	Dollar	7,741.00	282.00					7,741.00	282.00
Senator Byron Dorgan:									
Vietnam	Dollar		835.00						835.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	3,045.62	394.00					3,045.62	394.00
Taiwan	Dollar	7,741.00	282.00					7,741.00	282.00
Senator Dirk Kempthorne:									
Vietnam	Dollar		882.00						882.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	6,360.00	826.00					6,360.00	826.00
Nancy Erickson:									
Vietnam	Dollar		682.00						682.00
People's Republic of China	Yuan	3,249.68	392.00					3,249.68	392.00
Hong Kong	Dollar	2,063.91	263.00					2,063.91	263.00
Taiwan	Dollar	3,513.60	128.00					3,513.60	128.00
Sheila Murphy:									
Vietnam	Dollar		688.00						688.00

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL AUTHORIZED BY THE DEMOCRATIC LEADER FROM NOV. 8 TO NOV. 17, 1996—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
People's Republic of China	Yuan	2,727.41	329.00					2,727.41	329.00
Hong Kong	Dollar	1,909.31	247.00					1,909.31	247.00
Taiwan	Dollar	4,995.90	182.00					4,995.90	182.00
Phil Reberger:									
Vietnam	Dollar		882.00						882.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	6,360.00	826.00					6,360.00	826.00
Sally Walsh:									
Vietnam	Dollar		700.00						700.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	3,045.62	394.00					3,045.62	394.00
Taiwan	Dollar	4,995.90	182.00					4,995.90	182.00
Delegation expenses:[1]									
Vietnam							1,811.17		1,811.17
People's Republic of China							509.48		509.48
Hong Kong							3,689.66		3,689.66
Taiwan							580.26		580.26
Total			16,460.00				6,590.57		23,050.57

[1] Delegation expenses include direct payments and reimbursements to the Department of State and the Department of Defense under authority of Section 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of Public Law 95–384, and Senate Resolution 179, agreed to May 25, 1977.

TOM DASCHLE,
Democratic Leader, Feb. 27, 1997.

MEASURE INDEFINITELY POSTPONED—Senate Joint Resolution 14

Mr. GRASSLEY. Mr. President, on behalf of the majority leader, I ask unanimous consent that Calendar No. 15, Senate Joint Resolution 14, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Calendar Nos. 27 through 33, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy.

I further ask unanimous consent that the nominations be confirmed, that the motions to reconsider be laid upon the table, that any statements relating to the nominations appear at this point in the RECORD, that the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations were considered and confirmed as follows:

AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. STEVEN R. POLK, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be brigadier general

COL. THOMAS P. WITTMAN, 0000.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID L. VESELY, 0000.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

LT. GEN. LAWRENCE P. FARRELL, JR., 0000.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. JOSEPH E. HURD, 0000.

MARINE CORPS

THE FOLLOWING-NAMED OFFICER FOR PROMOTION IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. JOSEPH T. ANDERSON, 0000.
BRIG. GEN. RAYMOND P. AYRES, 0000.
BRIG. GEN. EMIL R. BEDARD, 0000.
BRIG. GEN. CHARLES F. BOLDEN, JR., 0000.
BRIG. GEN. EARL B. HAILSTON, 0000.
BRIG. GEN. BRUCE B. KNUTSON, JR., 0000.
BRIG. GEN. GARY S. MCKISSOCK, 0000.
BRIG. GEN. WILLIAM L. NYLAND, 0000.
BRIG. GEN. RONALD G. RICHARD, 0000.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be brigadier general

COL. JACK A. DAVIS, 0000.
COL. FRANCIS E. QUINLAN, 0000.

IN THE AIR FORCE, ARMY, MARINE CORPS, NAVY

Air Force nomination of James J. Walter, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of February 5, 1997.

Air Force nomination of Alberto B. Zambrano, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of February 6, 1997.

Air Force nominations beginning Guy E. Acheson, and ending Burton L. Ziskind, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 6, 1997.

Army nominations beginning Timothy Albertson, and ending Philip R. Zelson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 30, 1997.

Army nominations beginning Steven R. Abt, and ending John Z. Zupko, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 30, 1997.

Marine Corps nominations beginning Neita A. Armstrong, and ending Matthew P. Segrest, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 11, 1997.

Navy nomination of Bruce G. Lalonde, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of January 7, 1997.

Navy nominations beginning Thomas J. Campbell, and ending John A. D'Alessandro, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 7, 1997.

Navy nominations beginning Timothy F. Archer, and ending Melanie J. Larson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 7, 1997.

Navy nominations beginning Donald L. Beem, and ending Edgardo Perez-lugo, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 7, 1997.

Navy nomination of Larry L. Blakesley, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of January 22, 1997.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

ORDERS FOR MONDAY, MARCH 10, 1997

Mr. GRASSLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 12 noon on Monday, March 10. I ask unanimous consent that on Monday, immediately following the prayer, the routine requests through the morning hour be granted and there be a period of morning business until the hour of 3 p.m. with Senators to speak for up to 5 minutes each, except for the following:

Senator THOMAS, 30 minutes;

Senator FEINSTEIN, 2 hours;

Senator DASCHLE or designee, 30 minutes.

I further ask unanimous consent that at the hour of 3 p.m. the Senate proceed to the consideration of Senate Resolution 39 regarding committee funding.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. GRASSLEY. Mr. President, for the information of all Senators, the Senate will not be in session on Friday and will return on Monday for business. Following morning business on Monday, the Senate will begin consideration of the Governmental Affairs funding resolution. That resolution was reported by the Rules Committee this afternoon.

The majority leader will be discussing with the Democratic leader the possibility of an agreement on this resolution which would allow us to complete action on that resolution early next week. The majority leader will notify all Members when this agreement is reached and the voting schedule as it becomes clear. However, any votes ordered on Monday will be stacked to occur on Tuesday at a time to be determined later.

ADJOURNMENT UNTIL MONDAY, MARCH 10, 1997

Mr. GRASSLEY. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:33 p.m., adjourned until Monday, March 10, 1997, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate, March 6, 1997:

OFFICE OF PERSONNEL MANAGEMENT

JAMES B. KING, OF MASSACHUSETTS, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF 4 YEARS. (REAPPOINTMENT)

CONFIRMATIONS

Executive nominations confirmed by the Senate March 6, 1997:

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. STEVEN R. POLK, 0000

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be brigadier general

COL. THOMAS P. WITTMAN, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID L. VESELY, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

LT. GEN. LAWRENCE P. FARRELL, JR., 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. JOSEPH E. HURD, 0000

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE U.S. MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. JOSEPH T. ANDERSON, 0000
BRIG. GEN. RAYMOND P. AYRES, 0000
BRIG. GEN. EMIL R. BEDARD, 0000
BRIG. GEN. CHARLES F. BOLDEN, JR., 0000
BRIG. GEN. EARL B. HAILSTON, 0000
BRIG. GEN. BRUCE B. KNUTSON, JR., 0000
BRIG. GEN. GARY S. MCKISSOCK, 0000
BRIG. GEN. WILLIAM L. NYLAND, 0000
BRIG. GEN. RONALD G. RICHARD, 0000

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE U.S. MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be brigadier general

COL. JACK A.DAVIS, 0000
COL. FRANCIS E. QUINLAN, 0000

IN THE AIR FORCE

AIR FORCE NOMINATION OF JAMES J. WALTER, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 5, 1997.

AIR FORCE NOMINATION OF ALBERTO B. ZAMBRANO, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 6, 1997.

AIR FORCE NOMINATIONS BEGINNING GUY E. ACHESON, AND ENDING BURTON L. ZISKIND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 6, 1997.

IN THE ARMY

ARMY NOMINATIONS BEGINNING TIMOTHY ALBERTSON, AND ENDING PHILIP R. ZELSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 30, 1997.

ARMY NOMINATIONS BEGINNING STEVEN R. ABT, AND ENDING JOHN E. ZUPKO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 30, 1997.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING NEITA A. ARMSTRONG, AND ENDING MATTHEW P. SEGREST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 11, 1997.

IN THE NAVY

NAVY NOMINATION OF BRUCE G. LALONDE, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 7, 1997.

NAVY NOMINATIONS BEGINNING THOMAS J. CAMPBELL, AND ENDING JOHN A. D'ALESSANDRO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 7, 1997.

NAVY NOMINATIONS BEGINNING TIMOTHY F. ARCHER, AND ENDING MELANIE J. LARSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 7, 1997.

NAVY NOMINATIONS BEGINNING DONALD L. BEEM, AND ENDING EDGARDO PEREZ-LUGO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 7, 1997.

NAVY NOMINATION OF LARRY L. BLAKESLEY, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 22, 1997.

EXTENSIONS OF REMARKS

LEGISLATIVE TO INCREASE THE PRIVATE ACTIVITY BOND CAP

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mrs. KENNELLY of Connecticut. Mr. Speaker, today, Mr. HOUGHTON of New York and I will introduce legislation to increase the private activity bond cap.

The current gap is the greater of $50 per capita or $150 million. It applies to issuers of tax-exempt bonds for affordable single and multifamily housing, manufacturing facilities, environmental, energy, and utility projects, redevelopment of blighted areas, and student loans. The Tax Reform Act of 1986 created the cap and forced States to allocate the authority among eligible activities.

While cap growth is limited to annual population growth, the cap has not been adjusted for inflation since 1986. Therefore, those States with declining populations have been doubly disadvantaged. This means private activity bonds have lost a huge amount of their buying power.

Demand for the private activity bond authority exceeds supply in most States. One example is the overwhelming demand for mortgage revenue bonds [MRBs], issued primarily by State housing finance agencies [HFA's] to finance modestly priced first-time homes for low- and moderate-income families. In 1995, State housing financial agencies issued $8 billion in MRB's for more than 103,000 mortgages, according to the National Council of State Housing Agencies [NCSHA].

But home ownership remains out of reach for thousands more families whom HFA's could serve with more private activity bond authority. State HFA's could have used a additional $1.8 billion in 1995 cap authority, according to HCSHA. Other private activity bond issuers face equally high unmet demand.

The current cap is strangling the ability of States and localities to make much-needed investment in their citizens and communities. Please join us in supporting a long overdue increase of the cap.

TRIBUTE TO FRANK GRAZIOSO FOR HIS WORK WITH THE ITALIAN-AMERICAN COMMUNITY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speaker, on October 20, 1996, the Connecticut Grand Lodge, Order Sons of Italy in America will honor Frank Grazioso as its Citizen of the Year. It is my great pleasure to rise today to honor Frank and all that he has contributed to the Italian-American community in New Haven.

Frank epitomizes the values that are important to the Italian-American community. Together with his wife, Mary, he has raised two wonderful children. Frank and Mary, like so many families, have worked hard to make a home for their children. I know they must be very proud of their son, Henry, who is now a physician living in Philadelphia and their daughter, Claudia Anne, who is now a screenwriter in Los Angeles. In addition to family responsibilities, Frank and Mary, through her work as a school psychologist, have made remarkable efforts to reach out to countless others. A life-long resident of the city, Frank has truly made the people of New Haven his family.

Citizen of the Year is a most appropriate honor for Frank because he is passionately involved in activities and events within the Italian-American community. Frank's work as Chair for the Columbus Day Celebration always comes to mind because he has given so much of his time, talents, and energy to planning this important day for Italian-Americans. He has also chaired the State of Connecticut Columbus 500th anniversary celebration. Frank has made the holiday a truly memorable one year after year.

In addition to his work for the Columbus Day celebration, Frank has been involved with the National Italian American Foundation (NIAF) since 1977. During this time, he was elected to the board of directors and has served on the committee on by-laws and as regional vice president of New England. In keeping with his commitment to his roots in Italy, Frank has traveled there three times to represent the NIAF at meetings and receptions. Recently, he was elected general counsel and national officer.

Nothing speaks to Frank's character more than his efforts to help victims of the 1991 earthquake in Italy. It was typical of Frank's dedication to maintaining a close connection to the people of Italy. Frank's definition of family clearly encompasses so much more than blood relatives. He was named Cavaliere in the Ordine Al Merito della Republica for his contributions.

I am proud to join the Connecticut Grand Lodge in honoring Frank with the Citizen of the Year Award. Frank has served as a link between New Haven and Italy. His enthusiasm and hard work ensures that Italian spirit and culture continue to thrive in New Haven.

TRIBUTE TO BEVERLY HILLS CITY COUNCILMEMBER ALLAN ALEXANDER

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me in recognizing the distinguished career of Beverly Hills City Councilmember Allan Alexander, who is retiring after many years of public service.

Councilmember Alexander served as mayor of Beverly Hills for two terms and has been a vital member of the city council since 1988. His interest in community and devotion to public service can be traced as far back as his childhood in the small agricultural town of Watsonville in Northern California.

Councilmember Alexander practiced law for 28 years prior to his election to the city council. During that time he affirmed his commitment to public service as president and director of Public Counsel, the largest pro bono law firm in the nation.

As a councilmember, Mr. Alexander continued to participate in local organizations, believing that one must be an active participant both at the community level and beyond its borders. He served as an officer and director of the Economic Resources Corp., which is working to redevelop South Central Los Angeles, and as director and president of the SOS Exceptional Youth Foundation, which provides schools for mentally challenged and delinquent children.

Councilmember Alexander made additional important contributions through his exemplary leadership in a variety of other organizations. He sat on the City Planning Commission, serving as its chair from 1986 to 1987, as founding president and director of the Southwest Beverly Hills Homeowners Association, and as a member of the Beverly Hills Chamber of Commerce and Civic Association.

While on the council, Councilmember Alexander worked to develop transportation and traffic programs, and he encouraged the creation of traffic management plans to divert traffic away from residential streets. He championed numerous causes of special importance to the city such as crime prevention, emergency preparedness, support for the Beverly Hills school system and historical preservation. The residents of Beverly Hills owe a great debt of gratitude to Allan Alexander for his exceptional record of service and achievement.

I ask my colleagues to join me in honoring Councilmember Alexander for his long and successful career in public service and in wishing him, his wife Joan, and their three sons great happiness and success in the future.

TRIBUTE TO ANN KOUGH

HON. BRAD SHERMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SHERMAN. Mr. Speaker, Mr. BERMAN and I are honored today to pay tribute to Judge Ann Kough who last week was given the Distinguished Service Award by the San Fernando Valley Bar Association. Her reputation as a fair, trustworthy and accessible judge precedes her. She has created an atmosphere of openness and cooperation that surrounds all who enter her courtroom.

Mrs. Kough received a bachelor's degree in sociology from Whitworth College in Spokane, WA, and a masters degree in the same subject from California State University, Fullerton. In 1978, she graduated from UCLA School of Law, where her desire to be a judge first emerged. Once out of school she worked for the Los Angeles Deputy City Attorney for 3 years then entered into private practice. She quickly became a partner in the Los Angeles firm O'Loughlin, Kough & Katz, she handled cases involving criminal, civil, and family law.

Ms. Kough was appointed to the bench in April 1989 by Governor Deukmejian. When lawyers who have worked in her courtroom are asked about Judge Kough, they consistently comment on her pleasant demeanor and uncommonly objective sentencing. She is known for consistently listening to all sides in a case before coming to any decision and maintaining an open mind until a final verdict is reached. Judge Kough recognizes that the legal system can often overlook the personal and emotional needs of those involved, and she makes a concerted effort to take these factors into consideration on the bench.

Judge Kough prides herself on being able to say, ''I've made a difference,'' at the end of the day. Indeed she has made a difference, and at the end of the day we are all the better for it.

LEGISLATION TO DESIGNATE THE U.S. BORDER STATION IN PHARR, TX AS THE ''KIKA DE LA GARZA U.S. BORDER STATION''

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to designate the U.S. border station located in Pharr, TX, as the ''Kika de la Garza U.S. Border Station.'' I am proud to author this legislation honoring a great legislator, my former House colleague, Kika de la Garza.

Kika de la Garza was born in Mercedes, TX, on September 22, 1927. He earned his law degree from St. Mary's University in San Antonio, TX, in 1952. He served in the Navy from 1945 to 1946, and in the Army from 1950 to 1952. He served in the Texas House of Representatives from 1953 to 1965. In 1964, he was elected to Congress, where he was sent back to Congress by the people of the 15th Congressional District of Texas for 16 terms.

In 1981, Kika became the chairman of the House Agriculture Committee. During his 14-year tenure as chairman, Kika compiled an impressive record of achievement and dedicated service to America's farming community. Most notably, Kika went out of his way to foster a climate of cooperation, inclusive and bipartisanship on the committee. Under his able leadership, the Agriculture Committee was able to form a consensus on a number of important and intricate agricultural issues. In the 103d Congress Kika played a lead role in the enactment of legislation revamping and streamlining the U.S. Department of Agriculture. Under his watchful eye, legislation was crafted that made many needed and important changes—without eviscerating those USDA programs that were effective and needed to help America's farmers and protect the public. The bill that ultimately became law made remarkable changes at USDA. Because of Chairman de la Garza's leadership and sage counsel, the bill represented the right way to reinvent Government.

Throughout his 32-year career in Congress, Kika never lost sight of the folks back home. He fought tirelessly for his constituents. He also proved to be an able and effective advocate for American farmers. In no small measure because of his leadership, American agriculture remains the envy of the world.

Kika also is an amateur linguist and a gourmet cook. On many occasions he conversed with foreign dignitaries in their native tongue. Personally, Kika is my friend. I am proud to sponsor this legislation and I urge all my colleagues to support the bill.

H.R. 769, H.R. 770, AND H.R. 771, THE MISCLASSIFICATION OF EMPLOYEES ACT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. LANTOS. Mr. Speaker, I rise today to say a few words about the job classification of workers, and to urge my colleagues to support H.R. 769, H.R. 770, and H.R. 771, the Misclassification of Employees Act. H.R. 771 clarifies our tax laws with regard to employee classification. H.R. 769 and H.R. 770 would require debarment from contracting with the Federal Government of any person who has been determined to have willfully misclassified a worker. Misclassification occurs when an employer wrongfully treats a worker as an independent contractor rather than as an employee. I have introduced H.R. 769, H.R. 770, and H.R. 771 as separate bills because they are referred to separate House committees.

Mr. Speaker, small business men and women have contacted many of us to explain some of the important reasons why Congress should take another look at how workers are classified for Federal income and employment tax purposes, as well as for many nontax purposes. We know that confusion with employee classification rules can lead to costly disputes with the IRS with devastating effects on small businesses. These costs include, among others, assessments of back taxes, interest, and penalties for businesses which misclassify workers as independent contractors, as well as the legal costs involved with coming into compliance with or defending against an IRS audit.

There are other issues relating to the misclassification of workers that arise out of the current procedures for determining who is an employee and who is an independent contractor, including the effect of misclassification on the unsuspecting worker, the effect of misclassification on the honest businessman trying to compete with a competitor who has misclassified his workers, and the effect of misclassification on the Federal budget deficit. H.R. 771 would remedy some of the unintended effects that arise out of the current procedures for determining who is an employee and who is an independent contractor.

I would like to make clear from the outset, however, that I agree with and recognize the appropriate and valuable roles of those who work as independent contractors. This country has benefitted greatly from the spirit and independence of the self-employed individual and I do not think there is anyone who wants to stifle the creativity of these individuals. It is the misuse of the independent contractor status and its serious adverse effect on both employer and worker that concerns me.

My distinguished colleague and friends, CHRIS SHAYS, and I became interested in the classification of workers several years ago when we served together on the Employment and Housing Subcommittee of the Government Operations Committee. We found that the current means for determining employment status has had several negative effects: First, it results in similarly situated employers being treated very differently under tax law; second, it allows—and actually encourages—businesses to undercut competitors through unfair practices; third, it leaves some workers exploited and unprotected; and fourth, it deprives the Federal Government of significant revenue.

Under current law, workers are classified as either employees or independent contractors in one of three ways. First, some workers are explicitly categorized as either employees or independent contractors by statute. Second, workers may be classified as independent contractors under statutory safe harbors enacted in section 530 of the Revenue Act of 1978. Third, if a worker is not classified statutorily, and cannot be classified under the statutory safe harbors, then the worker is classified by applying a very subjective common law test. Most workers fall under this third category.

Current law also allows some employers to misclassify workers if they have a reasonable basis for classifying employees as independent contractors. For example, an employer may rely upon a widespread industry practice as a reasonable basis for classifying a worker as an independent contractor. In fact, under the recently enacted Small Business Job Protection Act of 1996, the industry practice safe harbor was liberalized so that it may apply even if less than one-quarter of an industry classifies certain workers as independent contractors. Our legislation eliminates the safe harbor provisions entirely, since such provisions allow and encourage the misclassification of employees to continue. We thus restore a level playing field and eliminate the unfair competitive advantages which arise due to the misclassification of workers.

Because the common law test is extremely subjective, employers have trouble in properly determining worker classification, and revenue agents often classify workers differently even where the underlying circumstances of their employment are the same. Since a large part of the misclassification of workers is due to a lack of understanding of the laws, clearer rulings and definitions will eliminate a tremendous amount of uncertainty in this area. Our legislation eliminates the restriction on the IRS to draft regulations and rulings on the employment status of workers for tax purposes.

Mr. Speaker, our investigation found that the economic incentives for businesses to misclassify workers as independent contractors are huge. An employer who misclassifies a worker as an independent contractor escapes many obligations, including paying Social Security taxes, unemployment taxes and

workers compensation insurance, withholding income taxes and providing benefits such as vacation, sick and family leave, health and life insurance, pensions, and so forth. Most employers are honest, but the law-abiding employer is put at a serious disadvantage since he or she cannot compete on a level playing field with those who illegally cut their labor costs by misclassifying workers. Law-abiding employers will not be able to compete fairly until we provide more clear, objective standards by which businesses and the Government can determine whether an individual is an employee or an independent contractor.

Mr. Speaker, employers who have unintentionally misclassified workers should be given the incentive to come into compliance. Our legislation offers a 1-year amnesty to employers who have misclassified workers on the basis of a good faith interpretation of common law or of section 503. This provision removes the devastating possibility of large assessments for back taxes, interest and penalties and insures compliance in the future.

Misclassification can also have a devastating effect on the unsuspecting worker. As a contractor, he or she may receive a higher take-home pay and may be allowed to deduct more business expenses from income taxes. But the loss of financial benefits and of the many protections which are provided to employees can be catastrophic in cases of illness, unemployment and retirement. For example, there is no unemployment compensation for the independent contractor to fall back on between jobs. Health insurance is an individual responsibility and is usually far more costly than an employer's group policy. In the case of work-related injury or illness, there is no worker's compensation available. Our legislation would require prime contractors to notify legitimate independent contractors of all their tax obligations and other statutory rights and protections.

Mr. Speaker, as you know, many Federal entitlement programs hinge on the number employees that an employer has on its books. Thus, misclassifying employees as independent contractors also can enable employers to either escape responsibility for, or allow their workers to fall within coverage of, these entitlement programs. For example, the Health Insurance Portability Act of 1996 contains a much-heralded provision allowing medical savings accounts [MSA's]. However, MSA's are not available to an employee unless that employee works for a small employer, which is defined as an employer which employed 50 or fewer employees during either of the preceding calendar years. Additionally, the Health Insurance Portability and Accountability Act only allows a total of 750,000 taxpayers to have an MSA. Under liberal worker classification proposals, it would not be at all difficult for a dishonest employer with 60 employees to reclassify 10 of them as independent contractors so that the business now qualifies as a small employer. Moreover, by doing so, this type of dishonest employer may end up causing the 750,000 MSA participant ceiling to be reached much sooner than it otherwise would be, thereby bumping out of the MSA Program employees in other small businesses who lawfully would be entitled to their own MSA's. H.R. 771 would eliminate such distortion of the system by dishonest employers.

Last, Mr. Speaker, billions of dollars in Federal and State tax revenues are being lost as a result of the intentional misclassification of workers. This is one of the few remaining areas where we can help reduce the Federal budget deficit without further cutting Government services or levying new taxes. A recent Coopers and Lybrand study found that at least $35 billion in legitimate tax revenue over the next 9 years will be lost by the Federal Government due to the misclassification of employees. At a time when critical services are on the chopping block, we can no longer allow this waste and abuse to continue. We must take steps to curb the continued misclassification of employees.

The advantages of our legislation over more lax worker classification proposals are clear. Our legislation would clarify existing law, while other worker classification proposals seek a radical change to the worker classification principles that businesses have operated under to date. Our legislation would create a level playing field, while other worker classification proposals actually encourage unfair competition between employers and dishonest employers to cheat millions of unsuspecting workers out of employee benefits. Finally, our legislation would save the Federal Government billions of dollars in lost revenues, while other worker classification proposals would cost the Government billions more in lost tax revenues.

Mr. Speaker, misclassification, and especially intentional misclassification, has continued as a festering problem in this country for too long, and it is time for Congress to finally do something about it. I urge my colleagues to support the Misclassification of Employees Act.

TRIBUTE TO RUSSELL SWINDELL

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. ETHERIDGE. Mr. Speaker, I rise today to mark the passing of a great North Carolinian. Russell Swindell served his State and its people in many capacities during his 90 years, and he will surely be missed by all.

Russell Swindell was born in Swan Quarter, NC, and represented Hyde County in the North Carolina House from 1951 to 1955. He loved to spend time outdoors, and was a longtime member of the First United Methodist Church in Cary.

But his greatest accomplishment, and the one that has undoubtedly impacted the lives of countless North Carolinians, was his help in creating the State's community college system.

Mr. Speaker, there is a lot of talk these days in our Nation's Capital and throughout this country about the value and importance of a quality education. Russell Swindell knew that long ago, and with his help and hard work, North Carolina set up a quality community college system that educates our young people and provides necessary training for workers still today. His vision helped thousands receive an education and vocational skills that has allowed them a brighter future in our society.

After leaving his job with the State Department of Education, he maintained his interest in the community colleges during the 20 years he was the executive director of the North Carolina Railroad Association.

We are all thankful for his wisdom and vision and for the contributions he made to our lives.

I wish to pass on my condolences to those who survive him: His wife, Martha, his daughters Sue Martin and Mary Anne Brannon, and his son A.B. Swindell, and all his grandchildren.

DELAURO HONORS JEAN HANDLEY FOR HER WORK IN NEW HAVEN

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thurssday, March 6, 1997

Ms. DELAURO. Mr. Speaker, on Thursday, November 14, 1996, Columbus House will hold its annual benefit. This year the benefit is entitled ''It's a Small World'' and is honoring two people who have given so much of themselves and have brought so much to the city of New Haven; Jean Handley and Timothy Shriver. I have known Jean for many years and her life and work embodies the benefit theme of bringing the global community to the city of New Haven.

Jean's professional life has always kept her in close contact with the people of New Haven. From 1984 through 1989, Jean was the vice president of Personnel and Corporate Relations for Southern New England Telephone Co. However, nothing speaks to Jean's character more than her dedicated patronage of the arts. Jean has lent her support to a number of local artistic organizations. She is currently serving as vice president of the New Haven Symphony Orchestra and is on the Board of Long Wharf Theater and the Creative Arts Workshop. Of particular note however, is her part in the production of the first annual International Festival of Arts and Ideas in New Haven. The brainchild of Anne Calabresi, Jean was one of the original founders and key organizers. It was Jean who brought the festival to life and made it a reality that will continue for years. The festival was a truly unique event that exhibited a rich array of talent from storytelling and puppetry to experimental theater. Perhaps the greatest achievement of the festival was the way it showcased the city of New Haven.

Jean has continually focused on promoting art in New Haven while also importing great art into the city. This is one of her focuses in her capacity on the Board of the Creative Arts Workshop. Founded in 1960, the Creative Arts Workshop holds classes for children and adults in everything from pottery and painting to weaving. Every year the workshop sponsors a holiday show that features craftspeople from all over the country. Jean understands that the creative process must involve sharing and communication between artists and she strives to facilitate these exchanges. Never satisfied to be just a name on a committee, Jean has immersed herself in every endeavor she undertakes. She is currently on the Board of Long Wharf Theater and is involved in the search for a new artistic director. She is always looking forward to the future of every organization she patronizes and her vision, time, and talent are invaluable.

I am very proud to join Columbus House in honoring Jean Handley. Jean is committed to keeping the arts vital and allowing the artistic

process to continue to flower in New Haven. Jean is keenly aware that New Haven is nothing without a strong and active artistic community and she has done everything possible to allow that community to thrive. Her work reminds us all that we have an obligation to support the arts and to make art accessible to everyone. She has truly brought the world to New Haven and in doing so has enriched the lives of everyone who participates in or enjoys the arts.

SUPPORT OF ALEXIS HERMAN FOR SECRETARY OF LABOR

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. HILLIARD. Mr. Speaker, I rise today to bring to the attention of this Nation, a recent editorial I read in the largest Spanish-American newspaper in the Americas. Diario Las Americas, in their February 27, 1997, edition, called for the confirmation of Ms. Alexis Herman as our next Secretary of Labor. I must agree wholeheartedly with its endorsement, and call on the Senate to confirm her, expeditiously.

As the newspaper points out, Alexis Herman has a lifetime of positive public service, which highlights her efforts to improve the progress and lives of women, African-Americans, and Hispanic-Americans. As the President's Assistant and Director of the Office of Public Liaison, she has shown us her savvy, expertise, and experience. I am also proud to say that she is a native of one of the finest States in the Union, Alabama.

The Senate Republican leader, Senator TRENT LOTT has endorsed her nomination after a series of meetings with Ms. Herman. With this fact taken into consideration, I can't think of any legitimate reason why the Senate can't complete its committee process and bring Ms. Herman's nomination to the floor for a vote. I am confident, that once the whole Senate reviews the record of Alexis Herman, they will confirm her.

Mr. Speaker, I request that the whole text of the newspaper endorsement which I mentioned, be placed in the RECORD.

[From the Diario Las Americas, Feb. 27, 1997]

ALEXIS HERMAN FOR SECRETARY OF LABOR OF THE UNITED STATES

The nomination by President Clinton of Alexis Herman for Secretary of Labor of the United States is the recognition of her professional, humanitarian and civic merits, proven by her intense public service career which began as Coordinator of the crusade to train and find jobs for youths sponsored by the Catholic Church in Mobile, Alabama, and most recently as Director of the Office of Public Liaison of the White House and Special Assistant to the President.

Her life in public service has engaged her, after graduating from Xavier University, in a rich and varied number of activities devoted to the professional betterment of Afro-American women, succeeding in her efforts as Director of the Black Women's Employment Program to have companies such as Coca-Cola and Delta appoint Afro-American women to high ranking positions.

In her efforts to improve women's progress in the work and entrepreneurial ranks she has constantly maintained the principle that the Hispanic minority must be recognized as a vital part of progress in the United States, offering her enthusiastic support to the programs sponsored by the Hispanic Catholic Centers of the Washington Archdiocese. Mrs. Herman has been the main line of communication between His Eminence James Cardinal Hickey and President Clinton for issues having to do with the development of vital social programs for Hispanic and Afro-American minorities.

At the time of the crisis brought about by the assassination of the four ''Brothers to the Rescue'' pilots by the totalitarian tyranny of Fidel Castro in February 1996, from her post in the Office of Public Liaison of the White House she collaborated with then UN Ambassador Madeleine K. Albright, and others, in the formulation of President Clinton's policy in reprisal to that attack.

Alexis Herman has enough merits as a woman, as a prominent member of the Afro-American minority and as a professional, to be confirmed by the Senate as Secretary of Labor. This would be good for the whole country. The Senate's Republican leader Trent Lott has said that he will support the nomination and DIARIO LAS AMERICAS considers that the Senate should approve it as soon as possible.

WILL AN AMERICAN ''TOMMY'' PLEASE STAND?

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. LOFGREN. Mr. Speaker, Tom Harney, an attorney in San Jose, CA, has written a thought-provoking article in a recent edition of Stars and Stripes which concerns the debt we owe our veterans and soldiers. For those who do not regularly receive Stars and Stripes, I wish to make this useful article available.

[From the Stars and Stripes, Jan. 26, 1997]

WILL AN AMERICAN ''TOMMY'' PLEASE STAND?

(By Thomas Roy Harney)

Rudyard Kipling's poem ''Tommy'' rose from the depths of my so-called brain recently, triggered and recalled from those depths by the print-media news.

Tommy, a lawyer's guide to veterans affairs, is the name of the quarterly newsletter published by the Veterans Law Section of the Federal Bar Association, but I had somehow previously failed to make the obvious connection between the poem and the newsletter.

The poem ''Tommy'' is from a different time, 1892; a different country, Great Britain; and almost a different language, English Cockney; yet it is right on point concerning American veterans and all Americans today.

''Tommy Atkins'' or ''Tommy'' is the British equivalent of the American GI (e.g., Bill Mauldin's Willie and Joe in his popular cartoon series ''Up Front''), and ''Tommy Atkins'' is the speaker in Kipling's poem.

The speaker is calling our attention to the gross disparity in the value that the citizenry places on its soldiers. The unjust disparity he observes is the miserable treatment accorded the soldier and ex-soldier in peacetime, contrasted with their treatment when the winds of war are blowing or, as Tommy puts it, when ''there's trouble in the wind.''

Kipling's tribute to Mr. Thomas Atkins is relevant today, because in 1996, more than 100 years after it was penned by him, an American ''Tommy'' wouldn't have to look too far for modern-day American examples to support his disparity contention.

Were he writing today, Kipling's Mr. Atkins could have cited the statement released by Pentagon officials recently that the military logs for an eight-day period during which thousands of American troops might have been exposed to nerve gas and other Iraqi chemical weapons shortly after the Persian Gulf war appear to have been removed or lost and cannot be located despite an exhaustive search.

There are several mysterious gaps in the otherwise meticulous combat logs. The gaps include the period in early March 1991 in which American combat engineers blew up the sprawling Kamisiyah ammunition depot in southern Iraq, an event that exposed thousands of American troops to nerve gas.

One wonders if ''Mr. Tommy Atkins'' would feel the need to point out that at one time the Defense Department had denied to Congress that such combat logs even existed, and the DoD released the logs last year only after a Georgia veterans group sought them under the Freedom of Information Act.

Only recently has the Pentagon acknowledged that the nerve gas sarin and other chemical weapons had definitely been stored in the Iraqi ammunition depot at Kamisiyah that was destroyed by U.S. troops in March 1991.

That event at the Kamisiyah ammunition depot exposing thousands of U.S. soldiers to a cloud of the nerve gas sarin and other deadly chemicals, poisoning from anti-nerve gas tablets, and poisoning from pesticides are the presumptive sources of the disabling physical health problems that have been plaguing veterans and children of veterans of the Persian Gulf War.

As an attorney, I respect the way Kipling's speaker, ''Mister Atkins,'' makes his case; his supporting examples are clear and visual, his logic is straightforward and his closing line poses a clear point for all Americans to ponder.

The concerned but muted and fragmented chorus of American voices would do well to find a present-day point man like ''Tommy Atkins'' who, armed with fresh examples to support his disparity contention, could forcefully champion the rights of responsible Americans and blast his closing line to Pentagon officials, the Defense Department, the VA and others—shouting, with the last words of the poem, ''Bloomin fools'' we're not.

THE SCANDAL-A-DAY ADMINISTRATION

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SOLOMON. Mr. Speaker, as someone who has been looking into the dealings of the Clinton administration related to campaign fundraising, possible breaches of national and economic security and other indiscretions, this past week has been very interesting. It would appear that there is no end to the sheer arrogance and deliberate skirting of the law under which this administration has operated. No law, and certainly no ethical standard, appear to forestall any efforts by this President to further his personal and political interests and those of his associates. From dealings with a foreign company and officials with close ties to the People's Republic of China that likely jeopardized important economic and national secrets, to encouraging meetings at the White House with DNC political fundraisers, major

contributors, and even Federal regulators, this administration has shown a blatant disregard for ethical behavior and the public interest in a democracy.

It would be impossible for me to call attention to all the various scandals unfolding around this administration in a reasonable amount of time. I for one am most concerned with questions pertaining to economic and other forms of espionage on behalf of foreign interests by a host of acknowledged friends and associates of the President. I believe these to be the most serious and most disturbing of the allegations that will ultimately be the focus of the media and the main source of the American people's disgust. But in the case of this administration, it more resembles the old saying ''Pick your poison,'' because there's no telling what may finally be most damaging.

In October 1996 when I started asking questions about Clinton administration policy toward China and Vietnam, I was one of a few who found their associations and behavior suspect. Now, every major newspaper this week has had two and three front-page stories about various indiscretions under President Clinton and by President Clinton. And why is that? It's because there is an unbelievable wealth of information regarding wrongdoing out there. Yet, Attorney General Reno continues to deny the need for an independent counsel. It's hard to believe she's applying the same law we in Congress wrote just for situations like this where it is necessary to remove politics from an investigation. Clearly there is credible evidence of illegal activity and information that links principal figures, that is, President Clinton and Vice President GORE, to these actions.

I urge you, Mr. Speaker, and everyone to take a look at two editorials from the New York Times and the Washington Post on March 5, 1997, that outline another abuse at the hands of the Clinton administration. This one involving speeding up the citizenship process for potential political gain. As you can see from their tone, I'm not the only one who has grown tired of their insatiable political appetite and disrespect for honest government.

The editorials follow:

[From the Washington Post, Mar. 5, 1997]

BURNED AGAIN

On subject after subject, this turns out to be a White House that you believe at your peril. Six months ago, Republicans were accusing it of trying to make political use of the Immigration and Naturalization Service. The charge was that the White House had put the arm on the INS to speed up and cut corners in the naturalization process, the theory being that new citizens would more likely vote Democratic than Republican, and therefore the more of them, the merrier.

The administration responded that there was no way it would do a thing like that, manipulate the citizenship process for political gain, and folks believed it. We ourselves wrote sympathetically that, while ''some congressional Republicans suspect a Democratic plan to load up the voter rolls . . . the administration replies that there are good and innocent reasons for [the] increase.''

So now, guess what? It turns out the White House was in fact leaning on the INS to hasten the process, in part in hopes of creating new Democratic voters. There are documents that amply show as much. The attempt was described in a lengthy account in this newspaper by reporter William Branigin the other day. It was centered in the office of Vice President Gore, where they do reinventing government projects. But it wasn't just another reinvention. ''The president is sick of this and wants action,'' Elaine Kamarck, a domestic policy adviser to Mr. Gore wrote in an e-mail last March, the ''this'' being that the INS wasn't moving people along at the proper speed.

The Republican charge is that, in speeding up the process, the INS made citizens of some applicants with criminal records who should have been barred. The Democratic defense—the current version—is that some of this may indeed have occurred, but not because of political interference. Rather, it was the result of simple bungling. You are told now that you shouldn't take the political meddling in this process—essentially a law enforcement process—seriously not because it didn't happen but because it was ineffectual. Now there's a comfort.

The INS has long been an agency in disrepair. It had and still has a huge naturalization backlog, partly the result of increased applications after the grant of amnesty to certain illegal aliens in the immigration act of 1986, partly now the result as well of last year's welfare bill, which cuts off benefits to immigrants who fail to naturalize. The agency was already trying to cut the backlog, as well it should and if ever there were a candidate for reinvention, it's the INS. So you had a legitimate project until the folks with the hot hands in the White House decided it should be a political project as well, at which point it was compromised.

Some of the worst ideas ginned up in the White House never got anywhere, in part apparently because of stout INS resistance. Nor is it yet clear how many people with disqualifying records were made citizens, nor how much of that was due to political pressure and how much to just plain everyday incompetence. But in a way it doesn't matter. What matters is that once again the political people couldn't keep their distance from a process that should have been respected and left alone on decency-in-government grounds, and then they were untruthful about it. Who believes them and goes bail for them next time?

[From the New York Times, Mar. 5, 1997]

THE LAW ACCORDING TO GORE

We salute Vice President Al Gore's decision to come forward and answer questions about his role in the Democrats' unrestrained fund-raising in 1996. But surely Mr. Gore and President Clinton know that the situation is too messy for the American public to accept Mr. Gore's relaxed reading of the Federal law against soliciting money on Federal property.

Mr. Gore argued that the law does not apply to his calls from the White House since he used a credit card supplied by the Democratic National Committee and was not soliciting Federal employees. The Republicans and some legal scholars seem to think the law actually means what it says, and that Mr. Gore broke it. Whatever the final resolution, Mr. Gore's forthright statement about his actions leaves no doubt that Attorney General Janet Reno has the ''credible evidence'' of possible law-breaking that she needs to appoint an independent counsel.

Of course, plenty more important evidence already exists, and the need for a thorough airing will only grow in the days ahead. Mr. Gore's undignified phone-athon, however demeaning to him and his office, is not the weightiest matter to be explored. What has to be determined is whether illegal foreign contributions were funneled into the President's re-election effort and whether staff members at the White House and the D.N.C. had knowledge or complicity in such an effort. The political and legislative energies of this Administration will continue to drain away until those questions are answered.

The extent to which Mr. Gore's admission dented his own Presidential hopes cannot be known immediately. What is clear is the utter tackiness and lack of restraint that prevailed within the reelection councils at this White House. Mr. Gore now bids to be remembered as the Vice President who went a clear step beyond what previous Vice Presidents and Presidents were willing to do. Typically, the party's top officeholders appear at fund-raising events and thank contributors in a general way, but they do not do the arm-twisting themselves. It is demeaning and potentially corrupting for a Vice President to ask directly for money, especially from people with business before the government.

Senior business executives called by the Vice President felt they were being shaken down, and they had a right to think so. Such transgressions against propriety have become a recurrent theme with this Administration. Whatever the final adjudication of its conduct, this White House has time and again blurred lines that other Administrations have drawn between politics and government.

After the disclosures that Democratic National Committee officers and staff members were attending White House meetings and receptions, using White House phone logs and offering the Lincoln Bedroom and other perquisites to potential donors, it should perhaps not be surprising that Mr. Gore felt it was all right to sit in his office and call contributors.

Just once we would like to hear of someone within this Administration's inner financial circle who had the strength, self-discipline and taste to say no. Failing that, most people would settle for an independent counsel to check the Vice President's reading of the law and the legality of the entire Democratic fund-raising operation.

IN HONOR OF JAMES AZARIEL AND SELINA ANASTASIA BURNETTE

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SMITH of Michigan. Mr. Speaker, last Thursday, February 27, wife, Bonnie, and I were blessed with two new grandchildren. Their names are Selina Anastasia and James Azariel Burnett. They are the first children of my daughter, Elizabeth Burnett, and her husband, Fred Burnett.

Bonnie and I join James and Selina's other grandparents, Charles and Bonnie Burnette of Rustburg, VA, in welcoming them to the world.

Selina and James, like my other grandchildren, will have a tough time paying back all the money that the Federal Government is borrowing. If we don't change our ways, they will have to pay $187,000 each over their lifetimes to cover their share of the interest on the national debt.

I ask all the parents and grandparents now in Congress to work with me to minimize the debt that James, Selina and all the other children and grandchildren will have to pay back. If we continue to overspend, their chances for a good job and a high standard of living will be substantially reduced.

DELAURO COMMENDS SISTER ANN MATTHEW LORUSSO AND WILLIAM IOVANNE FOR THEIR WORK IN THE COMMUNITY

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speakers, on Sunday, October 27, 1996, the American Committee on Italian Migration will honor Sister Ann Matthew Lorusso and E. William Iovanne with the 1996 Community Service Award. I am very pleased to rise today to recognize the great work of the American Committee on Italian Migration and the wonderful contributions to the community made by Sister Ann and Bill. Both of these individuals have deep roots in the New Haven community and have made great efforts to give something back to the city and the people who live here.

Sister Ann has been with the hospital of St. Raphael in New Haven since 1968 and her tenure there has produced unique programs and projects. A dedicated nurse, Sister Ann spent years in nurse management at St. Raphael's because she loved to be with the patients and to work with people. She is now the parish nurse coordinator for the hospital. She oversees an interdenominational program which puts a nurse in synagogues and churches to meet the wellness needs of the congregation. Sister Ann has referred to the program as ''community nursing'' and she focuses on educational programs to prevent illness and disease. As health care becomes increasingly difficult to access, Sister Ann is heading a program that reaches out to people and makes sure they get the care they need.

In addition to work at the Hospital of St. Raphael, Sister Ann has served on the Mayor's Commission on Aging since 1994. It is in this capacity that she is able to address the needs of the area's elderly. Sister Ann speaks passionately about finding ways to tap into community resources to ensure that our elderly community is provided for. We are very lucky to have such a dedicated educator and advocate working on behalf of the people of New Haven.

This tribute is a most appropriate honor for Bill Iovanne because he is so proud of his Italian heritage and is deeply committed to the Italian-American community here in New Haven. A lifelong resident of Wooster Square, Bill took over the business his father started. His tenure as president of Iovanne Funeral Home has earned him the respect and admiration of many. I have known Bill for many, many years and our families remain closely connected. He has never failed to help families in their time of need. The loss of a loved one is such a trying, difficult time but Bill provides comfort and support to everyone. Indeed, Bill is not only passionately devoted to his own family, he has a reputation for treating everyone like a member of the family.

I am very proud to join the American Committee on Italian Migration as they honor these two remarkable individuals. They have dedicated their lives to working with and for others and I commend them for their commitment to their Italian-American heritage. They make me proud to be a member of the Italian-American community.

TRIBUTE TO FDA COMMISSIONER DAVID KESSLER, M.D.

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. WAXMAN. Mr. Speaker, David Kessler represents the best in public service. He did his job with one purpose: to protect and promote the public health. He did so with unmatched passion, intensity, and courage. Dr. Kessler understood that the Food and Drug Administration is a scientific agency and that politics have no place in the agency's decisions. David Kessler would also be the first to tell you that he could not have accomplished anything without the hard work and dedication of his colleagues at the Food and Drug Administration.

Those accomplishments are significant and are making real differences today in the health and safety of Americans. We now have food labels that give us meaningful information we can use to improve our diets. The agency is approving new medicines at a rate that was unimaginable when he came to the agency in 1990. Today, we are protecting our children against the terrible scourge of the diseases brought on by tobacco use. Dr. Kessler has set the standard for excellence and accomplishment in government. Thank you, David Kessler, for your public service.

TRIBUTE TO AIDA ALVAREZ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SERRANO. Mr. Speaker, it gives me great joy to extend my congratulations to Ms. Aida Alvarez on her confirmation to lead the U.S. Small Business Administration.

Ms. Aida Alvarez is the first Puerto Rican woman, also the first Hispanic woman, appointed to a Cabinet position in U.S. history.

Throught her long and distinguished career, Ms. Alvarez has acquired the experience and expertise that makes her exceptionally well qualified to lead the Small Business Administration [SBA]. ''Small business is the heart and soul of the American economy,'' Ms. Alvarez said during her acceptance speech after President Clinton nominated her to head the SBA.

Ms. Alvarez was born in Aguadilla, PR, and raised in New York City. She learned first hand the importance of small businesses to fulfill the entrepreneurial spirit, build stronger communities, and spur economic growth. While still a high school student, she helped her family by working as a waitress in her mother's restaurant.

After graduating cum laude from Harvard College, she worked as a reporter for the New York Post and Channel Five in New York. Her reporting of guerrilla activities in El Salvador won her an Associated Press Award for Excellence and an Emmy nomination.

Ms. Alvarez held executive positions as an investment banker at the First Boston Corp. and Bear Stearns and, later on, as Vice President of the New York City Health and Hospital Corp.

Ms. Alvarez served as commissioner on the New York City Charter Revision Commission, member of the Governor's State Judicial Screening Committee, and as a member of the Mayor's Committee on Appointments. In addition, she has served on numerous boards including, the National Hispanic Leadership Agenda, the New York Community Trust, and the National Civil League.

Prior to her confirmation as Administrator of the SBA, President Clinton appointed Ms. Alvarez to head the newly established Office of Federal Housing Enterprise Oversight [OFHEO] in 1993. At OFHEO, she implemented regulations to insure the financial safety and soundness of the two largest housing finance institutions in the Nation—the Federal National Mortgage Association [Fannie Mae] and the Federal Home Loan Mortgage Corporation [Freddie Mac]. Her leadership is characterized by efficient management.

Mr. Speaker, I ask my colleagues to join me in commending Ms. Aida Alvarez for her outstanding achievements and in wishing her continued success as Administrator of the Small Business Administration.

TRIBUTE TO WILLIAM MACLAUGHLIN

HON. BRAD SHERMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SHERMAN. Mr. Speaker, Mr. BERMAN and I are honored today to pay tribute to Judge William MacLaughlin who last week was named 1997 Judge of the Year by the San Fernando Valley Bar Association. Judge MacLaughlin has a reputation among his coworkers as a fair, hard-working judge who brings a common sense approach to the bench. Throughout his life he has shown exemplary service to his country and community.

Mr. MacLaughlin received his bachelor's degree and law degree from Yale in 1957 and 1960 respectively. After passing the bar exam he joined the U.s. Army first in a full-time capacity and later as a reservist, attaining the rank of captain in 1969. He then entered the legal profession, quickly becoming a partner in the firm Stone & Davis. Later in his career Mr. MacLaughlin went into practice on his own. Representing both plaintiffs and defendants, his years as an attorney saw him focus on personal injury, business, construction, and environmental areas of law. After many years and a well respected tenure as an attorney, he was appointed by Gov. Pete Wilson to the Los Angeles superior court.

In January 1992, Mr. MacLaughlin took his position on the bench. In the 5 years since, he has earned the respect of colleagues and coworkers alike as a hard-working and conscientious judge. Judge MacLaughlin is known for, among other things, conversing at length with prospective jurors, clearly explaining their role and how they fit into the larger process. When dealing with conflicting parties in a case he has commonly been known to encourage them to work together toward a solution, recognizing that a resolution reached through compromise is better than any decision imposed upon them. The judge's reputation for common sense, middle-of-the-road rulings

have earned high praise from numerous attorneys who have entered his courtroom.

Mr. Speaker, I ask that you join me and our colleagues in recognizing the accomplishments of Judge William MacLaughlin. Truly, his even-handed administration of justice is an example to us all.

TRIBUTE TO WILLIAM KATZBERG

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. DEUTSCH. Mr. Speaker, I rise today to recognize William Katzberg for being honored by the Middle East Network on the occasion of his 1,000th weekly, consecutive column for the Jewish Journal. For the past 20 years, William Katzberg has provided his readers fair and objective literary works on issues relating to Israel and the Jewish community. His journalistic contribution stems from his dedication to straightforward journalism and enduring love for the State of Israel.

In 1987, the Middle East Network in south Florida, formerly known as the Committee for Accuracy in Middle East Reporting in America, was concerned about erroneous news reports the American public was receiving regarding the Arab Infatada. The media reporting from the Middle East had fabricated the news in an attempt to capture America's interest in the battle transpiring in the Middle East. The media's deception was widely considered as a war of information—a war as devastating as the war being fought between Israel and the Arabs because it was turning world opinion against Israel. The Middle East Network held an organizational meeting to put an end to the fictitious news reports and generate fair and impartial reporting regarding Israel. William Katzberg was an invited guest because of his journalistic integrity and support of Israel. He immediately recognized the grave impact of the deceptive reports and called on the Jewish Federation of Greater Fort Lauderdale to help promote accuracy in Middle East reporting.

Over the years, William Katzberg has written a great deal about Israel and the Jewish community. His column appears in the Jewish Journal, and, on occasion, in the Miami Herald and the Fort Lauderdale Sun-Sentinel. He has become quite popular among residents in south Florida as a media journalist, a speaker, and a leader. In addition to his column, William Katzberg has helped organize mass meetings for the Middle East Network, has acted as a meeting moderator, and has produced a series of documentary films on Israel including: ''Israel Under Siege,'' ''the Hope, the Struggle, and the Miracle,'' ''From Ellis Island to Jerusalem,'' and ''Israel, Between Terror and Peace.'' These films have been shown to synagogues, churches, and colleges and universities in south Florida to help increase awareness of Israel and her people.

William Katzberg remains actively involved in the Jewish community in south Florida. He is a member of the board of directors and on the executive advisory community of the Jewish Federation of Greater Fort Lauderdale. Through his involvement at the federation, he has helped to raise hundreds of thousands of dollars for the United Jewish Appeal. He also participates in leading group trips to Israel for the Jewish Federation of Greater Fort Lauderdale and for the Temple Beth Torah, where he is also a member of the board of directors. His activity in both Jewish affairs and journalism has earned him a seat on the Jewish Telegraph Agency Board of Directors as well.

I wish William Katzberg the best on receiving this prestigious honor from the Middle East Network. I know he will continue to be an effective voice and journalist for the Jewish community in south Florida and in Israel.

THE CONSERVATION RESERVE PROGRAM FLEXIBILITY ACT

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MORAN of Kansas. Mr. Speaker, I rise today to urge my colleagues to support legislation regarding one of this Nation's most important and effective conservation programs, the Conservation Reserve Program.

Under the Conservation Reserve Program Flexibility Act, H.R. 861, producers whose contracts expire and whose bids to re-enroll are not accepted under new USDA rules for the CRP, will be allowed to extend, for up to 1 year, their existing contracts at the countywide rental rate as established under the new enrollment criteria.

In Kansas, the Conservation Reserve Program protects 2.9 million acres of environmentally sensitive land by encouraging farmers to dedicate this land to conservation use. Contracts covering almost 2 million acres of Kansas CRP land will expire by September 31, 1997. Unfortunately, the timing of the U.S. Department of Agriculture's rulemaking process does not always coincide with needs of farmers. For producers of fall crops, like winter wheat, the enrollment decision date is simply too late.

This legislation would allow producers to explore the full range of grazing and cropping options as they bring their CRP land back into production. Due to extensions over the last 2 years, contracts representing nearly 22 million acres of this program are now expiring at once. At this point, we do not know exactly what land will be accepted, but it is estimated that 20 to 25 percent of the currently enrolled acres will not even be eligible. This represents around 4 million acres that we know will not be in CRP and will be back into production.

Mr. Speaker, adding 4 million acres into production with a limited range of planting options could be disastrous. This sort of market disruption can be avoided if we allow producers across the country to explore all of their options on how to bring this land back into production.

There are several important realities that this bill acknowledges. Under this legislation, the enrollment cap is not changed. As sign-up progresses, 36.4 million acres will still be the statutory limit on acres in the program. Even with the continuous enrollment for filter strips, riparian areas, and other high-priority areas, the current enrollment is only 32 million acres. Allowing a 1 year extension would not limit signup of new acres going into the program.

Another important factor is the payment rate. Under this 1 year extension, the payment will be either the new enrollment rate or the current rate, whichever is lower. This bill is not designed to give farmers the incentive to extend for 1 year at a substantially higher rate, it is designed to keep CRP benefits enrolled in a cost-effective manner and allow for an orderly return of this land back into production.

Mr. Speaker, massive changes have occurred in this Nation's agricultural programs within the last year. With any program changes, a smooth transition is both necessary and desired. This legislation will allow producers to make sound, market-based decisions as they bring their land back into production. Again, I urge my colleagues to join me in supporting this much needed legislation.

DELAURO HONORS SAGE SERVICES OF NEW HAVEN

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speaker, on Friday, October 25, 1996, Sage Services will celebrate its 25th anniversary. The organization serves people over the age of 55 with a number of different programs. I am delighted to rise today to honor Sage Services and to recognize the important work they are doing.

The mission of Sage Services is twofold. The organization aims to enable older people to maintain their independence, to continue to develop their skills and abilities, and to help them feel that they are valued members of the community. In addition, Sage Services educates the community to value older people, to benefit from their contributions, and to understand and address the concerns and issues older people face.

Sage Services provides a number of valuable job training and job placement programs. The organization is committed to keeping the skills older people possess up to date. For example, several computer training classes are offered which teach word processing, keyboarding and data base, and spread sheet skills. I can imagine that it gives participants a great deal of self-confidence and self-esteem to be able to keep up with the information age and the proliferation of computers.

Sage Services also offers all sorts of job placement programs. Older people are hired by local businesses for everything from office work to repairs and maintenance work. I am so pleased to see local businesses working with the organization because older people have so much to offer. If we do not reach out to them we are losing a great resource. Their talents, abilities and experiences remain relevant to the job market and it is to our advantage to tap this resource.

In addition to these great programs, Sage Services links older people with all sorts of services and assistance. I am impressed with the Sage Home Share Program which helps people remain in their homes by putting them in touch with someone who is in need of housing. Older people receive companionship and assistance and those sharing housing are able to find reasonably priced housing. I think this program goes to the heart of what Sage Services is all about; people helping each other. Sage Services keeps the idea that we are all family and we are all responsible for each other at the heart of everything it does.

I am proud to have this opportunity to congratulate Sage Services and to recognize all those who work there or volunteer their time to helping others. They are truly making an incredible difference in the lives of so many people. Sage Services is a remarkable organization and I commend everyone involved for making it such a success and for ensuring that our older citizens remain active, independent, and that they are valued by the community.

CONGRATULATING PEOPLE OF GUATEMALA ON SUCCESS OF RECENT NEGOTIATIONS TO ESTABLISH PEACE PROCESS

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to join my fellow colleagues from both sides of the aisle in support of House Concurrent Resolution 17, congratulating the people of Guatemala on the success of the recent negotiations to establish a peace process for Guatemala.

On December 29, peace accord ended 36 years of civil war the Government negotiated directly with the rebels.

The United States over the last 6 years participated in the peace negotiations for Guatemala as a member of the Group of Friends in conjunction with Norway, Mexico, and Spain. The group supported the work done by the United Nations to broker a peace in that war torn country. In this regard, the Guatemala peace accord is both a United Nations success story and an example of the benefits of sustained United States diplomatic engagement.

The peace accord includes the creation of a commission to implement a wide range of reforms to the political, economic, social, and judicial systems of Guatemala, including an enhanced respect for human rights and the rule of law, improved health and education services, attention to the needs of refugees and displaced persons and the role of the military in a democratic society.

Lasting peace, political stability and economic development in Guatemala is in the best interest of all nations of the Western Hemisphere, therefore, we should all be hopeful at these accomplishments made in the name of peace for the Guatemalan people.

LET ME LIE WITH SOLDIERS

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. BARR of Georgia. Mr. Speaker, today, I wanted to submit the following poem as it was read by its author at the annual POW/MIA Candlelight Ceremony March 2, 1997, held at Dobbins Air Reserve Base in Marietta, GA. The poem is entitled ''Let Me Lie With Soldiers,'' by Lt. Col. Clyde M. Reedy, U.S. Army (retired), Vietnam 1963 and 1972.

LET ME LIE WITH SOLDIERS

Let me lie with soldiers when God my spirit calls. Let me walk with warriors down heaven's hallowed halls.
Please bury me with soldiers, and let my spirit soar with kindred souls with whom I shared the brotherhood of war.
Yes, lay me down with soldiers in consecrated ground, made holy by their sacrifice, and bravery without bound.
It matters not the color of the uniform they wore, nor who sounded loud the trumpet that summoned them to war.
It matters not their era, nor weapons which they bore, nor banner which they followed into that hell called ''war.''
Abdulor Ivan, Hoang or Heinz, their names??? . . . I do not care. The tie that binds us all as one: the horrors that we shared.
The color their skin counts not, be it yellow, black or brown. For all of us are brothers up in God's holy ground.
The cause for which they struggled, that also matters naught. For when we're all in heaven none will ask for whom we fought.
And though our bodies crumble once are souls have gone on high, let memory of our sacrifices never never die.
Yes, let me stand with soldiers, hand-in-hand on heaven's shore, and gaze together on our homes Forever free of war.

This poem captures both the sadness and pride of America's fighting men, as well as the hope of every soldier: that the war they fight will be the last. It is an eloquent testimony to America's MIA's and POW's, who we must never forget.

TRIBUTE TO JOHN MAJOR

HON. BRAD SHERMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SHERMAN. Mr. Speaker, Mr. BERMAN and I are honored today to pay tribute to Judge John Major who last week was recognized by the San Fernando Valley Bar Association with the Distinguished Service Award. When Mr. Major recently stepped down from the bench, our area sustained the loss of an individual that went out of his way to make the courtroom a place where both litigants and defendants were at ease and justice was served in a way that was best for all involved.

Mr. Major's early career involved a period in the Army and work in the aerospace industry. As John's professional career developed, his interest in government and law increased, leading him to enroll in law school. John's time at UCLA School of Law was difficult, as he was forced to balance school and work while holding down three jobs. Even with these adversities, John's determination to become a lawyer only increased. He completed his final 2 years of study on his own at night while working full time. He saw the fulfillment of his dreams in 1957 when, on his first attempt, he passed the California bar exam. The obstacle he overcame in his time studying law affected his later career as a judge. Whenever he saw people struggling, he told them, ''you can accomplish whatever you choose to in life.''

As a young lawyer, John worked for the Legal Aid Society in Santa Monica for 2 years. Shortly after that he opened his own practice that he maintained for 12 years. His career changed when he took a case defending a minor he enjoyed the tremendous positive impact he had on the young man's life. In defending the youth of our area, John found a challenging and rewarding career. Through his endeavors he became a juvenile court referee and eventually was appointed a Superior Court Commissioner. As a commissioner he worked in almost every juvenile court in Los Angeles County.

In 1984, Mr. Major was appointed to the superior court bench by Governor Deukmejian. His years on the court were his way of leaving a positive impact. According to many attorneys, he put people at ease with his humor and easy going demeanor. In handing down decisions, Judge Major did not hesitate to take into account the particular circumstances, at times straying form the usual sentence, especially in dealing with young people. The judge's calming influence and experience in dispute resolution will be sorely missed as he is an excellent communicator with a gift of engendering himself to all sides in a dispute.

When Judge Major stepped down from the bench last week, our community sustained a substantial loss. The effects of his service have reached well beyond the courtroom, as he has had a tremendous positive impact on the surrounding community. The legacy of his work will continue on for years to come in the lives of the many individuals be touched.

SUPPORT THE UNITED NATIONS

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. ESHOO. Mr. Speaker, today I rise to introduce a concurrent resolution expressing the sense of Congress that the United States will continue its leadership in the United Nations by honoring the financial obligations to that institution.

Everyone agrees that United Nations is in need of reform. In fact, Joseph Connor, the Undersecretary for Administration and Management, announced yesterday that the U.N. budget will come in under its estimated 1998 budget, and the 1997 budget was a cut from the previous year.

But, if the United States continues to be a global deadbeat, the United Nations will lose its ability to carry out missions important to American foreign policy, such as promoting human rights, controlling the proliferation of weapons of mass destruction, spreading democracy, and preventing global conflicts.

The United States was a founding member of the United Nations. Throughout its half century of existence, through times of war and peace, the United Nations has stood as a pillar of stability. That is why Republicans and Democrats alike have supported not only its existence but American financial obligations. Now 61 percent of arrears to the United Nations are owed by the most powerful Nation on Earth. This is wrong. We can't allow short-term thinking in Congress to jeopardize our long-term security.

Please join me in sending a strong message to the world that the United States will lead and the United States will keep its word.

TRUCKER BUDDY INTERNATIONAL

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. WELLER. Mr. Speaker, I rise today to recognize a nonprofit organization known as Trucker Buddy International.

Trucker Buddy International is a program that matches truck drivers with school classrooms as pen pals who share their respective experiences through regular correspondence and classroom visits. The program gives students a real world look at the country through the eyes of professional truck drivers who visit places and see things which they share with students through letters and picture postcards. By tracking routes and schedules, a teacher can incorporate important lessons in geography, history, math, and more into the existing curriculum. Students also improve their communications skills by writing back to their trucker buddy. As an extra tool to benefit the teacher of each class, Trucker Buddy has created the Literary Achievement Award. Each teacher will receive a Literary Achievement Award to present to the student who has improved his or her writing skills the most.

The Trucker Buddy Program was created in 1992 by Gary D. King, a professional truck driver who first started corresponding with a fourth grade class in Williams Bay, WI. Today, Trucker Buddy has nearly 5,000 drivers matched with classrooms throughout North America and in several foreign countries.

I would like to commend the Trucker Buddy Program for taking a special interest in our children and their education.

DELAURO HONORS TIMOTHY SHRIVER FOR HIS WORK WITH THE SPECIAL OLYMPICS

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speaker, on Thursday, November 14, 1996 Columbus House will have its annual benefit. This year the benefit is entitled ''It's a Small World'' and is honoring two individuals who have given an extraordinary amount of themselves to the city of New Haven; Jean Handley and Timothy Shriver. Tim's work embodies the theme of this year's benefit which is bringing the global community to the city of New Haven. I had the pleasure of working with Tim last summer when the 1995 Summer Special Olympic Games were held in New Haven.

The 1995 games were the most successful world games in the 27-year history of the Special Olympics and had the added benefit of spotlighting the best that New Haven had to offer. I want to thank Tim for his great efforts on that project. His work enabled the city to shine and draw the national attention it so richly deserves. This past June, Tim was elected president and chief executive officer of Special Olympics International. I know that Tim offers Special Olympics International the vision, enthusiasm, and commitment to lead the organization into the 21st century.

Tim has spent most of his life working in education and promoting the development of children and this background makes him particularly well-suited for his new position. Tim is an educator who cares deeply about children and has made a commitment to improving their lives. He has been an administrator and teacher in the New Haven Public School System and, prior to working with the Special Olympics, Tim was the supervisor of the New Haven Public Schools' Social Development Project. The project was an initiative he began in 1987. Tim's expertise in the area of education, and the social and emotional development of children enable him to bring a distinct perspective to his work for the Special Olympics.

Tim is devoted to the Special Olympics movement and has a keen understanding of the meaning, mission and spirit of the organization. At the heart of the Special Olympics is a belief that all athletes deserve a chance to push past their own limitations and to excel. The games gives these individuals an opportunity to explore their capabilities and to reach their potential. I know that under Tim's leadership, the Special Olympics will continue to flourish and to offer so many athletes an experience they will remember for a lifetime.

I am proud to join Columbus House in honoring Tim Shriver. His work should serve as an example to us all that we can make an important difference in the lives of children with special needs. The Special Olympics also make us aware of the value, potential and uniqueness of every person.

CONGRATULATING PEOPLE OF NICARAGUA ON DEMOCRATIC ELECTIONS SUCCESS

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1997

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to state my support for House Concurrent Resolution 18, congratulating the people of the Republic of Nicaragua on the success of their democratic elections.

The road to peace for the Nicaraguan people has been difficult and the path to democracy froth with conflict.

On October 20, 1996, 15.7 million ballots, 32,000 candidates, 35 political parties or associations express the wish of the Nicaraguan people for democracy. The ballots cast represented between 80 and 90 percent voter participation.

The elected positions ranged from President to city council members.

The Supreme Electoral Council of Nicaragua worked tirelessly to prepare for this election. The Chair and members of the Council showed a willingness to consult frequently and effectively with the political parties to resolve potentially serious issues before election day.

The Nicaraguan people deserve our congratulations for their patience during this long process and their determination to have democracy rule their country's destiny.

I hope that this election will pave the way for further achievements in the form of resolving the pending property issues which have resulted from appropriation of thousands of homes and businesses during the 1980's.

The Nicaraguan people have made the first step toward a stronger more vibrant Nicaragua for the 21st century.

TRIBUTE TO ROBERT E. PERKINS, JR.

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. McCOLLUM. Mr. Speaker, I rise today to recognize 25 years of outstanding national service by Mr. Robert E. Perkins Jr., Director of Government Affairs for the Greater Orlando Aviation Authority, and to wish him well in his upcoming retirement.

For the past 25 years, Mr. Perkins has been an asset to both the public and private sectors of customs relations and aviation administration. His Federal career began in the U.S. Air Force Strategic Air Command during the Vietnam conflict. He served his tour of duty at the former Pine Castle Air Force Base which is, coincidentally, now the site of Orlando International Airport.

During the late 1960's and early 1970's, Mr. Perkins served with the White House Press Corps and the Military Customs' Inspection Programs for the Department of Defense. His service for the Department of Defense encompassed all services in Vietnam, Guam, Taiwan, Thailand, the Philippines, and West Germany. In addition, Mr. Perkins served as Treasury Department representative for Operation Homecoming in the Philippines in 1972.

Mr. Perkins continued his distinguished public service at Orlando International Airport. During his tenure, he witnessed its designation as a port of entry in 1976 and its original international clearance facility construction in 1979. He concluded his customs career in 1986 as district director in Tampa, FL, where he supervised the customs operations for the entire 57-county Florida area.

Following his retirement from Federal service, Mr. Perkins entered the private sector as a law enforcement systems specialist. In 1989, he became executive director of Tampa Foreign Trade Zone, Inc., working to increase the foreign trade zone program in the Tampa Bay area.

In 1991, he joined the Greater Orlando Aviation Authority as Federal Agency Administrator and was quickly promoted to Director of Governmental Affairs in 1993. As Director of Governmental Affairs he was the link between the Authority and government officials at all levels. Through his hard work and perseverance, he made GOAA's voice heard as important legislation, funding, and operational programs affecting the aviation industry were implemented.

Mr. Perkins has been a truly integral part of the Customs and aviation industries. He will undoubtedly be greatly missed. So, today I ask my colleagues to join me in salute of this exceptional man. I am sure that I speak for all when I wish him well in his well-earned retirement.

DEMOCRACY—ABOVE AND BEYOND

HON. BILL BARRETT

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. BARRETT of Nebraska. Mr. Speaker, I have received the following script, by Sarah Brozek, a fine young Nebraskan. Sarah is the Nebraska winner for the Voice of Democracy broadcast scriptwriting contest, conducted by the Veterans of Foreign Wars and the Ladies Auxiliary. I believe her statement on the costs and obligations of living in a free society are important for us to consider:

DEMOCRACY—ABOVE AND BEYOND

(By Sarah Brozek)

As Edmund Burke once said, ''The only thing necessary for the triumph of evil is for good men to do nothing.''

As citizens of democracy, we are compelled to take action against that which threatens our freedom. Democracy, as opposed to any autocratic style of government, depends upon that voluntary responsibility and sacrifice of its citizens, unlike other forms of government such as totalitarianism, communism and socialism which take away the responsibilities of its citizens and create dependency, instead of independence.

Therefore, as citizens of the United States, it becomes essential to rise above the mere act of belonging to a great nation. We must move beyond settling for privileges and forgetting our principles. We must be responsible enough to take action above and beyond those that satisfy our own self-serving needs. It is not enough to say our pledge to the flag and say we love our country. It is not enough to simply label our form of government as a democracy. It takes action on the part of each individual: voting, standing up for the principles we hold dear, taking responsibility for others who may be oppressed. Democracy involves moral decisions. It pursues a positive hope for the future. It implies a trust in the general integrity of men and women. It cannot survive without sacrifices. There must be a sacrifice of will: that of abiding by the majority rule. This does not mean sacrificing the integrity of self. It means taking a stand of principle on each occasion. Blind allegiance is useless to a strong, democratic country.

There must be a sacrifice of income. A democracy needs the support of its citizens. Because democracy does involve moral decisions, we must have the means to care for our people, especially those less fortunate and needing our care.

Democracy also demands a sacrifice of our time. If we let someone else do all the decision making, and let someone else serve our cities and counties, we abdicate our right to be included as a part of the majority and lose our role in our own future. It is necessary for each person to title his or her time to a community service, on a local, state or national level in order to remain aware of current events and to get all the jobs done that need to be done. It also requires a sacrifice of our time to follow and understand national and international events since we are part of the greater world and one of the world leaders. It takes informed choices to make a democracy work.

Democracy can require a sacrifice of life, sometimes. America was built on people fighting for their values and beliefs. From the revolutionary war to the present, we have had citizens who believe so strongly in the ideals of democracy on a personal level that they have willingly taken arms and laid down their lives to defend those ideals. An ideal not worth fighting for is easily trampled by others. We could lose everything without lifting a finger. As Americans we have the privilege of taking a stand for what we believe in.

We can sit on our couch and rant and rave against our politicians, but not walk across the street to vote for the one we think will be most effective. We can complain and bemoan our taxes, then curse the condition of the roads and the lack of current technology for our children to learn on at school and never volunteer to help in any community endeavor that has lost funding. We can cry at the rising criminal statistics and yell at the people whose job it is to protect us, but when asked to help in neighborhood watches or attend community meetings to help take a stand against drugs and crime we say we're too busy and what do we ''hire these people for anyway?'' And when we're sitting on our couch and our country is at risk, but we expect someone else to take care of it, we should not be surprised when everything we took for granted disappears in a moment. And the only one we can blame is our self. I am one of thousands who would share the blame. Democracy takes the effort of all of us. We must hold ourselves accountable. That is the heart of effective, living democracy.

Democracy is not just a noun. It is not just an object to be placed on a pedestal and dusted off any time we feel a little patriotic. Democracy is not only an adjective, just a pretty sounding word that makes us feel superior and smug when we say it. Democracy is a verb. It is action, involvement, doing and saying. It is time, and talents and great effort. It is constant reinforcement and participation. It is vitality and battle. It is continuous work in progress. As Abraham Lincoln said in the Gettysburg Address, an ''unfinished work which they who fought here have thus far so nobly advanced.''

HONORING JOSHUA TRENT, VFW AWARD WINNER

SPEECH OF

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1997

Mr. GORDON. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conduct the Voice of Democracy broadcast scriptwriting contest. This year more than 109,000 secondary school children participated in the contest competing for the 54 national scholarships which were distributed among the 54 national winners. The contest theme this year was ''Democracy—Above and Beyond.''

I am proud to announce that Mr. Joshua Trent from my 6th Congressional District in Tennessee won the 1997 Voice of Democracy broadcast scriptwriting contest for the State of Tennessee. Like myself, Joshua is a resident of Murfreesboro, TN.

Joshua's script exudes the spirit of enthusiasm that beckons us to feel as he does about our great Republic. That Joshua has attained such a zeal and been blessed with the talent to convey his feelings, speaks well for his future as a leader in America.

For the benefit of all, I would like to share Joshua's award winning script with you at this time.

1996–97 VFW VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM—TENNESSEE WINNER JOSHUA TRENT

Democracy: Above and beyond!

Man, what kind uv va assignment is this? Teacher say to write a paper on ''Democracy: Above and Beyond''. What in the world does zat mean?

Come: I will show you. Huh?! Who said that? Me. Who are you? What are you doing here?

I am the spirit of democracy, I am answering your question. I will show you what ''democracy—above and beyond'' means.

Look pal, I don's know who you are, but you'd better just go back to wherever you * * * wwhere am I? WWWhas goin' on? Wwhat did you do?

Look, tell me—who are those men?

It looks like two pictures of—oh my! That looks like Thomas Jefferson and Ben Franklin—and they're real! Hey! Fellas! Can you see me?

Quiet! No, they cannot see you, only you can see them. Listen to what they are saying.

Franklin: ''Congratulations Thomas! You drafted an excellent piece of work! I especially like the part of um * * * 'We hold these truths, * * * Would you mind reading that part again?''

Jefferson: ''Certainly. I am honored that you think it is good Mr. Franklin. Ahem! '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.''

Franklin: ''Jefferson, you've got a point. That is what it's all about. All men created equal—all men having a say in government—all men having equal chances in business. Democracy, as you know, means ''rule by the people''. That's the idea. Common sense people running the government, not King George or anyone else.

Come, we must go now, we have more stops to make before our journey is over.

Hey, that's pretty neat! That was Ben and Tom just chattin away, and dude, they were * * *

You are missing the point. What did you learn?

Learn? Uh, well * * * Democracy means that people are level—equal—and that they rule, not some far off king.

Good. Do you see where we are now?

Why we've changed again! How do you that? Man, if I could do that . . .

Look where we are.

I see where we are, but I don't know where this is. We're in some sort of a balcony, and there are a bunch of guys in suits down there, and there is a big American flag over there. Where are we?

We are in the balcony of the House of Representatives—in Washington, DC, you are going to learn your next lesson on democracy. Listen, your Congressman is getting ready to speak.

Cngrsmn: My fellow congressmen, the Democratic style of government which we have, has provided us with over 200 years of political, social, and economic success. True, we have had our differences, disagreements and difficulties, but this system of: government by the people, free enterprise, and the idea that ''all men are created equal'' has propelled us to become a world super power, and has given us the title of the ''greatest nation on earth.'' But democracy is more than American success, it is a form of government where people have freedom. It is not bound by racial or national lines, so I urge you to vote for this bill.

We must leave now. Catching on?

Hey, I just realized something. Democracy isn't limited to us! Yeah, other countries are democracies, too. Democracy has helped us succeed, and I guess that was why he wanted them to vote for that bill—so other people could succeed under democracy too!

Here we are back at your house. Tell me what ''democracy: above and beyond'' means.

Wait a minute! We've seen Democracy in the past and in the present, so what about the future of democracy?!!!

You determine tomorrow—the future of democracy. You are tomorrow's leaders, voters, and elected officials. Now, tell me, what did you learn?

Okay. I learned that Democracy literally means ''rule by the people'', and because of that fact, each vote counts, each man (or woman) matters, and every voice can be heard. Because the basic foundation to democracy is that ''all men are created equal . . .'', democracy is above national lines and beyond racial boundaries. ''Democracy: Above and Beyond'' means that democracy is above and beyond other forms of government. Democracy doesn't mean we don't have problems, but we can meet those problems head-on. Democracy in America started with our founding fathers and has given us national success. But, we are responsible for its success tomorrow. I guess that's it.

Good job. You did listen. I must go now.

But where will you be if I need you again?

As the spirit of democracy, I am alive in each American and every person in the world who yearns for government by the people. You'll be okay, just keep ''democracy—above and beyond!''

ORGAN DONATION

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. NETHERCUTT. Mr. Speaker, between now and the end of June, the Treasury Department will be including information on organ donation with each tax refund check it mails.

I was proud to support the Health Insurance Portability and Accountability Act last year which directed the Treasury Department to provide this information with tax refund checks.

This information educates Americans about organ donation and makes it easier for people to become organ donors. It has the potential to save thousands of lives—and at minimal cost to the Federal Government. Once someone has learned about organ donation, all he or she needs to do is fill out the card and discuss the decision with his or her family.

Currently, over 50,000 Americans are awaiting organ transplants. Eight people die every day because an organ is not available. Hundreds of thousands of others could also benefit from tissue transplants and many Americans are not aware how they can become organ donors. By learning about the opportunities, individuals can, in the unfortunate event of a fatal accident, have their organs used to save someone's life.

Sometimes, we can save a life while we are still alive. For example, I have made a decision to be a bone marrow donor. When I learned that a friend of my daughter, Meredith, had a potentially fatal bone marrow disease, I had my own bone marrow tested. While there was not a match, I am keeping my bone marrow type on file should another person with a life-threatening illness requiring a transplant have a similar bone marrow type to my own. To save that person's life, all that would be required of me would be to have a small amount of my own bone marrow taken for transplant.

I encourage others to become donors, whether of organs, bone marrow, or even blood. Although easy to make, this is an important decision, and I encourage people considering it to do as I have done and sit down with their families and discuss their decision. This way, a person's family becomes aware of a donor's intentions.

I hope that by including information on organ donation with tax returns, we will remind people of the life-saving possibilities of becoming an organ donor. To become a donor is as simple as filling out a card. But, as simple as that is, the implications are tremendous. You could give someone with a life-threatening illness a new lease on life.

The inclusion of these cards with tax refunds should serve to remind us all of the importance of organ donation. It only takes a small effort to make a great contribution.

IN HONOR OF PATRICK O'KEEFFE, A DISTINGUISHED GENTLEMAN NAMED IRISHMAN OF THE YEAR

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to a distinguished gentleman, Patrick O'Keeffe, who was named Irishmen of the Year by the Jersey City St. Patrick's Day Parade Committee. He will be honored at the committee's annual dinner dance on March 7, 1997 to be held at the Quality Inn in Jersey City.

Friday's festivities will celebrate the many contributions Mr. O'Keeffe has made to his family, community and his fellow Irish-Americans. His journey began in County Clare, Ireland where he was born on March 7, 1926. In his beloved native Ireland, Mr. O'Keeffe received his early education in a one-room schoolhouse. Later, his learning would continue under the direction of the Christian Brothers.

In 1957, the American leg of Mr. O'Keeffe's journey began when he immigrated to the United States, where he settled in what is now my district in Jersey City. Subsequently, Mr. O'Keeffe would marry and become the proud father of eight children: Michael, Margaret, Patrick, Brian, Sean, Noreen, Nuala, and Brendan. Mr. O'Keeffe has instilled a love of Irish music, dance, and literature in each of his children. They have come to exemplify Mr. O'Keeffe's motto: ''It's nice to be important, but it's more important to be nice.''

In addition to his devotion for his family, Mr. O'Keeffe has exhibited an unwavering commitment to fellow community members as well as all Irish-Americans. Although he is an American citizen, Mr. O'Keeffe's heart will always take him back to his roots on the Emerald Isle. For many years, he has been working toward a united Ireland. Toward this goal, Mr. O'Keeffe has joined a number of organizations, including the United Irish Counties Club of Hudson County, the Irish Immigration Reform Movement, and the Irish American Unity Conference.

It is an honor to have such an outstanding and caring individual living in my district. Patrick O'Keeffe is a true community leader. I am certain my colleagues will join me in honoring him.

CARM COZZA COACHES FINAL GAME AT YALE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speaker: On November 16, 1996, coach Carmen Cozza will coach his final home football game at Yale University against the Princeton Tigers. This day will be proclaimed Carm Cozza's Day in recognition of the contributions he has made to Yale University and the game of football. I am very pleased to rise today to honor Carm and to recognize his great coaching accomplishments.

Carm has followed in the footsteps of another great coach and player. Walter Camp is both the father and founder of American football and was the first Yale University football coach. Carm has the impressive distinction of surpassing Walter Camp's win total at Yale in 1976. Carm's record speaks for itself. Under his leadership, the Yale Bulldogs won the Ivy League in 1967–69, 1974, 1976–77, 1979–81, and 1989. Indeed his achievements have brought him some well-deserved recognition. He was named the winner of the 1995 George C. Carens Award by the New England Football Writers Association for his outstanding contributions to New England football. He also won the 1992 Distinguished American Award by the Walter Camp Football Foundation. Carm has distinguished himself by becoming the coach with the most wins in Ivy League history.

However, all of Carm's wins do not say as much about him as the wonderful feelings and memories his former players and colleagues have for him. Everyone who has known or worked with Carm remarks about his integrity, his class, and his respect for and love of the game. What is most indicative of Carm's tenure are the things that he is most proud of. Carm boasts that 99 percent of his players have graduated and he likes to claim that he is the best premed, prelaw coach in the country. He truly cares about his players and is as proud of their academic achievements as he is of their athletic accomplishments. Carm imparts a reverence for the game, a sense of discipline, and the meaning of sportsmanship to all the players he works with. These are his legacies to the Yale University football team.

I am proud to join Carm's family, his wife Jean, his colleagues and his past and present players in saluting a lifetime of great coaching. Carm's vision, leadership, and enormous talent are his parting gifts to Yale and to the game of football. Yale has been truly blessed during his time there with a coach who cares deeply for the game and all those who play it. I wish Carm and enjoyable retirement and the very best during his final games at Yale. He will be greatly missed.

INTRODUCTION OF THE CIVIL RIGHTS PROCEDURES PROTECTION ACT OF 1997

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MARKEY. Mr. Speaker, I am proud to join today with Representative CONNIE

MORELLA and a bipartisan group of colleagues to introduce the Civil Rights Procedures Protection Act of 1997. This bill is designed to reassert workers' rights to have their claims of unlawful employment discrimination.

Recently employers and even whole industries have sought to circumvent civil rights laws by forcing employees to sign away the fundamental rights to a court hearing. As a condition of hiring or promotion, a growing number of employers are requiring workers to agree to submit any future claims of job discrimination to binding arbitration panels. This practice, called mandatory arbitration, is engaged in most prominently by the securities industry, but is also increasingly relied upon by employers in information technology, health care, engineering, and other fields. Together, they are reducing civil rights protection to the status of the company car: a perk which can be denied at will.

The U.S. Constitution guarantees every citizen equal justice under law. Forcing employees to choose between their civil rights and their job denies them their right to equal justice. Employees who consent to mandatory arbitration give up their right to due process, trial by jury, the appeals process, and full discovery.

By no means, do I wish to denounce arbitration in general. Voluntary arbitration in an impartial setting can be a fair and inexpensive way to resolve a wide range of disputes. But when it is forcibly imposed on one party with inherently less bargaining power, it ceases to be of value.

Mandatory arbitration of civil rights is wrong even if the arbitration process were a balanced one. But, too often, it has a semblance of impartiality. The securities industry, in particular, has transformed a potentially impartial and independent judicial environment into one where neutrality and independence are virtually nonexistent. A 1994 GAO study of the security industries' arbitration process found that vast majority of securities arbitrators are white men over 60 with little or no expertise in the area of employment law. At best such a setting has the appearance of unfairness; at worst, it is a tainted forum in which an employee can never be guaranteed a truly fair hearing. Like forcing employees to buy goods at the company store, the price of such so-called justice is just too high.

Our legislation would protect the rights of workers to bring claims against their employers in cases of employment discrimination. By amending seven Federal civil rights statutes to make it clear that the powers and procedures provided under those laws are the exclusive ones that apply only when a claim arises, the Civil Rights Procedures Protection Act would prevent discrimination claims from being involuntarily sent to binding arbitration. In short, this bill prevents employers in all industries from forcing employees to give up their right to go to court when they are discriminated against on account of race, sex, religion, disability, or other illegal criteria.

By reinforcing the fundamental rights established under various civil rights and fair employment practice laws, our bill restores integrity to employer-employee relationships. No employer should be permitted to ask workers to check their constitutional and civil rights at the front door.

COMMENDING HON. WARREN CHRISTOPHER FOR EXEMPLARY SERVICE

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1997

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in full support of Senate Concurrent Resolution 4, which recognizes the exemplary service of the Honorable Warren Christopher as Secretary of State.

When Warren Christopher was selected by President Clinton to serve this Nation as its Secretary of State the President could not have had any knowledge of how difficult a job it would be.

The war in the former Yugoslavia was at its height and peace seemed to be an illusive goal that only a few committed individuals believed was truly possible. Secretary Christopher was one of those committed individuals, and because of his personal resolve for peace—the Dayton accord resulted in the people of Bosnia, Croatia, and Serbia living through the last year without war.

The quiet dignity that exudes the persona of Warren Christopher is one that we can all admire. He has been a skilled negotiator when representing the interest of the United States, both here and abroad. He has been tireless in his pursuit of positions that promote peace and better understanding among our allies and advisories.

When Secretary Christopher said, ''The end of the cold war has given us an unprecedented opportunity to shape a more secure world of open societies and open markets,'' he worked to reap those benefits for our Nation.

While Secretary Christopher was managing diplomatic relations with the world's great powers and international institutions he was also creating jobs here in the United States by opening markets abroad.

More than 200 trade agreements over the last 3 years have helped our exports grow by 34 percent since 1993 and created 16 million new jobs. Through Secretary Christopher's efforts in promotion of the North American Free-Trade Agreement, concluding the Uruguay round, and forging the Miami summit commitment to achieve free and open trade in our hemisphere by 2005—and the Asia-Pacific economic cooperation commitment to do the same in the Asia-Pacific by 2020—the United States is positioned to become even more dynamic in the global economy in the 21st century.

He worked tirelessly to provide the peace and security that the American people require by promoting constructive relations with other nations and international institutions.

From the issue of championing NATO's Partnership for Peace, the United States-European Union new transatlantic agenda, and other post-cold-war initiatives have improved European stability and strengthened United States-European economic ties and security cooperation.

With Japan, under Secretary Christopher's leadership, we have signed a security declaration and reached 21 market-opening agreements. Now United States exports to Japan are rising five times as fast as imports.

Warren Christopher has played a critical role in creating constructive relations with Russia during the transition period of their nuclear weapons arsenal, and the strengthening of vital elements of democratic reforms.

Warren Christopher has served his Nation well as its 63d Secretary of State, and is very deserving of this accolade in the form of a House concurrent resolution.

EXTENDING THE DELTA LOAN PROGRAM

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. FORBES. Mr. Speaker, I rise today to bring to the attention of my colleagues a bill that I introduced to improve the Defense Loan and Technical Assistance Program, known in short as the DELTA Program. I am honored to be joined by Congresswoman CAROLYN MCCARTHY in this effort.

As a former regional administrator of the Small Business Administration, I had the opportunity to see firsthand the correlation between a thriving defense industry and a successful small business community. In the early 1990's, Congress mandated a reduction in overall defense spending. As a result of those cuts, many defense businesses and contractors across the country were forced to terminate thousands of employees, eliminate services, and close down factories. Some parts of the country were hit harder than others. On Long Island we saw the departure of our largest employer, Northrup/Grumman and 30,000 jobs lost. In fact, Long Island's economy is still experiencing a recession and we have yet to recover those lost job opportunities.

That is why as a member of the Appropriations Committee, I worked hard to make the DELTA Program a reality.

Currently, $30 million is authorized and appropriated for the DELTA Program with the specific purpose of helping defense dependent small businesses to diversify within the commercial market, while at the same time retain and create jobs. Since becoming operational in 1995, the DELTA Program has been a success. As of February 1, 1997, 94 DELTA loans have been made nationwide. I am proud to say that eight of those loans were made by the Long Island SBA office, which makes Long Island the leader in the Northeast region. Initial figures show that the DELTA Program has created more than 400 jobs and more than 700 jobs have been retained. While these are impressive numbers, it is important to note that they are not representative of the success of the program. The results of a SBA survey on the program have not been reported yet. I am confident that the survey results, coupled with SBA's initial figures on job creation and retention, will reveal that the DELTA Program has led to the creation and salvation of thousands of jobs.

No question about it—the DELTA Program is a success. And that is why I introduced legislation to make it more accessible to small businesses. My bill calls for three changes to the existing DELTA Program that will ensure that the $30 million appropriated will not go unused.

First, my bill extends the life of the DELTA Program 1 year to 1999. If unchanged, the DELTA Program will sunset at the close of fiscal year 1998. If we allow this to happen, all

unused DELTA funds will revert back to the General Treasury. This is a real concern because to date of the $30 million originally set aside for the DELTA Program, only a little more than $3 million has been utilized. This means that close to $27 million is sitting unused at the SBA. I would hate to see that money transferred back to the General Treasury, especially when there are so many small businesses and jobs that hang in the balance.

Second, my bill makes the DELTA Program more accessible to small firms. As the law is written now, in order for a small business to qualify for a DELTA loan a substantial amount, 25 percent to be exact, of its prior year's revenue must be derived from defense-related contracts. However, only a small sector of the defense-dependent small firms can meet this onerous requirement. To fully grasp the impact that the defense spending cuts of the early 1990's had on small companies, it is necessary to look beyond a firm's previous year's revenues. It is too narrow of a measure. Most of the small businesses that relied on defense-related contracts are still reeling from the effects of the defense reductions. Ask any business person and they will tell you that it is impossible to project the impact that a policy change has on small businesses based on just 1 year's operating records.

That is why my legislation expands the eligibility requirement for the DELTA Program. My legislation states that in order to qualify for a DELTA loan a firm must demonstrate that during any one of its 7 preceding operating years, at least 25 percent of its sales were derived from defense-related contracts. This provides a more comprehensive and realistic standard of measure.

Third, my bill increases the loan guaranty rate from 75 to 90 percent. A higher guaranty rate is more attractive to lenders and will enable them to make more DELTA loans.

The last thing I want to see happen is the DELTA Program, a program that Congress has already committed $30 million to go to waste because Congress was not willing to make it work. My bill does not appropriate any new funds for the DELTA Program; it only fine tunes the existing program to make it more available to small businesses. I cannot stand by and let $30 million that was appropriated by Congress to help small businesses go unused. If Congress does not amend the existing DELTA loan program that will happen.

ON THE DEDICATION OF THE WILLIAM DAVIDSON GRADUATE SCHOOL OF JEWISH EDUCATION

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in commending Mr. William Davidson, president and CEO of Guardian Industries Corp. and managing partner of the National Basketball Association's Detroit Pistons Basketball Club, on the dedication today of the William Davidson Graduate School of Jewish Education at the Jewish Theological Seminary of America in New York City. This event is an important milestone in the history of the Jewish Theological Seminary and will ensure that future generations of scholars have the opportunity to study in one of America's premier centers for Jewish learning.

This new addition to the world's scholarly institutions is only the latest of Bill Davidson's outstanding contributions to the field of education and just another example of his philanthropy. As the founder of the William Davidson Institute at the University of Michigan Business School in Ann Arbor, Bill Davidson endowed an institution whose purpose is to help nations—such as the countries of Central and Eastern Europe and the Republics of the former Soviet Union—make successful transitions from command to market economies. As the founder of the William Davidson Business School at Technion—Israel Institute of Technology in Haifa, Israel, Bill Davidson created the world's first educational institution entirely dedicated to the international management of technology-based companies.

Bill Davidson's commitment to education and the Jewish people has been recognized through the awards bestowed upon him for his service over the years. Among those awards, Bill was the recipient in 1992 of the Fred M. Butzel Memorial Award for Distinguished Community Service, the Jewish community's highest award for volunteer service. He has served as chairman of the United Jewish Appeal for Detroit and as president of Congregation Sha'arey Zedek. Most recently, he has demonstrated his continuing commitment to Israel through his funding of the William Davidson Community Center in Yavne, Israel, and the restoration of the William Davidson Second Temple Period Archeological Park and Orientation Garden in the city of Jerusalem, Israel.

Mr. Speaker, the dedication of the Davidson Graduate School of Jewish Education is only the latest outstanding accomplishment in a career of philanthropy for education and Jewish causes that knows few rivals. I urge my colleagues to join me in commending Bill Davidson for his vision and commitment to education and the Jewish people.

IN HONOR OF FRANK PAGANO: FOR DISTINGUISHED SERVICE TO THE RESIDENTS OF JERSEY CITY AND BAYONNE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to a special gentleman, Frank Pagano, who has distinguished himself through his continuous dedication to the residents of my district. Mr. Pagano will be honored by the Bayonne Chapter of UNICO on March 8, 1997, at a black tie dinner dance to be held at the Atrium Restaurant in East Orange, NJ.

Throughout his long career, Mr. Pagano has been a businessman, model citizen, and devoted family man. His entrance into the retail grocery industry came at an early age. In 1929, Mr. Pagano, while still in high school, went to work at Tony Stagno's butcher shop located on the corner of Third and Brunswick Streets in Jersey City. His exemplary work ethic helped him to become proprietor of his own establishment. Never one to miss an opportunity to explore new horizons, Mr. Pagano added produce, groceries, and a deli to his business in 1949 and became Jersey City's first independent owner of a supermarket. The current location of Mr. Pagano's business, North Street in Bayonne, was opened in 1975 with the assistance of his son Joseph. The new store has been an institution in Bayonne for over 20 years. In 1966, Mr. Pagano was selected Man of the Year by the New Jersey Food Merchants.

Mr. Pagano's commitment to serving his fellow community members extends far beyond his business endeavors. He is a firm believer in the notion that assisting our young people to achieve their full potential is the best way for us to meet the challenges of the future. Mr. Pagano has been actively involved in organizations such as the Hudson County Sierra Club and the Jersey City Boys' Club. He is a member of the Dante Alighieri Society, past president of UNICO of Jersey City, and Alhambra Caravan 8. For his efforts, Mr. Pagano has received numerous awards, including the 1992 Everyday Hero Award, the Devoted Service Award from the Boys and Girls Club of Hudson County, and the Humanitarian Award from the Assumption Catholic War Veterans Post No. 1612.

The core of Mr. Pagano's existence is his family. He has been married to the former Anna Garguillo for 59 years. Mr. and Mrs. Pagano are the proud parents of two sons, Joseph and Neil. Joseph and his wife Charlotte have two children, Ben and Joseph; and Neil and his wife Elaine are the parents of three children Kristen, Stacy, and Stephen.

Mr. Pagano epitomizes excellence in community service, and has had a positive impact on many lives. It is an honor and a pleasure to have such a man residing in my district. I am certain that my colleagues will rise with me and honor this remarkable individual.

FREE THE CLERGY ACT, H.R. 967

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. GILMAN. Mr. Speaker, today, I am introducing the Free The Clergy Act, H.R. 967, a bill that will prohibit visas or U.S. Government sponsorship for Chinese Government officials involved in the repression of religion.

Mr. Speaker, there are hundreds of people serving long prison sentences in China and occupied Tibet for practicing their religious faith. Let me repeat that for my colleagues; hundreds of people, Catholics, Protestants, and Buddhists are spending many years of their lives in prison for following religious practices. Unfortunately, the situation is getting worse.

According to a report released by Human Rights Watch/Asia:

> The Chinese government is subjecting unauthorized Catholic and Protestant groups to intensifying harassment and persecution * * *.
>
> During the last two years, the Chinese government broadened its drive to crush all forms of dissent * * * all religious believers, and especially Christians, are seen as potential security risks.* * *

How does Beijing repress religious practitioners? The Communist government sentences a 76-year-old Protestant leader to 15

years in prison for distributing bibles. It sentences a 65-year-old evangelical elder to an 11-year prison term for belonging to an evangelical group outside the government-sanctioned religious organizations. A 60-year-old Roman Catholic priest was sentenced to 2 years of reeducation through labor for unknown charges. He had previously spent 13 years in prison because of his refusal to renounce ties with the Vatican. The 6-year-old Panchen Lama and his family have been detained for 1½ years and their whereabouts are unknown. Scores of Tibetan Buddhists who refused to participate in the Communist Chinese sham enthronement of Beijing's ''Panchen Lama'' have been sent to prison and one of their spiritual teachers committed suicide rather than take part in the Chinese charade.

Mr. Speaker, my colleagues, there are hundreds of such cases. Mind you these people are not spending time in prison and wasting their lives away for calling for political pluralism or democracy. They are being severely punished simply for following their religious beliefs.

The administration argues that economic liberalization will bring about political pluralism. Many policy makers articulate that position due to political pressure from business groups. It needs to be pointed out, however, that sweeping religious practitioners under the same rug for short-term economic interests could be a political mistake that will be a long-term liability. The American people are very concerned about jobs and the economy but not if it is at the expense of their core moral and religious beliefs.

Our Free the Clergy Act would prohibit visas and any United States funds to be spent on Chinese officials who are involved with the repression of religion in China and occupied Tibet. It sends a message that we find religious repression repugnant and at grave odds with important American values.

Accordingly, I urge my colleagues to support H.R. 967 and ask that the full text of our bill be printed at this point in the RECORD:

H.R. 967

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

SECTION 1. FINDINGS.

The Congress makes the following findings:

(1) Despite public assurances by the Government of the People's Republic of China that it would abide by the principles of the Universal Declaration of Human Rights and despite the United Nations Charter requirement that all members promote respect for and observance of basic human rights, including freedom of religion, the Chinese Government continues to place severe restrictions on religious expression and practice.

(2) It has been reported that at an internal Central Communist Party meeting in 1994, President Jiang Zemin asserted that religion is one of the biggest threats to Communist Party rule in China and Tibet.

(3) On January 31, 1994, Premier Li Peng signed decrees number 144 and 145 which restrict worship, religious education, distribution of Bibles and other religious literature, and contact with foreign coreligionists.

(4) The Chinese Government has created official religious organizations that control all religious worship, activity, and association in China and Tibet and supplant the independent authority of the Roman Catholic Church, independent Protestant churches, and independent Buddhist, Taoist, and Islamic associations.

(5) In July 1995, Ye Xiaowen, a rigid communist hostile to religion, was appointed to head the Bureau of Religious Affairs, a Chinese Government agency controlled by the United Front Work Department of the Chinese Communist Party. The Bureau of Religious Affairs has administrative control over all religious worship and activity in China and Tibet through a system of granting or denying rights through an official registration system. Those who fail to or are not allowed to register are subject to punitive measures.

(6) In the past year, the Chinese Government has expressed great concern over the spread of Christianity and particularly over the rapid growth of Christian religious institutions other than those controlled by the Chinese Government, including the Roman Catholic Church and the evangelical Christian ''house churches''.

(7) Soon after the establishment of the People's Republic of China in 1949, the Chinese Government imprisoned Christians who refused to relinquish their faith to become servants of communism, charging them as ''counter-revolutionaries'' and sentencing them to 20 years or more in ''reeducation through labor camps''.

(8) Hundreds of Chinese Protestants and Catholics are among those now imprisoned, detained, or continuously harassed because of their religious beliefs or activities.

(9) The prisons and labor camps which hold these religious prisoners are run by the Ministry of Public Security and the Ministry of Justice of the Chinese Government.

(10) Although some negotiations have taken place, the Chinese Government refuses to permit the appointment by the Vatican of Catholic bishops and the ordination of priests not approved by the Government and insists on appointing its own ''Catholic bishops''.

(11) The Tenth Panchen Lama died in January 1989 at Tashilhunpo Monastery, his traditional spiritual seat in Shigatze, Tibet's second largest city.

(12) It has always been the right and the role of the Dalai Lama to recognize the successor to the Panchen Lama. On May 14, 1995, His Holiness the Dalai Lama announced recognition of a six-year-old boy, Gedhun Choekyi Nyima, as the Eleventh Panchen Lama, according to Tibetan tradition.

(13) The young boy recognized by the Dalai Lama and his family have been brought to Beijing by Chinese authorities and have not been seen for months. The Chinese authorities announced publicly in June 1996 that they are holding Gedhun Choekyi Nyima.

(14) Chadrel Rimpoche, abbot of Tashilhunpo Monastery and head of the original search committee for the Eleventh Panchen Lama, and his assistant, Champa Chung, are believed to have been seized and detained by Chinese authorities in May of 1995.

(15) Chinese Government authorities subsequently detained other Tibetan Buddhists in connection with the selection of the Eleventh Panchen Lama, including Gyatrol Rimposhe, Shepa Kelsang, Lhakpa Tsering, and Ringkar Ngawang.

(16) The Chinese Government convened a conference in Beijing where Tibetan monks were coerced to select a rival candidate to the child recognized by the Dalai Lama as the Eleventh Panchen Lama.

(17) On November 29, 1995, officials of the Chinese Government orchestrated an elaborate ceremony designating a six-year-old boy selected by the Chinese Government as the Eleventh Panchen Lama and on December 8, 1995, a Government-sponsored ceremony was held in Shigatze, Tibet, where the boy selected by the Government was enthroned as the Eleventh Panchen Lama.

(18) By seeking to impose its own candidate as the Eleventh Panchen Lama and detaining the six-year-old boy recognized for that position in accordance with Tibetan tradition, the Chinese Government is infringing on a purely Tibetan religious matter, in blatant violation of the fundamental human rights of the Tibetan people.

SEC. 2. CONGRESSIONAL STATEMENT OF POLICY.

It is the sense of the Congress that the President should make freedom of religion one of the major objectives of United States foreign policy with respect to China. As part of this policy, the Department of State should raise in every relevant bilateral and multilateral forum the issue of individuals imprisoned, detained, confined, or otherwise harassed by the Chinese Government on religious grounds. In its communications with the Chinese Government, the Department of State should provide specific names of individuals of concern and request a complete and timely response from the Chinese Government regarding the individuals' whereabouts and condition, the charges against them, and sentence imposed. The goal of these official communications should be the expeditious release of all religious prisoners in China and Tibet and the end of the Chinese Government's policy and practice of harassing and repressing religious believers.

SEC. 3. PROHIBITION ON USE OF FUNDS FOR THE PARTICIPATION OF CERTAIN CHINESE OFFICIALS IN CONFERENCES, EXCHANGES, PROGRAMS, AND ACTIVITIES.

(A) PROHIBITION.—Notwithstanding any other provision of law, for fiscal years after fiscal year 1997, no funds appropriated or otherwise made available for the Department of State, the United States Information Agency, and the United States Agency for International Development may be used for the purpose of providing travel expenses and per diem for the participation of nationals of the People's Republic of China described in paragraphs (1) and (2) in conferences, exchanges, programs, and activities:

(1) The head or political secretary of any of the following Chinese Government-created or approved organizations:

(A) The Chinese Buddhist Association.

(B) The Chinese Catholic Patriotic Association.

(C) The National Congress of Catholic Representatives.

(D) The Chinese Catholic Bishops' Conference.

(E) The Chinese Protestant ''Three Self'' Patriotic Movement.

(F) The China Christian Council.

(G) The Chinese Taoist Association.

(H) The Chinese Islamic Association.

(2) Any military or civilian official or employee of the Government of the People's Republic of China who is directly involved in any of the following policies or practices or who was responsible for the supervision of persons directly involved in such policies or practices:

(A) Formulating, drafting, or implementing repressive religious policies.

(B) Imprisoning, detaining, or harassing individuals on religious grounds.

(C) Promoting or participating in policies or practices which hinder religious activities or the free expression of religious beliefs.

(b) CERTIFICATION.—

(1) Each Federal agency subject to the prohibition of subsection (a) shall certify in writing to the appropriate congressional committees no later than 120 days after the date of enactment of this Act, and every 90 days thereafter, that it did not pay, either directly or through a contractor or grantee, for travel expenses or per diem of any national of the People's Republic of China described in subsection (a).

(2) Each certification under paragraph (1) shall be supported by the following information:

(A) The name of each employee of any agency of the Government of the People's Republic of China whose travel expenses or per diem were paid by funds of the reporting agency of the United States Government.

(B) The procedures employed by the reporting agency of the United States Government to ascertain whether each individual under subparagraph (A) did or did not participate in activities described in subsection (a)(2).

(C) The reporting agency's basis for concluding that each individual under subparagraph (A) did not participate in such activities.

(c) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this section the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

SEC. 4. CERTAIN OFFICIALS OF THE PEOPLE'S REPUBLIC OF CHINA INELIGIBLE TO RECEIVE VISAS AND EXCLUDED FROM ADMISSION.

Notwithstanding any other provision of law, any national of the People's Republic of China described in paragraph (1) or (2) of section 3(a) shall be ineligible to receive visas and shall be excluded from admission into the United States.

SEC. 5. SUNSET PROVISION.

Sections 3 and 4 shall cease to have effect 4 years after the date of the enactment of this Act.

DELAURO HONORS ANNA WALSH-CUSANO

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speaker, on Tuesday, November 26, 1996, the Atwater Senior Center will be celebrating its 31st anniversary with an open house, dedication of a health clinic and a luncheon. The new health clinic will be dedicated in honor of the previous director of Atwater, Anna Walsh-Cusano. I am delighted to rise today to congratulate Atwater on this special anniversary and to honor the memory of my friend, Anna Walsh-Cusano.

Anna Walsh-Cusano was the first director of the Atwater Senior Center. An integral part of the Fair Haven community, Atwater has meant a great deal to a countless number of elderly citizens. Anna's family likes to remember that the center meant everything to her. She truly put her heart and soul into running Atwater. After her husband, Fred, died in 1973, Anna spent almost as much time at the center as she did at her home. She became so involved in the lives of residents and she was so dear to them that they came to call her by the affectionate nickname of ''Nonnie.''

Anna clearly understood the need for elderly citizens to have a place to gather for recreation and social events. Senior centers like Atwater provide people with creative outlets and an opportunity to have fun with others. With activities like day and overnight trips, parties, live entertainment and line-dancing and ceramics classes, there is always plenty to do at Atwater. Seniors are an integral part our community and Atwater ensures that they remain active and involved.

As Atwater celebrates its 31st anniversary, it also celebrates the beginning of a unique partnership with the Hospital of St. Raphael. After 2 years of renovations, including a new roof and improvements on a number of rooms, Atwater is unveiling a joint venture with the hospital, the St. Raphael's Health Screening Clinic. The health center will focus on preventive care for seniors. I am very excited about this venture because the combination of these two facilities under one roof will provide seniors with better access to the care they need to stay healthy.

I am very pleased to recognize the 31st anniversary of the Atwater Senior Center. I know Atwater, with the new health center, will continue to provide important services to seniors. I applaud the present director, Norma Rodriguez-Reyes, and all the staff who work so hard every day to make Atwater the special place it is. They should all be very proud on this anniversary.

INTRODUCTION OF THE WORKPLACE FAIRNESS ACT OF 1997

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. BILBRAY. Mr. Speaker, the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act prohibit discrimination in employment because of race, color, religion, sex, national origin, age, and disability. I believe that we must begin to explore ways to look beyond the traditional model of combating discrimination, which is currently accomplished by protecting a class or category of people. Instead, we must begin to pass laws which protect the individual from discrimination. A person's singular worth and merit should be the yardstick we measure by, rather than a person's behavior or characteristics which attach them to a group. If we predicate discrimination law on distinctions between groups or categories, we negate the original intention of protecting against discrimination itself.

Therefore, I am reintroducing the Workplace Fairness Act of 1997, which will effectively prohibit discrimination on any basis other than an employee's individual merit. Instead of continuing a piecemeal approach to discrimination law by adding special categories to those now protected under title VII of the Civil Rights Act, my legislation ensures that the only factors which employers may consider are those pertaining to job performance. While this may be considered a radical approach to employment law, it is only fair that all employees are duly protected under the law, and not subject to being fired for arbitrary reasons. Without a legislative remedy such as this, Congress is going to be faced with the dilemma of adding special categories to those already protected under title VII of the Civil Rights Act, every time it is believed that a certain class is being unjustly treated. This is no laughing matter, Mr. Speaker, but will left-handed people be added to the list next? What about red-headed people? Under current law, such cases could indeed be made. Let us consider the logical evolution and consequence of this approach.

Specifically, the Workplace Fairness Act prohibits discrimination in a blanket fashion, rather than establishing newly protected classes in addition to those which already exist. It does so by establishing that employers shall not subject any employee to different standards or treatment in connection with employment or employment opportunities on any basis other than that of factors pertaining to job performance. My legislation defines ''factors pertaining to job performance,'' which include employment history, ability, and willingness to comply with performance requirements—including attendance and procedures—of the job in question, educational background, drug and alcohol use which may adversely affect job performance, criminal records, and conflicts of interest.

The Workplace Fairness Act establishes that merit is the sole criterion for consideration in job applications or interviews, hiring decisions, advancement, compensation, job training, or any other term, condition, or privilege of employment. Additionally, those currently protected under title VII of the Civil Rights Act will still be able to seek redress upon enactment of the Workplace Fairness Act, as my legislation avails existing title VII remedies to any individual discriminated against under my bill. My legislation also exempts religious organizations, prohibits the establishment of quotas on any basis other than factors pertaining to job performance, and specifically does not invalidate or limit the rights, remedies, or procedures available under any other existing Federal, State, or local law to persons claiming discrimination.

Under the Workplace Fairness Act, employers and employees will still be allowed to enter into an alternate dispute resolution agreed upon before the term of employment begins, just as under current law. Further, the existing Federal statute in rule 11 of the Federal Rule of Civil Procedure states that if a frivolous lawsuit is filed by the plaintiff—the employee or prospective employee—then the court may rule that the plaintiff may pay the expenses of the defendant—the employer. Additionally, rule 68 of the Federal Rule of Civil Procedure is enforced in civil rights cases such as those that would be brought about under the Workplace Fairness Act. Rule 68 states that the fee burden can be shifted from the employer to the employee, if the employee files a frivolous claim, or if the employer is found to not be at fault.

While my legislation will clarify once and for all the civil rights of all Americans, it still gives employers adequate flexibility in determining who they wish to hire, and ensures that they provide just cause for termination that is unrelated to job performance. Discrimination law should mirror the goal which it is intended to embody. Our laws should reflect a standard governed by individual merit, not by an individual's relation to a defined group. The image of a discrimination-free society is undermined by a society whose laws supersede the value of those they are intended to protect: the individual. I urge my colleagues to cosponsor my legislation, and build upon our past successes by creating a new model to combat discrimination in America.

DISPLAY OF THE TEN COMMANDMENTS

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1997

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to House Concurrent Resolution 31, which expresses the sense of Congress regarding the display of the Ten Commandments in Government offices and courthouses.

While supporters of this resolution would have the American public be fooled about the nature of this resolution, I stand to tell the American people the truth.

This resolution is in clear violation of the Constitution of the United States. It is a violation of the establishment clause of the Constitution. I am not in favor of violating the Constitution. Nor am I in favor of trying to fool the American people.

Some in this Chamber would have the American people believe that a vote against this resolution is a vote against the Ten Commandments. This is certainly not the case.

The Supreme Court has been quite clear on this subject. In Stone versus Graham, the Court struck down a Kentucky law which required the posting of the Ten Commandments in public schools. In Harveyand Cunningham versus Cobb County, the Eleventh Circuit Court of Appeals held that a display of the Ten Commandments was unconstitutional.

I am a strong supporter of the freedom of expression and religion which is inherent in the first amendment to the Constitution.

The Ten Commandments are the basic precepts upon which many society's laws are based. They have not changed. They are still taught by families and countless religious denominations in the United States and around the world.

The Ten Commandments have, and will continue to be the foundation for religious instruction.

We should continue to uphold the Constitution of the United States and reject this resolution.

TRIBUTE TO PHILANTHROPIST ALICE PETERS

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Alice Peters. Mrs. Peters has demonstrated the ability to raise the spirits of people all over the Fresno community. I want to honor her today for her service to Fresno.

As noted in a recent edition of the Armenian General Benevolent Union [AGBU] magazine, Alice Peters' family moved to Lynn, MA from Bitlis in 1907. After hearing that more Bitlistsies were residing in the Fresno area, the family moved to a small farming town outside of Fresno called Del Rey. In 1943, she met and married Leon Peters, who was a farmer by day and sold pumps for water at night. The pump business grew and became one of the Nation's premier wine-making machinery plants. Eventually, the business grew to be as large as 300 employees before the couple sold it and began pursuing other interests.

Perhaps even more important than the wine-making machinery business was the formation of the Leon S. Peters Foundation in 1959. The foundation, with Mrs. Peters as the board chairman, supports many different educational causes today. Locally, the foundation aids humanitarian endeavors and university scholarships. Foundation guidelines require the money be kept in Fresno to help students locally. Specifically, the foundation also sends funding to various organizations throughout Armenia, including supporting scholarships for students studying at the American University of Armenia and funding to assist children at the Nork Children's Center.

Education is not where the work of Alice Peters ends. As one of the leading philanthropists in Fresno, Mrs. Peters was instrumental in starting the Fresno Metropolitan Museum of Art and also is a fundraiser for the Fresno Zoo and the Boy and Girl Scouts of America. Together, Mr. and Mrs. Peters have led Fresno from a small farming town to one of the largest and most thriving cities in California.

Mr. Speaker, as an active member of the Fresno community, Alice Peters has contributed to the growth and cultivation of new ideas and accomplishments in the Fresno community. She and her husband faced the challenges and the successes of the business world together. In turn, they gave back to the community that was the foundation for their successes. I ask my colleagues to join me and pay tribute to a woman who strives each day to make the Fresno community as fulfilling for other lives as it has been for her life.

SALUTE TO KERMIT HOLLY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. THOMPSON. Mr. Speaker, I rise today to honor the late Mr. Kermit Wells Holly, Sr., who was born February 9, 1908, in Hinds County, MS, to the late Harvey and Abi Ellen Wells Holly.

Mr. Holly departed this life on September 28, 1995, but he left a proud legacy as a husband, father, musician, educator, and mentor. He attended the Jackson Public Schools and received a bachelor's degree from Clark College, Atlanta and the master of music degree from Chicago Musical College.

Mr. Holly began his teaching career at Clark College and later returned to Jackson College in 1930 where he made numerous contributions to the college orchestra, band, and the overall financial well-being of the college.

In 1937, Mr. Holly joined the faculty at Alcorn College in Lorman, MS, where he organized the Alcorn Marching Band, orchestra, dance band, and the Purple and Gold Serenaders. In 1941, he returned to Jackson and resumed teaching in the Jackson Public School System serving as band director and choir director at Lanier High School.

Mr. Holly retired in 1973 after 46 years in the field of music education, he is considered the father of African-American musicians in Jackson and throughout the State of Mississippi.

Mr. Speaker, I ask you to join me in saluting the family of Mr. Kermit Holly for the outstanding contributions he made to the world of music.

ENVIRONMENTAL REMEDIATION TAX CREDIT AND TAX-EXEMPT FINANCING

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. WELLER. Mr. Speaker, I come to the well today with colleagues from both sides of the aisle, and particularly from the Illinois delegation to introduce bipartisan legislation to address the problem of brownfields that plague many of our districts. I have worked closely with my colleagues and with Mayor Daley of Chicago to develop incentives to encourage the clean up and redevelopment of these abandoned industrial sites which blight our communities. State and local governments will also receive greater flexibility to assist in the financing of such efforts. Fostering private sector remediation will attract business activity, leading to economic growth and stability and will ultimately place these sites back on the tax rolls.

Current law provides disincentives for investors to buy brownfield sites for redevelopment. Today, if you own a parcel of land and contaminate it, you can take a current year deduction for the full cost of cleaning up the site. However, if you buy a contaminated site to redevelop it you must recover your clean up cost over a number of years. The number of years you must capitalize the expense depends upon the use of the property. Depending on the intended use of the property, the recovery period can be as long as 28 years.

To turn this around, our bill would allow developers to deduct up to $500,000 of the costs in year that they are incurred and capitalize the remaining costs over a much shorter period of 5 years. According to the date we have collected, close to 50 percent of the brownfield sites in America could be restored for under $500,000.

For more extensive remediation, developers often look to the local community to assist in attracting additional investment. Our second bill creates a new category of private activity bonds, namely remediation bonds. State and local jurisdictions can use this new type of bond under their existing issuance authority limit to solicit private investment to assist in the financing of redeveloping abandoned sites.

Both bills as a package have been endorsed by Mayor Daley and the majority of the Illinois delegation from both sides of the aisle. I am very proud of the work that has gone into developing an approach that has garnered broad bipartisan support and I look forward to working with my colleagues to secure enactment of this important and historic legislation.

MCGILL–TOOLEN STUDENTS VISIT WASHINGTON

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. CALLAHAN. Mr. Speaker, last month, members of the McGill-Toolen Pro-Life Club traveled to Washington to take part in the March for Life. With their very presence here, these young people, all of whom are from the First Congressional District of Alabama, exercised one of the most basic, yet cherished freedoms we have in this country: the right to free speech.

I applaud these young men and women, as well as their chaperons, for taking the time to come to their Nation's Capital to let their Congressman know their views. More importantly, these students joined with the voices of thousands of other people from all over the country, to participate in a peaceful march for the right of the unborn.

When I was meeting with the students, a young man, Patrick Roberts, asked how he and his fellow classmates could get their name in the CONGRESSIONAL RECORD. Think about that, Mr. Speaker. These young people wanted the world to know they were in Washington, DC, for a purpose. And what a noble purpose it was.

So, Mr. Speaker, I ask that the names of Patrick Roberts, and all of his classmates, be entered into the RECORD, so that from this day forward, the worthy mission of the McGill-Toolen Pro-Life Club will be duly noted. In alphabetical order, the participants included: Alex Almeida, Keith Battle, Robbie Beckmann, Fred Boni, Jay Boren, Shauna Boren, Julie Busbee, Kathy Carey, Yosuke Chiba, Andrea Dumas, Tierney Eaton, Hartley Griffith, Eric Grip, Patrick Hardy, Jessica Hanson, Karen Histing, Kelly Hollister, Carolyn Hughes, Ann Marie Johnson, Jake Kilborn, Robert Kurtts, Cathy Kurtts, Claire Kurtts, Elizabeth Lilly, Sara Mareno, Toni McCammon, Theresa McCown, Andrew Mullek, Julie Ogburn, Barclay O'Brien, Pat O'Meara, Jenny Parker, Cleveland Patterson, Amy Pearson, Mary Perkins, Mandy Reimer, Patrick Roberts, Ashley Russell, Mary Schlichting, Kate Titford, Bridget Young, Father Steve Williams, and Kathy Zitnik.

CONGRATULATIONS TO THE UNIVERSITY OF MINNESOTA HOCKEY TEAM

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. RAMSTAD. Mr. Speaker, just 1 week ago, I stood here on the House floor and shared the pride and excitement my fellow Minnesotans are experiencing this winter as our University of Minnesota men's basketball team won the Big Ten Championship for the first time in 15 years.

Today, I stand doubly proud. Last Saturday evening, following the basketball team's home celebration of the Big Ten title, the University of Minnesota men's hockey team clinched the Western Collegiate Hockey Association Conference Championship with a hard fought 7–3 win over Wisconsin. In a matter of just two weeks, the Minnesota Golden Gophers have—for the first time ever—won conference championships in these two major sports in the same season.

Hockey success surely has not been rare during head coach Doug Woog's 12-year tenure as coach. Coach Woog last led his team to the WCHA championship during the 1991–1992 season and has coached each of his teams into the very selective NCAA tournament. The difference, Mr. Speaker, is this was expected to be a rebuilding year.

After losing 10 players to graduation last year, including the Nation's top scorer and half of the team's defensive corps, the young Gophers dedicated themselves to improvement to the point they were in the position to win a share of the conference title on the last day of the season.

Mr. Speaker, this achievement is especially gratifying as the University of Minnesota celebrates 75 years of Golden Gopher hockey. Coach Woog has continued our State's steep hockey tradition, one started by the father of American hockey, John Mariucci, by fielding an entire team of Minnesota-born players.

This team truly is Minnesota's pride on ice.

Mr. Speaker, this overachieving team is characterized by four dedicated, hard-working seniors who eagerly place team above self. Speedy cocaptain Nick Checco, nicknamed ''Mr. March,'' has had a knack for scoring goals at crunch time and during tournament play.

Checco, along with forwards Dan Woog and Danny Hendrickson, paced a stingy penalty killing unit that led the conference and is seldom outworked in the gritty business of controlling the corners.

Defenseman Brian LaFluer, who missed 6 weeks with a shoulder injury, returned at the same level when he left, igniting the offense with his transitional play and solidifying the young defense.

The offense was led by All-American defenseman junior Mike Crowley, who tied for the conference scoring title. Junior sharpshooter Ryan Kraft led the team with 24 goals scored, while freshman Dave Spehar, the all-time leading high school scorer, quickly adjusted to college hockey by leading the team in game-winning goals and all WCHA freshman in points.

A talented group of sophomores have contributed to this team's success: Mike Anderson, Reggie Berg, and Eric Rasmussen—the first American selected in last year's National Hockey League amateur draft. Eric teamed with forward Wyatt Smith and freshman Ben Clymer to help lead the U.S. Junior National Team to a silver medal finish in the World Junior Tournament last December. The silver medal marked the best finish ever for a U.S. Junior National Team.

It is often said championships are won with defense. Junior goaltender Steve DeBus' play truly inspired this young team. DeBus led the conference in wins, was among conference leaders in save percentage and goals against. His calm under intense pressure and cat-quick reflexes gave his teammates confidence they had a chance in every game.

Mr. Speaker, the Gophers celebrated their championship in grand hockey tradition; 25 student-athletes, circling the ice, each holding the MacNaughton Cup and proudly hoisting it high over their head. With this show of unity, the contributions of forward Casey Hankinson are proudly displayed. Casey, a junior co-captain, is the glue that held this team together. An emotional leader, his hard work in practice, at game time, and fiery intermission orations combined to inspire his teamsmates to strive for excellence.

Mr. Speaker, today I want to offer my heartfelt congratulations to the University of Minnesota hockey team, true champions of the heart as well as the Western Collegiate Hockey Association.

HONORING THE GRANITE STATE CHAPTER NO. 1, PEARL HARBOR SURVIVORS ASSOCIATION ON THEIR 25TH ANNIVERSARY

HON. JOHN E. SUNUNU

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SUNUNU. Mr. Speaker, today I rise to honor and recognize those members of the Granite State Chapter No. 1, Pearl Harbor Survivors Association on the occasion of their 25th anniversary.

December 7, 1941 will forever stand as one of the darkest days in our Nation's history—one of pain, one of sacrifice, and above all, one of loss. We cannot erase the terrifying images of bullets, bombs, and bloodshed from our memories, nor should we. Never before had our country experienced such an attack, not only on the territory within our borders, but on the spirit within our people.

It is for these reasons, Mr. Speaker, that I am compelled to recognize those individuals who put forth their minds, bodies, and souls to fight and survive the onslaught of the overwhelming Japanese forces on that day. The members of the Pearl Harbor Survivors Association can stand proud knowing that their courage and character is duly remembered by all citizens of a grateful Nation, and will serve as a benchmark of honor for all Americans in the future. Although the destruction of our military machinery was vast during this horrific battle, the patriotism of these heroes remained unscathed. These individuals should rest assured knowing that their colossal efforts defending our country in such an adverse situation inspired our troops to a proud victory in the end.

Mr. Speaker, it is with particular privilege that I take this opportunity to pay tribute to Granite State Chapter No. 1, Pearl Harbor Survivors Association and ask that they and those Americans who died during the invasion of Pearl Harbor be remembered on the year of the association's silver anniversary.

ANNIVERSARY OF THE FALL OF THE ALAMO, 1836

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. JONES. Mr. Speaker, today, March 6, 1997, marks the 161st anniversary of the fall of the Alamo in 1836.

One of the most treasured memorials of our national heritage is the Alamo; millions of

American and Mexican citizens travel each year to see where this epic battle between America and Mexico was fought. History records that approximately 184 Americans and over 600 Mexicans gave their lives in the battle. Each country fought valiantly, driven by a sincere love for their nations.

At the Alamo, two known battle flags were flown. History teaches us that one flag was destroyed, and the other, the battle flag of the New Orleans' Greys militia unit, was captured by the Mexican leader Santa Anna. The battle flag was then sent to Mexico City as proof that the Alamo had been receiving help from rebel forces in America, and as proof to Mexico that Santa Anna had captured the Alamo.

This flag is known to exist and has been seen within the last decade by legitimate sources. It is reported to be in the same basic condition as when it was originally sent to Mexico so many years ago.

This valued and treasured artifact of Mexican and American history needs to be returned to its rightful place, the Alamo, so it can be displayed as a memorial tribute to the men who fought and died for their Nations' beliefs.

At present, the Texas State Legislature has been authorized to pursue the loan or trade of three Mexican flags captured at the subsequent battle of San Jacinto in return for the Alamo flag, and also has funding set aside to assist in the restoration and preservation of the flag upon its return.

At no previous time in history have our two nations enjoyed a better economic relationship with respect to trade and diplomatic relations. I ask that my colleagues and fellow Americans take this opportunity to reach out to our friends in Mexico, to request that the battle flag be returned to its rightful place at the Alamo.

INTRODUCTION OF A BILL AMENDING THE RAILWAY LABOR ACT ON BEHALF OF AIRLINE PILOTS ENGAGED IN FOREIGN FLYING

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. RAHALL. Mr. Speaker, I rise today to reintroduce a bill which was pending before the 104th Congress concerning the applicability of the Railway Labor Act to flight crews of United States air carriers engaged in flight operations outside the United States.

Mr. Speaker, the bill I and my colleagues have reintroduced clarifies the intent of Congress that the RLA covers the collective bargaining right of flight deck crew members employed by U.S. air carriers when they are based overseas or are performing their duties exclusively outside the United States.

Historically, airlines and the bargaining representative of their pilots have negotiated and honored numerous agreements governing their overseas operations. It is our contention that coverage of these agreements is currently available under existing law, namely the RLA. However, there have been at least two conflicting Federal court decisions over the past two decades on the issue of the enforceability of such agreements under the RLA. The opinions in these cases acknowledge that Congress has the power to apply its laws in extraterritorial circumstances, but it must do so expressly; and the courts have held that in the case of the RLA the intent of Congress to do so has not been clearly expressed.

The legislation introduced today will once and for all clarify existing law. Doing so would confirm that the terms and conditions of the overseas flight operations of U.S. airlines are subject to negotiation between their managements and the selected bargaining representatives of their pilots under the same statutory authority as the terms and conditions of their domestic flying.

The legislation does not impose our labor laws on foreign countries; it does not cover employees providing ground and related services for U.S. carriers exclusively in foreign countries; it does not preclude negotiation of wages and terms and conditions of employment tailored to flight deck crew members that perform overseas operations.

If any of my colleagues are interested in becoming cosponsors of this important legislation, or if you have any questions, please call me or Mrs. Kyle on my staff at extension 53452.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2005–S2034

Measures Introduced: Three bills were introduced, as follows: S. 409–411. **Page S2021**

Measures Reported: Reports were made as follows:

S. Res. 39, authorizing expenditures by the Committee on Governmental Affairs, with an amendment in the nature of a substitute.

S. Res. 56, designating March 25, 1997 as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy''.

S. Res. 60, to commend students who have participated in the William Randolph Hearst Foundation Senate Youth Program between 1962 and 1997.

Measures Passed:

Hearst Senate Youth Program: Senate agreed to S. Res. 60, to commend students who have participated in the William Randolph Hearst Foundation Senate Youth Program between 1962 and 1997. **Page S2013**

Committee Funding—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. Res. 39, authorizing expenditures by the Committee on Governmental Affairs, on Monday, March 10, 1997. **Pages S2033–34**

Messages from the President: Senate received the following message from the President of the United States:

Transmitting the 1997 Trade Policy Agenda and 1996 annual report on the Trade Agreements Program; referred to the Committee on Finance. (PM–21). **Page S2020**

Measure Indefinitely Postponed: Senate indefinitely postponed further consideration of the following measure:

International Family Planning: S.J. Res. 14, affirming certain findings of the President of the United States with regard to programs concerning international family planning. **Page S2033**

Nominations Confirmed: Senate confirmed the following nominations:

5 Air Force nominations in the rank of general.

11 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages S2033, S2034**

Nominations Received: Senate received the following nominations:

James B. King, of Massachusetts, to be Director of the Office of Personnel Management for a term of four years. **Page S2034**

Messages From the President: **Page S2020**

Messages From the House: **Page S2020**

Measures Referred: **Page S2020**

Communications: **Pages S2020–21**

Petitions: **Page S2021**

Executive Reports of Committees: **Page S2021**

Statements on Introduced Bills: **Pages S2021–25**

Additional Cosponsors: **Pages S2025–26**

Notices of Hearings: **Page S2026**

Authority for Committees: **Pages S2026–27**

Additional Statements: **Pages S2027–29**

Adjournment: Senate convened at 12 noon, and adjourned at 5:33 p.m., until 12 noon, on Monday, March 10, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2034.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—DEPARTMENT OF STATE

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary held hearings on proposed budget estimates for fiscal year 1998 for the Department of State, receiving testimony from Madeleine K. Albright, Secretary of State.

Subcommittee will meet again on Tuesday, March 11.

NOMINATION

Committee on Armed Services: Committee concluded hearings on the nomination of Keith R. Hall, of Maryland, to be an Assistant Secretary of the Air Force for Space, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of Yolanda Townsend Wheat, of Missouri, to be a Member of the National Credit Union Administration Board, Charles A. Gueli, of Maryland, to be a Member of the Board of Directors of the National Institute of Building Sciences, and Jeffrey A. Frankel, of California, to be a Member of the Council of Economic Advisers, after the nominees testified and answered questions in their own behalf. Ms. Wheat was introduced by Senator Bond, and Mr. Frankel was introduced by Senator Boxer.

PRODUCT LIABILITY REFORM

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism concluded hearings on proposals to reform product liability, focusing on the effectiveness of the General Aviation Revitalization Act of 1974, after receiving testimony from John Moore, Cessna Aircraft Company, Wichita, Kansas; Bradley Mottier, Unison Industries, Jacksonville, Florida; Paul Newman, New Piper Aircraft, Inc., Vero Beach, Florida; Scott Tarry, Southern Illinois University, Carbondale; Robert Creamer, Citizen Action of Illinois, Chicago; John Petersen, Montgomery County Action Council, Coffeyville, Kansas; and John Yodice, Aircraft Owners and Pilots Association, and Edward Bolin, General Aviation Manufacturers Association, both of Washington, D.C.

NOAA 1998 BUDGET

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans and Fisheries and the Subcommittee on Science, Technology, and Space concluded joint hearings on the President's proposed budget request for fiscal year 1998 for the National Oceanic and Atmospheric Administration, after receiving testimony from D. James Baker, Under Secretary for Oceans and Atmosphere, Elbert W. Friday, Jr., Assistant Administrator for Weather Services, Robert S. Winokur, Assistant Administrator for Satellite and Information Services, and Andrew H. Moxam, Deputy Chief Financial Officer/Deputy Chief Administrative Officer, all of the National Oceanic and Atmospheric Administration, Department of Commerce.

NOMINATION

Committee on Energy and Natural Resources: Committee ordered favorably reported the nomination of Federico Peña, of Colorado, to be Secretary of Energy.

ELECTRIC UTILITIES DEREGULATION

Committee on Energy and Natural Resources: Committee held oversight hearings to discuss proposals to advance the goals of deregulation and competition in the electric power industry, receiving testimony from Jeffrey K. Skilling, Enron Corp., Houston, Texas; Allen Franklin, Georgia Power Company, Atlanta, on behalf of the Edison Electric Institute; Frederick W. Buckman, PacifiCorp, Portland, Oregon; Pradeep Mehra, Ford Motor Company, Dearborn, Michigan; James Kallenberger, Payless ShoeSource, Inc., Topeka, Kansas, on behalf of the International Mass Retail Association; P. Chrisman Iribe, U.S. Generating Company, Bethesda, Maryland, on behalf of the Electric Power Supply Association; Steve Frank, Southern California Edison Company, Rosemead; Daniel A. Lashof, Natural Resources Defense Council, Washington, D.C.; Sunny Popowsky, Pennsylvania State Office of Consumer Advocate, Harrisburg; Larry Hall, KN Energy, Inc., Lakewood, Colorado, on behalf of the Natural Gas Power Group and the Interstate Natural Gas Association; and Arthur W. Adelberg, Central Maine Power Company, Augusta, on behalf of the PURPA Reform Group.

Committee will meet again on Thursday, March 13.

PUBLIC LAND MANAGEMENT

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management held oversight hearings to discuss the impact of the proposed Public Land Management Responsibility and Accountability Restoration Act on the administrative and judicial appeals of land management decisions of the Forest Service and the Bureau of Land Management, receiving testimony from Sally K. Fairfax, University of California, Berkeley, Randall O'Toole, Thoreau Institute, Eugene, Oregon; Johanna Wald, Natural Resources Defense Council, San Francisco, California; Steve Blomeke, National Wildlife Federation, Bismarck, North Dakota; Charles Graham, Selkirk-Priest Basin Association, Moscow, Idaho; Jamie Dalton, Utah Department of Natural Resources, Salt Lake City; Paul Kruse, Wyoming Office of Federal Land Policy, Cheyenne; Paul Frey, Baton Rouge, Louisiana; and Sue Kupillas, Medford, Oregon.

Hearings were recessed subject to call.

AUTHORIZATION—TRANSPORTATION

Committee on Environment and Public Works: Subcommittee on Transportation and Infrastructure resumed hearings on proposed legislation authorizing funds for programs of the Intermodal Surface Transportation Efficiency Act and innovative transportation financing, technology, construction and design practices, receiving testimony from Representative DeLauro; Mortimer L. Downey, Deputy Secretary, Jane Garvey, Deputy Administrator, Federal Highway Administration, and Christine Johnson, Director of the Joint Program Office, Intelligent Transportation Systems, all of the Department of Transportation; Phyllis F. Scheinberg, Associate Director, Transportation Issues, Resources, Community, and Economic Development Division, Joseph Christoff, Assistant Director, and Yvonne Pufahl, Senior Evaluator, all of the General Accounting Office; Robert E. Skinner, Jr., Executive Director, Transportation Research Board, National Academy of Sciences; Gerald S. Pfeffer, United Infrastructure Company, Chicago, Illinois; Daniel V. Flanagan, Jr., Flanagan Consulting Group, Inc., Alexandria, Virginia, on behalf of the Commission to Promote Investment in America's Infrastructure; and James Costantino, Intelligent Transportation Society of America, Washington, D.C.

Hearings were recessed subject to call.

IRA'S

Committee on Finance: Committee held hearings on proposals to expand Individual Retirement Accounts (IRA's), including S. 197, proposed Savings and Investment Incentive Act, receiving testimony from Lawrence H. Summers, Deputy Secretary of the Treasury; William G. Gale, Brookings Institution, Dallas L. Salisbury, Employee Benefit Research Institute, and John S. Tottie, Citizens for a Sound Economy, all of Washington, D.C.; R. Glenn Hubbard, Columbia University, New York, New York, and Steven F. Venti, Dartmouth College, Hanover, New Hampshire, both on behalf of the National Bureau of Economic Research; and Robert C. Pozen, Fidelity Investments, Boston, Massachusetts.

Hearings were recessed subject to call.

MEDICARE

Committee on Finance: Subcommittee on Health Care resumed hearings to examine the financial soundness of the Medicare program and its long-term status, receiving testimony from Stuart M. Butler, Heritage Foundation, Robert B. Helms, American Enterprise Institute, and Michael B. Tanner, Cato Institute, all of Washington, D.C.; Karen Davis, Commonwealth Fund, New York, New York; and Lynn Etheredge, Health Insurance Reform Project/George Washington University, Chevy Chase, Maryland.

Hearings were recessed subject to call.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings on the nomination of Karen Shepherd, of Utah, to be United States Director of the European Bank for Reconstruction and Development, after the nominee, who was introduced by Senator Hatch, testified and answered questions in her own behalf.

USIA 1998 BUDGET

Committee on Foreign Relations: Subcommittee on International Operations concluded hearings on the President's proposed budget request for fiscal year 1998 for the United States Information Agency and international broadcasting, after receiving testimony from Joseph D. Duffey, Director, and Kevin Klose, President, Radio Free Europe/Radio Liberty, both of the U.S. Information Agency.

DISTRICT OF COLUMBIA TAX REFORM

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia concluded hearings to examine Federal tax policy issues for the District of Columbia, after receiving testimony from District of Columbia Delegate Eleanor Holmes Norton; District of Columbia Mayor Marion Barry; and Jack Kemp, Empower America, Daniel J. Mitchell, Heritage Foundation, and William A. Niskanen, Cato Institute, all of Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. Res. 56, designating March 25, 1997 as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy";

S. Res. 60, to commend students who have participated in the William Randolph Hearst Foundation Senate Youth Program between 1962 and 1997; and

The nominations of Merrick B. Garland, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, Colleen Kollar Kotelly, of the District of Columbia, to be United States District Judge for the District of Columbia, Rose Ochi, of California, to be Director, Community Relations Service, and Lyle Weir Swenson, of South Dakota, to be United States Marshal for the District of South Dakota.

HEALTH CARE QUALITY

Committee on Labor and Human Resources: Committee concluded hearings to examine health care quality

and consumer protection issues, focusing on managed care and fee-for-service plans, after receiving testimony from Bruce M. Fried, Director, Office of Managed Care, Health Care Financing Administration, Department of Health and Human Services; Kathleen Sebelius, Kansas State Office of the Commissioner of Insurance, Topeka; Judith G. Waxman, Families U.S.A. Foundation, Washington, D.C.; William L. Roper, Prudential HealthCare, Roseland, New Jersey, on behalf of the American Association of Health Plans; Mark R. Chassin, Mount Sinai School of Medicine, New York, New York; Gail Wilensky, Project HOPE, Bethesda, Maryland; James C. Cubbin, General Motors Corporation, Flint, Michigan; Patricia Salber, Kaiser Permanente, Oakland, California; and Peter Berman, Los Angeles, California.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported S. Res. 39, authorizing expenditures by the Committee on Governmental Affairs, with an amendment in the nature of a substitute. (As approved by the committee, the amendment authorizes $4,350,000 for the sole purpose of conducting an investigation of illegal activities in connection with 1996 Federal election campaigns.)

Prior to this action, committee concluded hearings on S. Res. 39 (listed above), after receiving testimony from Senators Thompson and Glenn.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to consider pending committee business, but made no announcements, and recessed subject to call.

BABY BOOMER RETIREMENT

Special Committee on Aging: Committee concluded hearings to examine the challenges of providing health and income security for baby boomers who will begin retirement in the year 2010, and the impact on Federal programs affecting the elderly, after receiving testimony from Gail R. Wilensky, Project HOPE, Bethesda, Maryland; David M. Walker, Arthur Andersen, Atlanta, Georgia; Dallas L. Salisbury, Employee Benefit Research Institute, and Barry P. Bosworth, Brookings Institution, both of Washington, D.C.; Madelyn Hochstein, DYG, Inc., Danbury, Connecticut; Olivia S. Mitchell, University of Pennsylvania, Philadelphia; Robert N. Butler, Mount Sinai Medical Center, New York, New York, on behalf of the Alliance for Aging Research; and H. James Towey, Commission on Aging With Dignity, Tallahassee, Florida.

House of Representatives

Chamber Action

Bills Introduced: 35 public bills, H.R. 963–997; 2 private bills, H.R. 998–999; and 8 resolutions, H.J. Res. 60–61, H. Con. Res. 39–41, and H. Res. 84–86, were introduced. **Pages H802–04**

Reports Filed: One report was filed today as follows:

H.R. 852, to amend chapter 35 of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small businesses, educational and nonprofit institutions, Federal contractors, State and local governments, and other persons through the sponsorship and use of alternative information technologies (H. Rept. 105–7 Part I).

Page H802

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Quinn to act as Speaker pro tempore for today. **Page H769**

Journal: By a yea-and-nay vote of 355 yeas to 43 nays, Roll No. 33, the House agreed to the Speaker's approval of the Journal of Wednesday, March 5.

Page H776

Motion to Adjourn: Rejected the Miller of California motion to adjourn (rejected by a yea-and-nay vote of 75 yeas to 293 nays, Roll No. 32).

Pages H769–70

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, March 10, 1997; and agreed that when the House adjourns on Monday, it adjourn to meet at 12:30 p.m. on Tuesday, March 11 for morning-hour debate. **Page H774**

Calendar Wednesday: Agreed that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, March 12. **Page H774**

Committee Resignation: Read a letter from Representative Blumenauer wherein he resigned from the Committee on Education and the Workforce.

Page H774

Committee Election: The House agreed to H. Res. 84, electing Representative Blumenauer to the Committee on Transportation and Infrastructure, Representative Kucinich to the Committee on Education and the Workforce, and Representative McDermott to the Committee on the Budget. **Page H774**

Suspension—Washington, D.C. City Council Contract Reform: By a yea-and-nay vote of 390 yeas to 7 nays with 1 voting "present", Roll No. 34, the House voted to suspend the rules and pass H.R. 513, to exempt certain contracts entered into by the government of the District of Columbia from review by the Council of the District of Columbia. **Page H777**

Joint Committee Election: The House agreed to H. Res. 85 electing the following Members to serve with the Chairman of the Committee on House Oversight: Representatives Ney, Granger, Hoyer, and Gejdenson to the Joint Committee on Printing and Representatives Ney, Ehlers, Kilpatrick, and Gejdenson to the Joint Committee of Congress on the Library. **Pages H777–78**

Motion to Adjourn: Rejected the Miller of California motion to adjourn (rejected by a yea-and-nay vote of 84 yeas to 312 nays, Roll No. 35). **Page H778**

Committee Resignation: Read a letter from Representative Kucinich wherein he resigns from the Committee on International Relations. **Page H778**

Presidential Message—Trade Policy: Read a message from the President wherein he transmitted his 1997 Trade Policy Agenda and 1996 Annual Report on the Trade Agreements Program—referred to the Committee on Ways and Means. **Pages H778–79**

Leave of Absence: Read a letter from Representative Bishop wherein he requests a leave of absence from the Committee on Veterans' Affairs. **Page H795**

Senate Messages: Messages received from the Senate today appear on page H769.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of the House today and appear on pages H769–70, H776–77, H777, and H778. There were no quorum calls.

Adjournment: Met at 10:00 a.m. and adjourned at 3:21 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on the Commodity Futures Trading Commission and on the Farm and Foreign Agricultural Services. Testimony was heard from the following: Brooksley Born, Chairperson, Commodity Futures Trading Commission; the following officials of the USDA: Dallas R. Smith, Acting Under Secretary, Farm and Foreign Agriculture Services; and Grant B. Buntrock, Administrator, Farm Service Agency.

COMMERCE, JUSTICE, STATE, AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State and Judiciary held a hearing on the Bureau of Export Administration, Department of Commerce and on the Federal Courts; the Administrative Office and the Federal Judicial Center. Testimony was heard from William A. Reinsch, Under Secretary, Export Administration, Department of Commerce; the following officials of the Judicial Conference: Judge John Heyburn, Chairman; and Judge William Young, Co-Chairman; Leonidas Ralph Mecham, Director, Administrative Office, U.S. Courts; Judge Rya Zobel, Director, Federal Judicial Center.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on TVA and on the Appalachian Regional Commission. Testimony was heard from Craven Crowell, Chairman, TVA; and the following officials of the Appalachian Regional Commission: Kirk Fordice, Governor, State of Mississippi, State's Co-Chairman; and Jesse L. White, Jr., Federal Co-Chairman.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior continued appropriation hearings, with emphasis on Indian Programs. Testimony was heard from public witnesses.

LABOR—HHS—EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on National Institute of Arthritis, Musculoskeletal and Skin Disease, the National Center for Research Resources, the National Institute of Child Health and Human Development and the National Institute of Dental Research. Testimony was heard from Stephen Katz, M.D., Director, National Institute of Arthritis, Musculoskeletal and Skin Disease; Judith L. Vaitukaitis, M.D., Director, National Center for Research Resources; Duane Alexander, M.D., Director, National Institute of Child Health and

Human Development; and Harold C. Slaukin, M.D., Director, National Institute of Dental Research.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Navy Construction. Testimony was heard from Robin Tirie, Assistant Secretary of the Navy, Installations and Environment, Department of the Defense.

NATIONAL SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on National Security held a hearing on the Fiscal Year 1998 Navy/Marine Corps Budget Overview and on Navy/Marine Corps Acquisition. Testimony was heard from the following officials of the Department of the Navy: John H. Dalton, Secretary; Adm. Jay L. Johnson, USN, Chief of Naval Operations; Gen. Charles C. Krulak, USMC, Commandant, Marine Corps; John W. Douglass, Assistant Secretary, Research, Development, Test and Evaluation; Vice Adm. T. Donald L. Pilling, USN, Deputy Chief of Naval Operation (Resources, Warfare Requirements and Assessments); and Lt. Gen. Jeffrey W. Oster, USMC, Deputy Chief of Staff, Programs and Resources.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation held a hearing on the GAO and on the Secretary of Transportation. Testimony was heard from John Anderson, Director, Transportation Issues, GAO; and Rodney E. Slater, Secretary of Transportation.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Treasury, Postal Service, and General Government held a hearing on the Secretary of the Treasury. Testimony was heard from Robert E. Rubin, Secretary of the Treasury.

VA—HUD—INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies held a hearing on the Federal Emergency Management Agency. Testimony was heard from James Lee Witt, Director, FEMA.

HOUSING OPPORTUNITY AND RESPONSIBILITY ACT

Committee on Banking and Financial Services: Subcommittee on Housing and Community Development continued hearings on H.R. 2, Housing Opportunity and Responsibility Act of 1997. Testimony was heard from Andrew M. Cuomo, Secretary of Housing and Urban Development.

Hearings continue March 11.

ADMINISTRATION'S BUDGET—CBO'S ANALYSIS

Committee on the Budget: Held a hearing on the CBO's Analysis of the Administration's Budget Proposal for Fiscal Year 1998. Testimony was heard from June E. O'Neil, Director, CBO.

SEC AUTHORIZATION ACT

Committee on Commerce: Subcommittee on Finance and Hazardous Materials held a hearing on the Securities and Exchange Commission Authorization Act of 1997. Testimony was heard from Arthur Levitt, Jr., Chairman, SEC.

ASSISTED SUICIDE

Committee on Commerce: Subcommittee on Health and Environment held a hearing on Assisted Suicide: Legal, Medical, Ethical, and Social Issues. Testimony was heard from Bernard Cardinal Law, Archbishop of Boston; Rabbi A. James Rudin, Director, Interfaith Relations, American Jewish Committee; Rev. David L. Adams, Executive Director, Office of Government Information, Lutheran Church-Missouri Synod; Rev. Dr. Stanley Harakas, Greek Orthodox Church, Archdiocese of America; and public witnesses.

EDUCATION AT A CROSSROADS

Committee on Education and the Workforce: Subcommittee on Oversight and Investigations held a hearing on Education at a Crossroads, What Works, What's Wasted. Testimony was heard from Lamar Alexander, former Secretary of Education; and Delaine Eastin, Superintendent of Public Instruction, State of California.

FEDERAL TELECOMMUNICATIONS SYSTEM ACQUISITION STRATEGY

Committee on Government Reform and Oversight: Held a hearing on Federal Telecommunications System Acquisition Strategy (Post-FTS 2000). Testimony was heard from Robert J. Woods, Commissioner, GSA; and Frank E. Lalley, Associate Deputy and Assistant Secretary Telecommunications, Department of Veterans' Affairs.

Hearings continue March 12.

OVERSIGHT—HUD AND LABOR: MISSION MANAGEMENT AND PERFORMANCE

Committee on Government Reform: Subcommittee on Human Resources and Intergovernmental Relations continued Agency oversight hearings: the Department of Housing and Urban Development and the

Department of Labor: Mission, Management, and Performance. Testimony was heard from Susan Geffney, Inspector General, Department of Housing and Urban Affairs; Charles C. Masten, Inspector General, Department of Labor; and the following officials of the GAO: Larry Dyckman, Associate Director, Housing and Community Development Issues; and Carlotta Joiner, Director, Education and Employment.

COMMITTEE FUNDING

Committee on House Oversight: Met to consider funding requests for the following Committees: Rules; Banking and Financial Services; Budget; Resources, Education and the Workforce; National Security; Commerce; and Government Reform and Oversight.

MISCELLANEOUS MEASURES

Committee on International Relations: Favorably considered and adopted a motion urging the Chairman to request that the following measures be considered on the Suspension Calendar: H. Con. Res. 16, concerning the urgent need to improve the living standards of those South Asians living in the Ganges and the Bahmaputra River Basin; H. Res. 68, amended, stating the sense of the House of Representatives that the Treaty of Mutual Cooperation and Security Between the United States of America and Japan is essential for furthering the security interests of the United States, Japan, and the nations of the Asia-Pacific region, and that the people of Okinawa deserve recognition for their contributions toward ensuring the treaty's implementation; and H.R. 750, amended, to support the autonomous governance of Hong Kong after its reversion to the People's Republic of China.

The Committee also ordered reported H.J.Res. 58, amended, disapproving the certification of the President under section 490(b) of the Foreign Assistance Act of 1961 regarding foreign assistance for Mexico during fiscal year 1997.

OVERSIGHT—CONGRESSIONAL REVIEW ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing on the Congressional Review Act. Testimony was heard from Robert P. Murphy, General Counsel, GAO; Sally Katzen, Administrator, Office of Information and Regulatory Affairs, OMB; Jonathan Z. Cannon, General Counsel, EPA; Nancy E. McFadden, General Counsel, Department of Transportation; Charles W. Johnson, Parliamentarian, House of Representatives; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Crime approved for full Committee action the following bills: H.R. 927, United States Marshals Service Improvement Act of 1997; H.R. 926, Prisoner Service Opportunity Act of 1997; and H.R. 924, Victim Allocution Clarification Act of 1997.

DOD AUTHORIZATION

Committee on National Security: Continued hearings on the Fiscal Year 1998 Department of Defense authorization request. Testimony was heard from officials of the Department of Defense: Gen. John G. Tilelli, USA, Commander in Chief, U.S. Forces Korea; Adm. Joseph W. Prueher, USN, Commander in Chief, U.S. Pacific Command; and Gen. John J. Sheehan, USMC, Commander in Chief, U.S. Atlantic Command.

BALLISTIC MISSILE DEFENSE

Committee on National Security: Subcommittee on Military Research and Development held a hearing on ballistic missile defense. Testimony was heard from the following officials of the Department of Defense: Lt. Gen. Lester L. Lyles, USAF, Director Ballistic Missile Defense Organization; and Paul Kaminski, Under Secretary, Acquisition and Technology.

NATIONAL WILDLIFE REFUGE MEASURES

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans, held a hearing on the following bills: H.R. 511, National Wildlife Refuge System Improvement Act of 1997; and H.R. 512, New Wildlife Refuge Authorization Act. Testimony was heard from Representative John Tanner; Bruce Babbit, Secretary of the Interior; Bernie Richter, Assemblyman, State of California; and public witnesses.

DOE BUDGET AUTHORIZATION—ENERGY RESEARCH

Committee on Science: Subcommittee on Energy and Environment, held a hearing on fiscal year 1998 budget authorization request for Office of Energy Research, Department of Energy. Testimony was heard from Martha A. Krebs, Director, Energy Research, Department of Energy; and Victor S. Rezendes, Director, Energy, Resources and Science Issues, Resources, Community, and Economic Development Division, GAO.

PAPERWORK ELIMINATION ACT; ADMINISTRATION BUDGET REQUEST—SBA

Committee on Small Business: Ordered reported H.R. 852, Paperwork Elimination Act of 1997.

The Committee also held a hearing on the Administration's Budget request for the SBA for fiscal year 1998. Testimony was heard from Aida Alvarez, Administrator, SBA; and public witnesses.

ETHICS PROCESS

Committee on Standards of Official Conduct: Task Force on Ethics Reform met in executive session to continue hearings on the Ethics Process in the House. Testimony was heard from public witnesses.

ISTEA REAUTHORIZATION

Committee on Transportation and Infrastructure: Subcommittee on Surface Transportation, continued hearing on ISTEA Reauthorization: Policy Initiatives and Requests for Highway and Transit Projects. Testimony was heard from Members of Congress.

Hearings continue March 11.

MEDICARE HMO REGULATION AND QUALITY

Committee on Ways and Means: Subcommittee on Health held a hearing on Medicare HMO Regulation and Quality. Testimony was heard from Bruce C. Vladeck, Administrator, Health Care Financing Administration, Department of Health and Human Services; and public witnesses.

FUTURE OF SOCIAL SECURITY

Committee on Ways and Means: Subcommittee on Social Security held a hearing on the Future of Social Security for this Generation and the Next. Testimony was heard from the following members of the Advisory Council on Social Security: Robert M. Ball; Sylvester J. Schieber; and Edward M. Gramlich, Chairman.

IRAN TERRORISM

Permanent Select Committee on Intelligence: Met in executive session to hold a briefing on Iran Terrorism. The Committee was briefed by departmental witnesses.

Joint Meetings

VETERANS PROGRAMS

Joint Hearing: Senate Committee on Veterans' Affairs and the House Committee on Veterans' Affairs concluded joint hearings to review the legislative recommendations of certain veterans organizations, after receiving testimony from Richard G. Fazakerley, Blinded Veterans of America, James M. Blaylock, Military Order of the Purple Heart of the USA, Kenneth C. Huber, Paralyzed Veterans of America, and Robert M. Zweiman, Jewish War Veterans of the USA, all of Washington, D.C.; and Charles R. Jackson, Non Commissioned Officers Association of the USA, and Virginia M. Torsch, Retired Officers Association, both of Alexandria, Virginia.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 7, 1997

Senate

No meetings are scheduled.

House

No committee meetings are scheduled.

Joint Meetings

Joint Economic Committee, to hold hearings to examine the employment-unemployment situation for February, and to examine the Consumer Price Index, 9:30 a.m., 1334 Longworth Building.

CONGRESSIONAL PROGRAM AHEAD

Week of March 10 through 15, 1997

Senate Chamber

On *Monday,* Senate will consider S. Res. 39, Governmental Affairs Committee investigative funding.

On *Tuesday,* and during the balance of the week Senate will continue consideration of S. Res. 39, Governmental Affairs Committee funding and may consider any cleared executive and legislative business, including the nomination of Frederico Peña, to be Secretary of Energy.

(Senate will recess on Tuesday, March 11, 1997 from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: March 11 and 13, to hold hearings on proposed legislation authorizing funds for agricultural research, 9 a.m., SR–332.

Committee on Appropriations: March 11, Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on proposed budget estimates for fiscal year 1998 for the Consumer Product Safety Commission, the Consumer Information Center, and the Office of Consumer Affairs, 9:30 a.m., SD–138.

March 11, Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings on proposed budget estimates for fiscal year 1998 for Food and Consumer Service, Department of Agriculture, 10 a.m., SD–124.

March 11, 12 and 13, Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings on proposed budget estimates for fiscal year 1998, Tuesday, for the Small Business Administration, 2 p.m.; Wednesday, for the Department of Justice, 10 a.m.; Thursday, for the Department of Commerce, 2 p.m.; S–146, Capitol.

March 12, Subcommittee on Defense, to hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense, focusing on missile projects, 10 a.m., SD–192.

Committee on Armed Services: March 11 and 13, to resume hearings on proposed legislation authorizing funds for fiscal year 1998 for the Department of Defense and the future years defense program, focusing on the unified commands military strategies and operational requirements, Tuesday at 10 a.m. in SD–106 and Thursday at 10 a.m. in SH–216.

March 11, Subcommittee on Acquisition and Technology, to hold hearings on proposed legislation authorizing funds for fiscal year 1998 for the Department of Defense and the future years defense program, focusing on science and technology programs, 2:15 p.m., SR–222.

March 12, Subcommittee on Airland Forces, to resume hearings on proposed legislation authorizing funds for fiscal year 1998 for the Department of Defense and the future years defense program, focusing on Army Force XXI initiatives and Army modernization programs, 10 a.m., SR–222.

March 12, Subcommittee on Strategic Forces, to resume hearings on proposed legislation authorizing funds for fiscal year 1998 for the Department of Defense and the future years defense program, focusing on U.S. national security space programs and policies, 2 p.m., SR–222.

March 12, Subcommittee on Personnel, to resume hearings on proposed legislation authorizing funds for fiscal year 1998 for the Department of Defense and the future years defense program, focusing on policies pertaining to military compensation and quality of life programs, 2 p.m., SR–232A.

Committee on the Budget: March 11, to hold hearings to examine a proposal by a House coalition relating to the budget for fiscal year 1998 and beyond, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: March 12, to hold hearings to examine universal telephone service, 2 p.m., SR–253.

Committee on Energy and Natural Resources: March 12, business meeting, to mark up S. 104, to reform United States policy with regard to the management and disposal of spent nuclear fuel and high-level radioactive waste, 9:30 a.m., SD–366.

March 13, Full Committee, to resume hearings to examine issues with regard to competitive change in the electric power industry, 9:30 a.m., SD–G50.

March 13, Subcommittee on National Parks, Historic Preservation, and Recreation, to hold hearings to examine the future of the National Park System and to identify and discuss the needs, requirements, and innovative programs that will insure the Park Service will continue to meet its responsibilities well into the next century, 2 p.m., SD–366.

Committee on Environment and Public Works: March 13, Subcommittee on Transportation and Infrastructure, to resume hearings on proposed legislation authorizing funds for programs of the Intermodal Surface Transportation Efficiency Act, focusing on program eligibility, 9:30 a.m., SD–406.

March 14, Full Committee, to hold hearings on the nominations of Johnny H. Hayes, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority, Brig. Gen. Robert Bernard Flowers, USA, to be a Member of the Mississippi River Commission, and Judith M. Espinosa, of New Mexico, and Michael Rappoport, of Arizona, each to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, 9:30 a.m., SD–406.

Committee on Finance: March 11, to hold hearings on the President's proposed budget request for fiscal year 1998 for the Medicaid program, 10:30 a.m., SD–215.

March 12, Full Committee, to hold hearings to examine the Graduate Medical Education program, 10 a.m., SD–215.

Committee on Foreign Relations: March 12, Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings on proposed legislation authorizing funds for fiscal year 1998 for security assistance, 10 a.m., SD–419.

March 12, Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism, to hold hearings on Mexican and American responses to the international narcotics threat, 2 p.m., SD–419.

March 13, Subcommittee on International Operations, to hold hearings on the President's proposed budget requests for fiscal year 1998 for certain International Organizations and Conferences and the U.S. Arms Control and Disarmament Agency, 10 a.m., SD–419.

Committee on Governmental Affairs: March 10, Subcommittee on Oversight of Government Management and The District of Columbia, to hold hearings to review management issues for the Department of Commerce, 1:30 p.m., SD–342.

March 11, Full Committee, to hold hearings to examine issues relating to the census in the year 2000, 10 a.m., SD–342.

March 13, Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine national missile defense and prospects for United States-Russia ABM Treaty accommodation, 9:30 a.m., SD–342.

Committee on the Judiciary: March 11, to hold joint hearings with the House Judiciary's Subcommittee on the Constitution to examine issues relating to partial birth abortion, 9:30 a.m., SD–G50.

Committee on Labor and Human Resources: March 11, Subcommittee on Employment and Training, to hold hearings to review Federal job training programs, 9:30 a.m., SD–430.

March 12, Subcommittee on Public Health and Safety, to hold hearings to examine scientific discoveries in cloning, focusing on challenges for public policy, 9:30 a.m., SD–G50.

March 13, Full Committee, business meeting, to mark up S. 4, to provide private sector employees the same opportunities for time-and-a-half compensatory time off, biweekly work programs, and flexible credit hour programs

to help balance the demands and needs of work and family, and to clarify the provisions relating to exemptions of certain professionals from the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and pending nominations, 10 a.m., SD–430.

March 14, Full Committee, to resume hearings on proposed legislation authorizing funds for programs of the Higher Education Act, 9:30 a.m., SD–430.

Committee on Indian Affairs: March 11, business meeting, to consider pending calendar business, 9:30 a.m., SR–485.

Select Committee on Intelligence: March 11 and 12, to hold hearings on the nomination of Anthony Lake, of Massachusetts, to be Director of Central Intelligence, Tuesday at 2:30 p.m. and Wednesday at 9 a.m., SH–216.

March 13, Full Committee, to continue hearings in closed session on the nomination of Anthony Lake, of Massachusetts, to be Director of Central Intelligence, 2:30 p.m., SH–219.

House Chamber

Monday: No legislative business.

Tuesday: Consideration of 11 Suspensions:

1. H.R. 649, Department of Energy Standardization;
2. H.R. 651, Extend Deadline for Hydroelectric Project in the State of Washington;
3. H.R. 652, Extend Deadline for Hydroelectric Project in the State of Washington;
4. H.J. Res. 32, Granting Consent to Hawaiian Homes Commission;
5. H.R. 63, Trinity Lake Designation;
6. H.R. 437, National Sea Grant College Program;
7. H.R. 709, National Geologic Mapping;
8. H.R. 750, Supporting the Autonomous Governance of Hong Kong After its Reversion to the People's Republic of China;
9. H. Con. Res. 16, Concerning the Urgent Need to Improve the Living Standards of those South Asians Living in the Ganges and Brahmaputra River Basin;
10. H. Res. 68, Sense of the House Concerning the Treaty of Mutual Cooperation and Security Between the United States and Japan; and
11. H.R. 914, Higher Education Technical Amendments.

NOTE.—No votes are expected on Tuesday before 5 p.m.

Wednesday and Thursday: Consideration of H.J. Res. 58, Disapproving the Certification of the President Regarding Foreign Assistance for Mexico During Fiscal Year 1997 (subject to a rule);

Consideration of H.R. 852, Paperwork Elimination Amendments (subject to a rule); and

Consideration of H.R. 412, Approving An Irrigation District Agreement (subject to a rule).

Friday: No votes are expected.

House Committees

Committee on Agriculture, March 12, to consider pending business, 1 p.m., 1300 Longworth.

March 12, Subcommittee on Department Operations, Nutrition, and Foreign Agriculture, hearing on the status of the electronic benefit transfer system for the food stamp program, 9:30 a.m., 1302 Longworth.

Committee on Appropriations, March 10, Subcommittee on Transportation, to continue on GAO, 11 a.m., 2358 Rayburn.

March 11, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on marketing and regulatory programs, 1 p.m., and on Congressional and public witnesses, 4 p.m., 2362A Rayburn.

March 11, Subcommittee on Commerce, Justice, State and Judiciary, on Secretary of Commerce, 2 p.m., H–309 Capitol.

March 11, Subcommittee on Interior, on Bureau of Land Management, 10 a.m. and 1:30 p.m., B–308 Rayburn.

March 11, Subcommittee on Labor, Health and Human Services, and Education, on Secretary of Education, 10 a.m., and on Elementary and Secondary Education and Bilingual Education and Minority Languages Affairs, 1:30 p.m., 2358 Rayburn.

March 11, Subcommittee on Military Construction, on Air Force, 1:30 p.m., B–300 Rayburn.

March 11, Subcommittee on National Security, on fiscal year 1998 Air Force Budget overview, 1:30 p.m., 2212 Rayburn.

March 11, Subcommittee on Transportation, on National Transportation Safety Board, 10 a.m., and on Office of Inspector General, 1 p.m., 2358 Rayburn.

March 11, Subcommittee on Treasury, Postal Service, and General Government, on National Park Service, 9:30 a.m., on the Executive Office of the President, 10:30 a.m., and on Office of Management and Budget, 2 p.m., 2360 Rayburn.

March 11, Subcommittee on VA, HUD and Independent Agencies, and on Corporation for National and Community Service, 10 a.m. and 2 p.m., H–143 Capitol.

March 12, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Congressional and public witnesses, 10:30 a.m., and on food Safety, 1 p.m., 2362A Rayburn.

March 12, Subcommittee on Commerce, Justice, State and Judiciary, on United States Information Agency/International Broadcasting, 10 a.m., and on Counterterrorism, 2 p.m., H–309 Capitol.

March 12, Subcommittee on Energy and Water Development, on Nuclear Waste Management and Disposal, 10 a.m., 2362A Rayburn.

March 12, Subcommittee on Interior, on Fish and Wildlife Service, 10 a.m. and 1:30 p.m., B–308 Rayburn.

March 12, Subcommittee on Labor, Health and Human Services, and Education, on Vocational and Adult Education; Special Education; and Rehabilitative Services, 10 a.m., and on Postsecondary Education, 1:30 p.m., 2358 Rayburn.

March 12, Subcommittee on Military Construction, on Housing Privatization Efforts, 9:30 a.m., B–300 Rayburn.

March 12, Subcommittee on National Security, on Air Force Acquisition Programs, 10 a.m., H–140 Capitol.

March 12, Subcommittee on Transportation, on Coast Guard, 10 a.m., 2358 Rayburn.

March 12, Subcommittee on Treasury, Postal Service, and General Government, on U.S. Postal Service, 10 a.m., 2360 Rayburn.

March 12, Subcommittee on VA, HUD and Independent Agencies, on Community Development Financial Institutions, 9 a.m., and on National Credit Union Administration, 11 a.m., H–143 Capitol.

March 13, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Rural Development, 1 p.m., 2362A Rayburn.

March 13, Subcommittee on Commerce, Justice, State and Judiciary, on Supreme Court, 10 a.m., and on Telecommunication Issues, 2 p.m., H–309 Capitol.

March 13, Subcommittee on Energy and Water Development, on Energy Resources, 10 a.m., 2362–B Rayburn.

March 13, Subcommittee on Foreign Operations, Export Financing, and Related Programs, on Security Assistance, 10 a.m., H–144 Capitol.

March 13, Subcommittee on Interior, on National Endowments for the Arts and National Endowments for the Humanities, 10 a.m. and 1:30 p.m., B–308 Rayburn.

March 13, Subcommittee on Labor, Health and Human Services, and Education, on Educational Research and Improvements; and the Office of Inspector General, 10 a.m., and on Howard University; and Special Institutions for the Disabled, 1:30 p.m., 2358 Rayburn.

March 13, Subcommittee on Military Construction, on Congressional and public witnesses, 9:30 a.m., B–300 Rayburn.

March 13, Subcommittee on National Security, on Fiscal Year 1998 Army Budget Overview, 10 a.m., and on Army Acquisition Programs, 1:30 p.m., H–140 Capitol.

March 13, Subcommittee on Transportation, on Federal Highway Administration and the National Highway Traffic Safety Administration, 10 a.m., 2358 Rayburn.

March 13, Subcommittee on Treasury, Postal Service, and General Government, on GSA, 10 a.m., and on Federal Election Commission, 2 p.m., 2360 Rayburn.

March 14, Subcommittee on Commerce, Justice, State and Judiciary, on U.S. Trade Representatives, 10 a.m., and on SEC, 11 a.m., H–309 Capitol.

Committee on Banking and Financial Services, March 11, Subcommittee on General Oversight and Investigations, hearing on the use of the Department of the Treasury Geographic Targeting Order, 10 a.m., 2128 Rayburn.

March 11, Subcommittee on Housing and Community Development, to continue hearings on H.R. 2, Housing Opportunity and Responsibility Act of 1997, 2 p.m., 2128 Rayburn.

March 12, Subcommittee on Capital Markets, Securities and Government Sponsored Enterprises, to continue hearings on financial services modernization, 10 a.m., 2128 Rayburn.

March 13, Subcommittee on Domestic and International Monetary Policy, hearing on International Financial Institutions, 10 a.m., 2128 Rayburn.

Committee on the Budget, March 11, hearing on correcting the CPI, 10 a.m., 210 Cannon.

Committee on Commerce, March 11, Subcommittee on Health and Environment, hearing on Medicaid Reform: the Governor's View, 1 p.m., 2123 Rayburn.

March 13, Subcommittee on Health and Environment and the Subcommittee on Oversight and Investigations, joint hearing on Proposed Clean Air Act NAAQS Revisions: Concerns with EPA's and OMB's Responses to Committee Information Requests, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, March 13, hearing on the Administration's Education initiatives, 9 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, March 10, Subcommittee on Government Management, Information, and Technology, hearing on Government Performance and Results Act Implementation: How to Achieve Results, 10 a.m., 311 Cannon.

March 11, Subcommittee on Government Management, Information and Technology, to markup the following: H.R. 173, to amend the Federal Property and Administrative Services Act of 1949 to authorize donation of surplus law enforcement canines to their handlers; H.R. 680, to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to States of surplus personal property for donation to nonprofit providers of necessaries to impoverished families and individuals; and a measure entitled, ''Travel and Transportation Reform Act of 1997'', 3:30 p.m., 2247 Rayburn.

March 12, full committee, to continue hearings on Federal Communications System Acquisition Strategy (post FTS 20000): An Industry Perspective, 11 a.m., 2154 Rayburn.

March 12, Subcommittee on the Postal Service, oversight hearing on the U.S. Postal Service, 1 p.m., 2247 Rayburn.

March 13, Subcommittee on Human Resources and Intergovernmental Relations, hearing on HHS's Demonstration Program: ''Healthy Start: Implementation Lessons and Impact on Infant Mortality, 10 a.m., 2247 Rayburn.

Committee on International Relations, March 11, hearing on U.S. Assistance to the Newly Independent States of the former Soviet Union, 10 a.m., 2172 Rayburn.

March 11, Subcommittee on International Operations and Human Rights, hearing on Foreign Relations Reauthorization for FY 1998: Refugees and Migration, 2 p.m., 2172 Rayburn.

March 12, full Committee, hearing on U.S.-Russian Relations, 10 a.m., 2172 Rayburn.

March 12, Subcommittee on Asia and the Pacific, hearing on Democratic Continuity and Change in South Asia, 1:30 p.m., 2200 Rayburn.

March 12, Subcommittee on Western Hemisphere, hearing on the Western Hemisphere Today: A Roundtable Discussion, 1:30 p.m., 2172 Rayburn.

March 13, full committee, hearing on Foreign Assistance and U.S. Foreign Policy, 10 a.m., 2172 Rayburn.

March 13, Subcommittee on International Operations and Human Rights, hearing on Foreign Relations Authorization for FY 1998: U.S. Information Agency and National Endowment for Democracy, 1:30 p.m., 2172 Rayburn.

Committee on National Security, March 11, Subcommittee on Military Procurement, hearing on the Department of Defense program for the destruction of chemical weapons stockpile and fiscal year 1998 budget request, 10 a.m., 2212 Rayburn.

March 11, Subcommittee on Military Readiness, hearing on measuring readiness, 10 a.m. 2212 Rayburn.

March 11, Subcommittee on Military Procurement and the Subcommittee on Military Research and Development, joint hearing on Army modernization, 2 p.m., 2118 Rayburn.

March 12, full committee, to continue hearings on fiscal year 1998 Department of Defense authorization request, 9:30 a.m., 2118 Rayburn.

March 12, Subcommittee on Military Procurement, hearing on B–2 Bomber program, 2 p.m., 2118 Rayburn.

March 12, Subcommittee on Military Readiness, hearing on reform initiatives, 2 a.m., 2212 Rayburn.

March 13, Subcommittee on Military Installations and Facilities, hearing on revitalization of military housing, 10 a.m., 2212 Rayburn.

March 13, Subcommittee on Military Personnel, hearing on military compensation reform and recruiting/retention issues, 2 p.m., 2118 Rayburn.

March 13, Subcommittee on Military Research and Development, hearing on ballistic missile defense, 10 a.m., 2118 Rayburn.

March 14, Subcommittee on Military Procurement and the Subcommittee on Military Research and Development, joint hearing on Department of Defense anti-submarine warfare program, 10 a.m., 2118 Rayburn.

Committee on Resources, March 11, Subcommittee on National Parks and Public Lands, hearing on Federal funding of the State Land and Water Conservation Act Program, 9 a.m., 1334 Longworth.

March 13, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on the following measures: H.R. 39, to reauthorize the African Elephant Conservation Act; and H. Con. Res. 8, expressing the sense of Congress with respect to the significance of maintaining the health and stability of coral reef ecosystems, 10 a.m., 1334 Longworth.

March 13, Subcommittee on National Parks and Public Lands, hearing on H.R. 449, to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada, 10 a.m., 1324 Longworth.

Committee on Science, March 11, Subcommittee on Energy and Environment, hearing on Fiscal Year 1998 Budget Authorization Request: EPA Research and Development, 1 p.m., 2318 Rayburn.

March 12, full committee, to hold an organizational meeting, 9:30 a.m., followed by a hearing on the U.S. and Antarctica in the 21st Century, 10 a.m., 2318 Rayburn.

March 12, Subcommittee on Energy and Environment, hearing on EPA's Particulate Matter and Ozone Standards, 1 p.m., 2318 Rayburn.

March 12, Subcommittee on Space and Aeronautics, hearing on Fiscal Year 1998 NASA Authorization, Aeronautics and Advanced Space Transportation, 1 p.m., 2325 Rayburn.

March 13, Subcommittee on Basic Research, to continue hearings on the NSF Fiscal Year 1998 Authorization, Part II (Outside Witness): Math, Science, and Engineering Education Programs, 10 a.m., 2318 Rayburn.

March 13, Subcommittee on Energy and Environment, hearing on Fiscal Year 1998 Budget Authorization Request: NOAA, 1 p.m., 2318 Rayburn.

March 13, Subcommittee on Technology, hearing on FAA Research, Engineering and Development, 1 p.m., 2325 Rayburn.

Committee on Small Business, March 12, hearing on community renewal initiatives for low income areas, 10:30 a.m., 2359 Rayburn.

Committee on Transportation and Infrastructure, March 11 and 13, Subcommittee on Surface Transportation, to continue hearings on Member policy initiatives and requests for highway and transit projects in the ISTEA Reauthorization, 9:30 a.m., 2167 Rayburn.

March 12, Subcommittee on Railroads, hearing on the Current State of Amtrak, 2 p.m., 2167 Rayburn.

March 12, Subcommittee on Water Resources and Environment, hearing on Superfund Reauthorization: Views of EPA, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, March 13, to consider the Committee views and estimates for transmission to the Committee on the Budget, 9:30 a.m., 334 Cannon.

Committee on Ways and Means, March 11, Subcommittee on Health, hearing on Teaching Hospitals and Medicare Disproportionate Share Hospital Payments, 12:30 p.m., 1310 Longworth.

March 11, Subcommittee on Trade, hearing on Budget Authorizations for Fiscal Year 1998 and 1999 for the U.S. Customs, the U.S. International Trade Commission, and the Office of the U.S. Trade Representative, 10 a.m., 1100 Longworth.

March 12, full Committee, to markup H.R. 968, to amend title XVIII and XIX of the Social Security Act to permit a waiver of the prohibition of offering nurse aide training and competency evaluation programs in certain nursing facilities, 9:30 a.m., and to hold a hearing on Revenue Raising Provisions in the Administration's Fiscal Year Budget Proposal, 10 a.m., 1100 Longworth.

March 13, Subcommittee on Health, hearing on H.R. 15, Medicare Preventive Benefit Improvement Act of 1997, 9:30 a.m., 1100 Longworth.

March 13, Subcommittee on Trade, to markup Budget Authorizations for Fiscal Year 1998 and 1999 for the

U.S. Customs Service, the International Trade Commission, and the Office of the U.S. Trade Representative, 1 p.m., B–318 Rayburn.

Joint Meetings

Joint Economic Committee: March 13, to hold hearings to examine economic problems of the income tax system, 10 a.m., SD–628.

Joint Committee on Printing: March 13, to hold an organizational meeting; to be followed by a hearing on oversight of the Government Printing Office (GPO), 2 p.m., S–128, Capitol.

Joint hearing: March 11, Senate Committee on the Judiciary, to hold joint hearings with the House Judiciary's Subcommittee on the Constitution to examine issues relating to partial birth abortion, 9:30 a.m., SD–G50.

Commission on Security and Cooperation in Europe: March 13, to hold hearings to examine the future of Chechnya, 10 a.m., SD–538.

Next Meeting of the SENATE

12 noon, Monday, March 10

Senate Chamber

Program for Monday: After the recognition of three Senators for speeches and the transaction of any routine morning business (not to extend beyond 3 p.m.), Senate will begin consideration of S. Res. 39, Governmental Affairs Committee funding.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, March 10

House Chamber

Program for Monday: No legislative business.

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