There is a major under-supply of available and suitable organ donors.

Currently, there are 50,000 individuals waiting for an organ transplant in the United States. The number of people on the list has more than doubled since 1990 and a new name is added to the national patient waiting list approximately every 18 minutes. Despite the numerous problems that organ donation programs have faced and conquered over the years, a major problem still exists.

The demand for organs will continue to grow with the improvement of medical technologies. Without expanded efforts to increase the supply of organ donations, the supply of suitable organs will continue to lag behind the need.

For the many would-be organ recipients, the consequence of shortage is death. It is clear that expanded efforts are necessary in order to increase the number of organ donors.

According to some researchers, it may be possible to increase by 80 percent the number of organ donations in the United States through incentive programs and public education. A Congressional medal recognizing donors and their families can play a very important and effective role in our efforts to encourage such donation.

Our proposed Gift of Life Medal Program will be administered by the regional organ procurement organizations (OPOs) and managed by the entity administering the Organ Procurement and Transplantation Network. Once the decision to donate an organ has been made, the donor or the family member of the donor will be asked by the regional OPO whether participation in the Gift of Life Medal Program is desired.

The OPO will give each donor or family member the option of receiving a Gift of Life Medal, recognizing that some may not want to participate. If requested, a public presentation will be made to honor the donor. A presentation by a local official, community leader or Member of Congress would be a tremendous opportunity to increase the awareness concerning the desperate need for organ donation.

Every action has been taken to insure that the issuance of the Gift of Life Medals results in no net cost to the government. In addition, I am proud to report that the legislation has the strong support of the United Network for Organ Sharing (UNOS) and the Coalition on Donation.

Any one of us, or any member of our families, could need a life saving transplant tomorrow. We would then be placed on a waiting list to await our turn—or our death.

So, I ask that our colleagues help bring an end to waiting lists and recognize the enormous faith and courage displayed by organ donors and their families. Please join me as a cosponsor of The Gift of Life Congressional Medal Act. These donors offer others a second chance by providing the most precious gift imaginable—the gift of life.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 2943.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONVEYANCE OF FEDERAL LAND IN NEW CASTLE, NEW HAMPSHIRE

Mr. HORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4614) to provide for the conveyance of Federal land in New Castle, New Hampshire, to the town of New Castle, New Hampshire, and to require the release of certain restrictions with respect to land in such town, as amended.

The Clerk read as follows:

H.R. 4614

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

SECTION 1. LAND CONVEYANCE, FEDERAL LAND, NEW CASTLE, NEW HAMPSHIRE.

(a) CONVEYANCE REQUIRED.—Notwithstanding any provision of law (including the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)), the Administrator of General Services shall convey, by quitclaim deed and without consideration, to the town of New Castle, New Hampshire (in this section referred to as the ''Town''), the interest of the United States in a parcel of real property consisting of approximately 2 acres located in New Castle, New Hampshire, and currently administered by the Secretary of Transportation and leased to the Town under United States Coast Guard license number DTCGZ51283–97–RP–011L.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined as set forth in the United States Coast Guard license described in such subsection.

(c) TERMS AND CONDITIONS.—The Administrator may require such terms and conditions, including the reservation of easements and other rights, in connection with the conveyance under subsection (a) as the Administrator, after consultation with the Commandant of the United States Coast Guard, considers appropriate to protect the interests of the United States.

(d) REPLACEMENT OF LAND.—Notwithstanding any provision of the Land and Water Conservation Fund Act of 1965 (Public Law 88–578; 16 U.S.C. 460*l*–4–460*l*–11) or any other law, the real property conveyed under subsection (a) may be used to replace Land and Water Conservation Fund-assisted land in New Castle, New Hampshire, under project number 33-00077. The real property conveyed under subsection (a) shall be of reasonably equivalent recreational usefulness and location. Such replacement shall occur not later than one year after the date of the enactment of this Act.

Amend the title so as to read: ''To provide for the conveyance of Federal land in New Castle, New Hampshire, to the town of New Castle, New Hampshire, and to provide that such land be used to replace certain land for use as a cemetery.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HORN) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire (Mr. SUNUNU) be permitted to control the time on this side of the aisle.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from California?

There was no objection.

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

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

Mr. Speaker, under New Hampshire State law, cities and towns are required to provide for public cemeteries within their own local boundaries. Since 1994, the town of New Castle, New Hampshire, has been working to acquire just 2 acres of surplus Federal property through the Federal Property and Administrative Services Act to meet this important public need. New Castle, however, is an island, a small community, a little bit more than 1 square mile, and there exists very limited land available for this purpose of cemetery expansion. Moreover, the town's present cemetery is filled to capacity, and the need for additional space has become urgent.

New Castle has identified a 2-acre parcel of land that would be appropriate and enable the town to meet the State's requirement. Although the town owns the identified parcel, it is presently dedicated to recreational use under a National Park Service land and water conservation program. In order to use this parcel for cemetery use, the town must replace it with 2 additional acres that would then be dedicated to recreational use.

The town had hoped to fulfill the Park Service replacement requirement with a 2-acre parcel that it currently leases from the United States Coast Guard right there on New Castle. However, after a 7-month delay, the town was finally informed by the Park Service that it would have to take ownership of that parcel it currently leases. In light of this, the town has been pursuing ownership of the land under the no-cost public benefit provisions of the Federal Property and Administrative Services Act.

The Coast Guard has stated in a letter to me their intention to declare this property that is currently under lease to the town as excess. That land would then be presented to the GSA, the General Services Administration, for disposal. Furthermore, the Park Service has indicated in a letter to the State of New Hampshire, that has been working with the town on this important issue, that it ''has no objection'' to the town's replacement approach for converting land under this program for cemetery use. Given the urgency of this particular situation, I think it appropriate that we consider a legislative approach through which this transfer could be expedited.

Therefore, in the interest of meeting this very real public need in as timely a fashion as possible, I have introduced this legislation, H.R. 4614, which directs the Administrator of General Services to convey to the town of New

Castle the 2-acre parcel of land that it currently leases from the Coast Guard once the Coast Guard declares that property as excess. I am entering into the RECORD several letters of correspondence, including those mentioned above, as well as letters from the town of New Castle, the State Department of Resources and Economic Development, and the Commandant of the United States Coast Guard declaring his intention to excess the property. These letters clearly describe the urgent request by the town, the intent of the Coast Guard to excess the property, and the willingness of the Park Service to accept the town's proposal.

Even after the passage of this legislation, implementation will require the continued cooperation of three major Federal agencies: the GSA, the Park Service, and the Coast Guard. Their cooperation is going to be required, working with the State and the town of New Castle, to make sure that this moves forward in as timely a manner as possible. They each have responsibilities in order to ensure a smooth transition of these properties. I would encourage each of these agencies to act quickly to accomplish the needed tasks. I am very pleased that the officials from the GSA and the Park Service have already taken the time to visit the properties.

In summary, this legislation will help the State of New Hampshire and the town of New Castle deal with an urgent public need. The 2-acre property is already leased by the town at no cost, and they also already pay to maintain the property for recreational use. The bill will simply transfer ownership of this parcel so that the town may have the peace of mind knowing that their citizens can be buried with dignity.

Mr. Speaker, I urge passage of this bill, and I reserve the balance of my time.

Mr. KUCINICH. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. WAXMAN), the distinguished ranking member of our committee.

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this bill. It is special legislation; as such, it treats Federal land as a new kind of ''pork'' for Congress to distribute. The administration opposes this bill because it would give away Federal land that is not excess to the government. This is a dangerous precedent to set, especially immediately before midterm elections.

I am also concerned that the majority chose to bypass the full House Committee on Government Reform and Oversight. This bill has never been the subject of a hearing. We thought this bill would be brought to the committee. We are disappointed that the committee has been sidestepped and that our concerns cannot be addressed by the full committee.

The minority first learned of this bill less than 2 weeks ago. It was considered by the Subcommittee on Government Management, Information and Technology in markup just last Monday. I urged the subcommittee to hold a hearing on the bill and, at the very least, seek the administration's position on the bill. We now have the administration's position, and they are opposed to it. I have the statement of administrative position here, and I would like to quote from it:

> The administration opposes House passage of H.R. 4614 which would convey Federal land to the town of New Castle, New Hampshire. H.R. 4614 would convey Federal land, which has not been declared excess, in a manner inconsistent with the process established under the Federal Property and Administrative Services Act of 1949 for the fair and efficient utilization and disposal of excess and surplus Federal property.

The procedure by which the city could have pursued the matter, they did not require an act of Congress, they could have asked for an administrative procedure. Instead, they have come to the Congress and asked for this special legislation. I think it is a type of ''pork'' for the Congress of the United States to bypass the ordinary procedures for deciding how to deal with land. It creates a bad precedent. It has been assembled hastily, it has not been considered by the full committee, and finally and significantly, there are administrative alternatives for the town that better address its needs.

Mr. Speaker, for that reason, I urge my colleagues to oppose this legislation.

Mr. SUNUNU. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker, I thank the gentleman for yielding me this time, since I earlier yielded all of the time to author of the bill, the gentleman from New Hampshire (Mr. SUNUNU).

The gentleman from California who has just spoken knows that after questions were raised in subcommittee we had a full airing with members of the various agencies in the Federal Government, and I do not know where this administration thing was squeezed out of somebody downtown, but we had the concurrence, I believe, of the agencies involved, and I must say I find it rather strange to call land for a cemetery pork. I did not know we called dead bodies pork, and that rather offends me, frankly.

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

Mr. Speaker, I would like to further address some of the concerns that were raised by the minority. As the Chairman has pointed out, we had an informative hearing on the bill. While it was not a previously scheduled hearing specifically for this legislation, it allowed an opportunity to address many of the minority's concerns.

Subsequent to that we had a meeting with officials of the GSA, of the Park Service, and even of the Coast Guard with both majority and minority staff to address their concerns.

□ 1530

In fact, in particular they raised the concern that we be careful about the precedent, and the majority is very mindful of that. There was a request that we get notification of the town, that indeed they intended to use this transfer process specifically to enable them to expand their cemetery, which is obviously an enormous public need, certainly not a case for pork.

In order to address those concerns, the town put together a letter from the town officials the, chairman of the Board of Selectmen, that they went even through the trouble to have notarized for minority staff. I ask that that be included in the RECORD.

Mr. Speaker, I will quote it,

> We wish to make it clear at this time that the converted Land and Water Conservation Fund land, once approved for conversion, will not be used for any special purpose. It is the town's intention to develop the land as need arises for cemetery use only.

Not only have they provided this notarized letter in response to the concerns of the minority, previously, in 1995, the town passed a warrant in town meeting to ensure, to see if the town will vote to authorize the selectmen to negotiate with the appropriate State and Federal officials to use the site of Great Island Common for cemetery purposes.

Obviously, it is the full intention of the town to meet what is not just a serious but an urgent public need. To label it as anything else I think is somewhat disingenuous. There is no question that the Park Service could grant a temporary waiver so that the town could go forward, but the town would still have to replace the land and in that case a transfer would be necessary. This legislation would be extremely helpful in moving that process forward.

Not only is there a great deal of uncertainty about how long any administrative process would take; history shows that in order to get a clear response from the Park Service that they would have to take ownership of the land, the town had to wait a full 7 months.

Mr. Speaker, we could wait for a great deal of time for the administrative process to take its course. But the fact of the matter is I think the vast majority of Americans would agree that for the sake of a transfer of 2 acres that the town is currently leasing anyway, it would certainly give the citizens of the town peace of mind that they deserve. That they do not need to bury their dead at sea, that they do not need to inappropriately bury people in the aisles of cemeteries that they have existing, which sounds somewhat unusual, but it is in fact alternatives that have already been considered.

Mr. Speaker, I submit the following letters for the RECORD:

DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Philadelphia, PA, January 23, 1996.

JOSEPH F. QUINN, *Director,*
Officer of Recreation Services, Dept. of Resources & Economic Development, Division of Parks & Recreation, Concord, NH.

DEAR JOE: This is in response to your request for NPS consideration of concepts for conversions at three Land and Water Conservation Fund assisted sites. These sites are:

33–00260—26 acres of the 6f protected Gorham Common.

33–00139—1.42 acres of 6f protected land in Conway, NH.

33–00077—2 acres of the 6f protected Grat Island Common.

We have reviewed the preliminary information submitted by your office regarding these proposed conversions and have no objection at this time to the approach you suggest for projects 260 and 77. As you know, final NPS approval of a conversion request can only be given after review and approval of a formal conversion package which includes full documentation. If you decide to proceed with conversion for projects 260 and 77 full documentation must be submitted at that time.

In reviewing the conversion concept for project 33–00139 we find that the parcel now being considered as substitution land is not large enough to formulate an acceptable replacement for the land to be converted. We encourage the Town of Conway to look for an alternative site which will avoid loss of 6f protected land.

If you need any additional information on any of these proposals please contact me.

Sincerely,

CYNTHIA WILKERSON.

THE STATE OF NEW HAMPSHIRE
TOWN OF NEW CASTLE
TOWN WARRANT FOR 1995

Rockingham, SS—New Castle

To the Inhabitants of the Town of New Castle, In the County of Rockingham and the State of New Hampshire, qualified to vote in town affairs:

You are hereby notified to meet at the New Castle Recreation Center, Great Island Common in said New Castle, on Tuesday, the ninth of May, 1995 at ten o'clock in the forenoon, to act upon Article I through VIII.

The second session of the Annual Town Meeting will commence at 2 o'clock in the afternoon to act upon the following subjects: Article IX through XVII.

Article I: To choose all necessary Town Officers for the following year. The polls for the election of Town Officers and Ballot Articles will open at ten o'clock in the forenoon and shall not be closed before seven o'clock in the afternoon.

Article XII: To see if the Town will vote to authorize the Selectmen to negotiate with the appropriate State and Federal Officials for the purpose of granting permission for the Town to establish a municipal cemetery on the northern side of Great Island Common in a presently wooded area unused for recreational purposes. Said cemetery to be laid out in an area not to exceed 250′ (two hundred, fifty feet) by 400′ (four hundred feet) and to conform with all applicable state laws and any requirements established by local, state, and federal authority.

TOWN OF NEW CASTLE, NEW HAMPSHIRE
ANNUAL TOWN MEETING HELD AT GREAT ISLAND COMMON—MAY 14, 1996

Articles 1 through 15 were voted by ballot with the results indicated. The polls were opened by Moderator Wayne Semprini at 10 AM and closed at 7 PM.

Article 1: Balloting for town officers produced the following results:

Town Clerk (one year): Henry F. Bedford, 174 votes.

Selectman (three years): Clinton H. Springer, 118 votes.

Treasurer (one year): Wm. B. Marshall, III, 168 votes.

Tax Collector (one year): Pamela P. Cullen, 175 votes.

Moderator (two years): Wayne Semprini, 174 votes.

Trustee of Trust Funds (three yrs): Russell N. Cox, 173 votes.

Library Trustee (three years): Pamela F. Stearns, 169 votes.

Cemetery Trustee (three years): William E. Lanham, 175 votes.

Budget Committee (three years): Robert W. Beechar, 158 votes.

Fire Ward (three years): Andrew Schulte, 8 write-in votes.

Supervisor Checklist (six years): Marcia L. Whitehouse, 177 votes.

ARTICLE 12: Zoning Amendment #11 as specified in the warrant was ADOPTED by a ballot vote of 165 YES to 16 NO.

I attest this to be a true copy.

PAMELA P. CULLEN.
Sept. 28, 1998, Justice of the Peace.

TOWN OF NEW CASTLE,
OFFICE OF THE SELECTMEN,
New Castle, NH, September 28, 1998.

Hon. STEPHEN HORN,
Chairman, Subcommittee on Government Management, Information, and Technology, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: In behalf of the town in general and the Board of Selectmen in particular, I wish to thank you and the Subcommittee for your willingness to assist us in resolving what has become a pressing public need in our town. New Castle is in critical need of cemetery space and has been attempting to acquire additional land to meet this need since 1995.

As you know, the Town of New Castle is a small island community of approximately 512 acres. Under New Hampshire State law, communities are required to provide for public cemeteries within their own limits. However, our present 2.4 acre cemetery is filled to capacity, and the need for additional space has become urgent. Having no other suitable land available to us for this purpose, we are seeking to convert the use of approximately 2 acres of undeveloped land on Great Island Common that is currently dedicated to recreational use under the Land and Water Conservation Fund Act (LWCF). This parcel would be replaced with 2 acres of additional land which the Town will acquire from the United States Coast Guard.

We wish to make it clear at this time that the converted LWCF land, once approved for conversion, will not be used for any commercial purpose. It is the Town's intention to develop the land as need arises for cemetery use only. This is the only purpose for which the LWCF land in question would be converted, and it would remain as cemetery space in perpetuity. Enclosed is a copy of the 1995 Town Warrant Article approved by the voters of New Castle that supports establishing a cemetery on Great Island Common property.

Once again, thank you for your assistance in this most important matter.

Very truly yours,

CLINTON H. SPRINGER,
Chairman, Board of Selectmen.

Witness this Monday, Sept. 28, 1998.

PAME LA P. CULLEN,
Justice of the Peace.

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

Mr. KUCINICH. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I thank the gentleman from Ohio (Mr. KUCINICH) for yielding me this time.

Mr. Speaker, I want to correct the RECORD. This bill was introduced a matter of weeks ago. There was no hearing on this legislation. The gentleman from New Hampshire said there was a hearing. There was no hearing on this legislation. There was a discussion among Members where I suggested to the chairman of the subcommittee that we have a hearing.

The next week, there was several administrative agencies brought before the committee. The Coast Guard was not there. It was represented that the Coast Guard was there; they were not there. The Park Service was there. The GSA was there, but it was my understanding they said they could not endorse the bill. They wanted to do some further checking on the matter.

The Democrats who were present allowed the bill to get out of the subcommittee with the idea that it was going to come to the full committee and then we would know whether there was a problem or not.

Now, no one dredged out anything from the administration. They have come forward with their determination that the existing law allows a streamlined administrative procedure to deal with this very issue. It does not require an act of Congress, and they do not want to set a precedent where congressmen can just drop bills in, distribute property, and never have an opportunity for a hearing where concerned citizens might express their point of view.

I have no disagreement or any knowledge about whether this land ought to be handled the way the gentleman from New Hampshire would like to handle it. But it is not, it seems to me, up to the Members of the House to decide this question when there is an administrative process to make that determination.

I do think it is troubling that Members of Congress, without hearings, should come up with bills to settle these matters. A Member could go home and say, ''Look what I have done. I have got you this piece of land.'' Is that any different than, ''Look, I have got this government money to distribute for the interest of my constituents''? It seems to me the kind of thing that Members of Congress take credit for all the time, but it ought not to be handled in this slipshod manner.

Any chairman of a subcommittee who cared about the substance would give a full opportunity for everyone to get input into it and know what we are doing before legislation moves forward. Any chairman of a subcommittee who wanted to give people a full opportunity to participate in the legislative process ought to have at least held up and let the full committee consider the legislation.

I think that it is not illegitimate for the administration to give their views

on this, whether Members agree with their views or not. I agree that they are expressing the fact that this would be a dangerous precedent, and for this reason I strongly urge Members to oppose the bill.

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

Mr. Speaker, I am disappointed that the ranking member of the full committee does not feel that the Members meeting where we discussed this legislation and other legislation, the staff meeting where these issues were addressed, were not sufficient to deal with the issues raised in the depth that he would like to have dealt with, and I understand that concern. We are all busy. We all have schedules to keep, and we do not always have the time that we would like to to delve into matters of detail.

The gentleman mentions the concern of the administration's position. And as I stated earlier, certainly from the perspective of the town and the State having received a letter from the Park Service stating that there was no objection to the proposal, I think there was some natural assumption that the administration would be somewhat supportive or at least accommodating of moving forward with a solution that meets such an urgent public need with all good speed.

The fact of the matter is that the town has tried to work through formal channels to the best extent that they can, providing a proposal to the State Department of Resources and Economic Development, that was then passed on through to the Park Service, corresponding with them over a period of years.

As I mentioned, it took 7 months just for the Park Service to respond to the town that the lease that they currently have on the property would not be sufficient and that they had to take ownership.

The Ranking Member suggests that this is just shocking that Congress would actually try to work, or any Member of Congress would actually try to work to actively help a town or a State that it is representing deal with some of the Federal bureaucracy that we face every day here in Washington. That we might try to facilitate public benefit transfer that is actually quite common.

Just a month ago in the committee, we supported legislation that happened to grant land to a town in the State of California, approximately 200 acres. Certainly, the ranking member would point out, and correctly so, that because of the size and scope of that transfer, 200 acres, we had a hearing on that transfer. I think that was appropriate. And if we had ample time in this session of Congress, we might be able to schedule a more formal hearing.

But the fact is, there is a need that the town of New Castle has to bury its dead. We are talking about 2 acres of land. Not 200 acres of land, but 2 acres of land that the town is currently leasing and the town would take ownership of that land so that they can bury their dead with dignity. That may be a problem to some on the committee or the subcommittee. But the fact of the matter is, this bill was originally voiced through the subcommittee because, I believe, of the effort of the majority and minority on the committee to work together on issues like this to form some bipartisan consensus.

The gentleman from California (Mr. HORN) the subcommittee chairman, has been good enough to schedule many bills of the minority in the past and to deal with them as expeditiously as he deals with bills that majority members might submit, and I think his fairness is to be commended in this case.

Mr. Speaker, I think we should be able to come to some bipartisan agreement that this bill makes sense. It is fair. It serves a public need, not a special interest need. I urge support for H.R. 4614, as amended.

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

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

Mr. Speaker, first of all, I would like to repeat that this bill has not been considered by the full Committee on Government Reform and Oversight. It has not been fully vetted through the committee. And when we had our discussion in subcommittee, it was our understanding that the full committee would address this legislation. So, there is a question here of the adequacy of the process.

And while I think all of us in this Congress would admire the spirited defense which the gentleman from New Hampshire (Mr. SUNUNU) gives to the needs of his constituents, we at the same time have to be bound by a process in order to make government work for all the people.

I would agree that the gentleman presents a case that there is a critical need for cemetery space. But there is an administrative process through the Department of Interior that works faster and better than this bill, I would submit. And the town, it is my understanding, is pursuing this approach and the Department of the Interior is working with the town and the State to help.

Mr. Speaker, I think we do have to be concerned that we have not had a full airing here, not withstanding the good intentions of the gentleman from California (Mr. WAXMAN), our ranking member who I have the greatest respect for, and of the gentleman from New Hampshire. Because at the time of the meeting, it is my understanding that the National Park Service had not seen the property, that GSA had and continues to express concerns.

We had a half-hour meeting with the administration officers where they explained the administration process, where they gave the gentleman from New Hampshire and our staff technical advice on language. But I believe they specifically refused to give an administration opinion at that time.

It is my understanding further that the property is not surplus, that the National Park Service still has concerns with the Coast Guard property and with respect to its size, in that it is small, it has easements, and of course that the emergency situation can be addressed administratively. Current law would appear to provide a better solution.

The town and the State of New Hampshire are aware of an administrative remedy that will provide for the immediate conversion of the park land for use as a cemetery. The town, as I mentioned earlier, is actively pursuing this avenue. At least I believe it is.

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

Mr. KUCINICH. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. Mr. Speaker, it is true, however, that even if the Park Service was to grant such a waiver, they would still have to replace the land with a transfer under the Land and Water Conservation requirements.

Mr. KUCINICH. Mr. Speaker, reclaiming my time, it is my understanding that the town does not have to replace the land; that the State does, under an agreement with the Department of the Interior.

Mr. SUNUNU. Mr. Speaker, if the gentleman would continue to yield, the town is actually under contract from the State. They have full legal requirement for the replacement.

Mr. KUCINICH. Mr. Speaker, is the gentleman then saying that the town does have to replace the land, or does not?

Mr. SUNUNU. Mr. Speaker, that is correct.

Mr. KUCINICH. It does or does not?

Mr. SUNUNU. It is my understanding that they have contracted with the State, are under contractual obligation with the State to meet the requirements of the LWCF to replace the land.

Mr. KUCINICH. Mr. Speaker, again reclaiming my time, we may have a disagreement in our perception on that. It is my understanding that the town does not have to replace the land; that the State of New Hampshire does, and this is under agreement with the Department of the Interior. I would be happy to continue the colloquy with my friend from New Hampshire if he has better information.

Mr. Speaker, I would also like to say that the bill as drafted may have serious weaknesses, which is another question which relates to process. Early reports from the Department of the Interior indicates that the land to be conveyed is probably not adequate to serve as replacement property for park land. And we know that the Coast Guard wants to retain easements across the property.

There is a great concern on our side of the aisle about the Federal property disposal process and that it not be subverted. That is the reason why the administration opposes this bill. I would

be happy to yield to the gentleman from New Hampshire (Mr. SUNUNU) to hear a response.

Mr. SUNUNU. Mr. Speaker, if the gentleman would continue to yield, I would enter in a copy of the agreement that the town has with the State, and also the language of the regulations which says: The terms ''State'' as used herein means the State which is party to this agreement and the political subdivision or public agency to which the funds are to be transferred pursuant to the agreement.

So, I believe the town also has a contractual obligation to meet the requirements of the LWCF.

Mr. KUCINICH. Mr. Speaker, again reclaiming my time, we may have some ambiguity here, because the State is under a legal obligation with the Department of Interior. The town may also be included, but the State is the one who is ultimately responsible. And the National Park Service indicated to us that the State was on the hook.

Mr. Speaker, this colloquy in itself proves the need for further hearings on this.

Mr. Speaker, I yield to the gentleman from California (Mr. WAXMAN).

□ 1545

Mr. WAXMAN. Mr. Speaker, the gentleman is absolutely correct. This is the type of thing that should have been hashed out in a hearing, and if not in a hearing, a markup. But what happened with this legislation is that there was never a hearing. The meeting with some of these agencies was with the staff and not the Members. There was, we thought, an understanding that the subcommittee would report the bill out and we would have a chance to get full recommendations from these agencies before the bill went to the full committee, and then there was no full committee hearing.

The bill is suddenly on the House floor. I guess there might have been some anticipation that there was going to be opposition. But whether that was the case or not, this is just not the way the legislative process should be conducted. If we allow a bill out of subcommittee on the understanding, as I hear it from the subcommittee chairman, that we would go to the full committee, and we would have a chance to look at our concerns and be able to raise them in the full committee, it just seems to me incumbent on all of us, in terms of comity and working with each other, not to run then to the floor, passing up the full committee, passing up all hearings, and then telling everybody this is a bill that is only a couple of acres.

Mr. KUCINICH. Mr. Speaker, the gentleman from California (Mr. WAXMAN) is correct, the staff meeting was at 1 o'clock on Monday, the 27th of September. That was 2 hours before the subcommittee markup, and the subcommittee markup was at 3 o'clock that same day. I think that serves to illustrate the concerns that the gentleman from California (Mr. WAXMAN) continues to express.

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

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

I think that far from indicating any weakness in the legislation, the colloquy we just had and the remarks made is nothing more than a spirited defense of the kind of bureaucracy that gives Washington a bad name.

I think there is no question that granting the land to the town would meet the contractual obligation under the Land and Water Conservation Fund requirements. Granting the land to the State would probably also achieve the same ends but, in all likelihood, the State would continue to give full responsibility to the town itself to continue to maintain, to continue to use for recreational purposes.

What we are quibbling about here is the kind of regulatory red tape that the vast majority of Americans find repulsive about Washington. What we are trying to do here is to look at a process that exists, the public benefit transfer, which is actually fairly clear language for Washington, and to use a piece of legislation to make sure that we move these two acres of land to the ownership of the town to meet its needs for a public cemetery as quickly as is expeditious.

But, at the same time, we are not going to leave the GSA or the Park Service out of the process. They are not cut out of the process. And as has been described, they have actually visited the site. They are going to be involved in the ultimate administrative transfer of the land.

I think it is appropriate that we, as public servants, as elected officials, do what we can to give a community in this kind of a situation, with these kinds of problems, the benefit of moving forward with a process that they do not find frustrating and that they do not find fraught with red tape. And I think some of the description of the legalities and the technicalities are only evidence that the people's worst fears about bureaucracy and the defenders of bureaucracy in this institution are well-founded.

We are talking about two acres. In the dear colleague letter that was sent around by the ranking member, the gentleman from California, and the gentleman from Ohio, they raise the grave concern that it might not be quite enough land because there may be a slight difference in the two-acre parcel on the common and the roughly two-acre parcel that the town is currently leasing. Well, the grave concern consists of a difference of perhaps a tenth of an acre, or two-tenths of an acre, the kind of difference that will only be determined with a fair and appropriate survey of the exact acreage of the land. Once again, the kind of minutia, the bureaucracy, the red tape that I think the vast majority of Americans find objectionable.

I think there is no question that the GSA, as is called for in the legislation, will protect the interests of the United States. We have language in the legislation to protect the interests of the Coast Guard as well. We certainly want to make sure they have the right-of-way they need; that they can use the roadway that cuts through the property to get to anything that they might need. And those interests are protected in the legislation because it makes good sense to do so, but also because the interests of the town, the interests of the Coast Guard, and the interests of the country are all one in the same.

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

Mr. KUCINICH. May I inquire of the Speaker how much time remains for each side?

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from New Hampshire (Mr. SUNUNU) has 5½ minutes remaining; the gentleman from Ohio (Mr. KUCINICH) has 7 minutes remaining.

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

With respect to those who are concerned about bureaucracies, and I certainly am, I would submit there is an easy administrative procedure already in the law and that we are creating a bureaucracy through all of the machinations involved in this bill. This bill creates the problems in terms of creating the circumstance for a property transfer, problems that we have been all trying to fix. And that such property transfer, which this legislation would effect, sets and creates a bad precedent.

I would like to further state that I do not believe that what we are submitting here is so much an attempt to sanctify the bureaucratic process as to insist on the preeminence of the legislative process; that, in fact, as Members of Congress, we are entitled to request full hearing on any legislation that comes before a committee. And while we engaged, I thought, in a constructive discussion in subcommittee, we were given assurances that we would have a full discussion in the full committee. Such a discussion has not occurred.

I do not think that any Member of Congress would attempt to diminish the importance of a hearing on any piece of legislation, because that, in fact, my colleagues, is the purpose for our being in the Congress of the United States; to be able to assess information that is brought before us, to be able to make as judicious a decision as we can about a legislative matter, and to be able to vote, if we may, on any legislation in front of a committee. To jump over the committee process, I believe, does not serve the process of the Congress well and does not properly show respect for the legislative process, as much as I am sure my colleagues do respect the legislative process.

It is, indeed, a work of mercy to bury the dead. It is a work of mercy which

I think we all recognize and we all respect. But I would submit that we cannot bury our legislative responsibilities and we cannot bury administrative process in our desire to bury the dead. This legislation must submit, as all other legislation in the Congress of the United States must submit, to some kind of a review process in the committee. And the fact that we are bypassing that really does not give us adequate opportunity, I believe, to be able to respect the real needs of the people of New Hampshire in regards to this.

I do not think that anyone would disagree with the merits of the case which the gentleman from New Hampshire would present on behalf of his constituents, but we have strong disagreement as to how to advance that, and how do we advance it by vitiating the legislative process itself.

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

Mr. SUNUNU. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker, just to get a few things clarified, we are not shy about holding hearings in this committee and subcommittee. We have had over 80 subcommittee hearings in this Congress, as my colleague, the gentleman from Ohio, knows.

When we had this markup last week, it was strictly understood that it was a voice vote. Nobody asked for a rollcall on this. And we did that as a courtesy to the minority, I believe, on a couple of bills. Then, when it was not scheduled by the full committee, that was a decision at that level, not our level; that it looks like this will go through, why do we not get it on the consent calendar since the full committee cannot meet until Thursday and the last day of the Congress is presumably Friday. And the decision was, ''Well, it seems to have been worked out, the gentleman from New Hampshire (Mr. SUNUNU) has met with the various agencies, so let us just put it on the calendar here.''

Now, of course, I am afraid we have a little bit of the politics of the full committee rather than the politics of the subcommittee, which I would think the gentleman from Ohio would admit is one of the most bipartisan subcommittees in this Congress. And I would hope we would support this measure.

Mr. KUCINICH. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, our objection to this legislation has nothing to do with the politics of the full committee, the subcommittee, or the Democratic versus Republican parties. Our concern is that a bill went out of subcommittee with our understanding that between the time it went out of subcommittee and it was taken up in full committee we would find out more about it from the administrative agencies that were never brought in to testify before a hearing of the subcommittee. And it was with that understanding that the Democratic Members of the subcommittee did not ask for a rollcall vote but let it go on a voice vote.

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

Mr. WAXMAN. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. Mr. Speaker, the gentleman from Ohio has stated that he does not have any questions about the merit of the bill. Now the gentleman from California is stating we do not have enough information. If the gentleman from California could clarify which position prevails.

Mr. WAXMAN. Reclaiming my time, Mr. Speaker, I object to this bill on process because, it seems to me, that because of the expedience of time running out, we did not get the process. Because of the gentleman's concern about the time running out and the full committee not meeting, the bill was brought to the floor without meeting the commitment that we thought we had that we would have a full committee markup on the legislation. And not just to have a markup, but because in the meantime we would hear from the administration.

Now, the administration has told us that on the substance this is not a good idea. It is a very dangerous precedent. And, besides, I am also informed, and I never wanted to become an expert in this area, but there is this administrative procedure where the people in New Hampshire could have gone and said that there are two parcels of land and they want both parcels for the cemetery. They could have gotten agreement through the administrative procedure to do that and then, at some later date, they would have to come up with another parcel to make up for the one parcel that was dedicated for park land that is now going to be used for cemetery land.

If this bill were to pass, I fear that what the gentleman has done has created more bureaucratic confusion than what would happen if the people of New Hampshire went right through the established immediate procedures in the law, because they would have to go through a process that would take more time and would be more cumbersome.

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

Mr. SUNUNU. Mr. Speaker, I yield myself 1 minute.

With all due respect to the gentleman from California, Mr. Speaker, that did not make much sense to me at all. While it is true that the Park Service could grant a waiver such that the town could begin work on the cemetery today, the requirement to replace that land remains. There would be still a full requirement to transfer ownership of two acres of land to the town.

The town has worked over the last 2 years to identify a parcel of land appropriate for such transfer. They happen to be leasing two acres of land from the Coast Guard as we speak that is a very appropriate parcel for them to take ownership of. They wanted to work through the status quo and say, because we lease the land, because we maintain the land, because it is used for parks and recreation, would that fit our obligation under Land and Water Conservation Fund. And the government's response, after 7 months, was: ''No, you have to take ownership of the land.''

In and of itself, I think that represents the concerns of the town for the delays that might be inherent in the process. And anything we can do to move it along is appropriate for the town.

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

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

First of all, I want to again point out that the town has had a cemetery problem for 2 years. The State has 1 year to identify a suitable replacement, and there are concerns that the Coast Guard property may not work.

Now, I say that all in the context of I wish that we had had some hearings at a full committee level and, therefore, we could have brought all these points into a debate. And the bill was only introduced 2 weeks ago.

Mr. Speaker, I am going to be calling for a recorded vote, but before I get to that, I am going to yield the remainder of my time to the gentleman from New Hampshire so that he can state his concerns for his constituents in New Hampshire. And I want the people in New Hampshire to know that we are also concerned about their problems, but we do have a legislative process that we have to regard here.

Mr. Speaker, I yield the balance of my time to the gentleman from New Hampshire (Mr. SUNUNU).

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Mr. SUNUNU. Mr. Speaker, my concern is not just for my constituents or just for the State. The fact of the matter is, I am concerned that we have a Federal Government that is responsive, that fulfills its duties and its obligations to reach out to those cities or towns or States that might be in need where there is an appropriate Federal role. And in this particular case, I think there is clearly a Federal role.

We have land in the town that is encumbered by Federal regulation. We have a town that has been looking to find an appropriate solution to their public need for cemetery space. They currently lease 2 acres. They would like to take ownership of those 2 acres.

We have a process called the public benefit transfer that has been used many times before. And, in fact, we have used legislation to move that process forward in an expedited way before and move that legislation through this legislative body on numerous occasions. And I think that is an appropriate way to address the concerns of the town and the concerns of the State so that they might bury their dead in dignity.

As I described, the legislation here protects the interest of the Coast Guard, it protects the interest of the Park Service, it calls on the town to make sure that it meets all the requirements that the GSA might put on the land when it is transferred. The Park Service has previously written a letter to the State that states, ''We have reviewed the preliminary information submitted by your office regarding these proposed conversions and have no objection.''

Now, that is not the be all and end all from the administration, but it is a clear example or clear point that the issues were raised by the town and the State as early as 1995; that they have tried to make sure that everyone has had the information that they need throughout the entire process.

I think what we have here is an opportunity to do the right thing for the town, to transfer 2 acres, not 200 acres as the legislation that the committee dealt with for California was done just a month ago, but just 2 acres so that the people in the town of New Castle can have peace of mind.

We have moved this legislation through the subcommittee. We have tried to address the concerns of the minority. We have had the opportunity to meet with minority and majority staff and other representatives from the administration.

I am disappointed that the administration sent over a fax today, October 5, saying that they have decided to oppose the bill. They could not send that a week ago apparently. They could not send it 2 weeks ago. They could not send it 2 years ago when the Park Service was saying that they have no objection. I am disappointed that we have received such a late response at such a late date, but I think in some ways that just points to the need for this body to do whatever it can to move the legislation forward on behalf of the people of the State of New Hampshire.

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

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the bill, H.R. 4614, as amended.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

TRAVEL AND TRANSPORTATION REFORM ACT OF 1997

Mr. HORN. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 930) to require Federal employees to use Federal travel charge cards for all payments of expenses of official Government travel, to amend title 31, United States Code, to establish requirements for prepayment audits of Federal agency transportation expenses, to authorize reimbursement of Federal agency employees for taxes incurred on travel or transportation reimbursements, and to authorize test programs for the payment of Federal employee travel expenses and relocation expenses.

The Clerk read as follows:

Senate amendments:

Page 2, line 5, strike out ''1997'' and insert ''1998''.

Page 3, after line 4 insert:

(b) AGENCY EXEMPTION.—The head of a Federal agency or the designee of such head may exempt any payment, person, type or class of payments, or type or class of agency personnel from subsection (a) if the agency head or the designee determines the exemption to be necessary in the interest of the agency. Not later than 30 days after granting such an exemption, the head of such agency or the designee shall notify the Administrator of General Services in writing of such exemption stating the reasons for the exemption.

Page 3, line 5, strike out ''(b)'' and insert ''(c)''.

Page 3, line 22, strike out ''(c)'' and insert ''(d)''.

Page 5, line 9, strike out ''(d)'' and insert ''(e)''.

Page 5, line 20, strike out ''(c)'' and insert ''(d)''.

Page 6, line 2, strike out ''(c)'' and insert ''(d)''.

Page 6, line 11, strike out ''(e)'' and insert ''(f)''.

Page 7, after line 5 insert:

(g) REIMBURSEMENT OF TRAVEL EXPENSES.—In accordance with regulations prescribed by the Administrator of General Services, the head of an agency shall ensure that the agency reimburses an employee who submits a proper voucher for allowable travel expenses in accordance with applicable travel regulations within 30 days after submission of the voucher. If an agency fails to reimburse an employee who has submitted a proper voucher within 30 days after submission of the voucher, the agency shall pay the employee a late payment fee as prescribed by the Administrator.

Page 14, line 11, strike out ''1997'' and insert ''1998''.

Page 15, line 23, strike out ''1997'' and insert ''1998''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HORN) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

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

Mr. Speaker, H.R. 930, the Travel and Transportation Reform Act, was passed by this House in April of 1997. According to the Congressional Budget Office, this legislation will save approximately $100 million in discretionary savings over 5 years by making agency travel and transportation systems more efficient.

One important change made by the bill deals with the taxes that are levied by State and local governments on Federal travelers. Such taxes can amount to hundreds of dollars per trip. Unofficial OMB estimates are that travelers pay perhaps $350 million in taxes.

Agencies should consider using centrally billed credit card accounts and other automated reservation billing and paying systems to avoid such charges. The solution would be best for both the employees and the Federal Government.

The Senate made a few changes in H.R. 930. The first change authorized additional exemptions from the requirement that agency personnel use the credit card when traveling on official government business. The other change authorized agencies to pay the interest charge to employees when the agency is late in reimbursing the travel expenses incurred by a particular employee. I think many of us have had that experience.

These changes are not controversial. I urge their support by my colleagues.

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

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

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

Mr. KUCINICH. Mr. Speaker, I rise in support of H.R. 930, as amended.

I would like to thank the gentleman from California (Mr. HORN) for working closely with the minority in drafting this bill and bringing it to this point. The other body has made some minor but common-sense changes to the House-passed legislation, and I support its current form and urge passage of the bill.

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

Mr. HORN. Mr. Speaker, I thank the gentleman from Ohio (Mr. KUCINICH) for his helpfulness on this matter, and I yield back the balance of my time.

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from California (Mr. HORN) for the chance to work with him, and I, too, yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 930.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FEDERAL ACTIVITIES INVENTORY REFORM ACT OF 1998

Mr. SESSIONS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 314) to provide a process for identifying the functions of the Federal Government that are not inherently governmental functions, and for other purposes.