HOUSE OF REPRESENTATIVES—*Tuesday, November 12, 1985*

The House met at 12 o'clock noon.

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

Bless all those people, O God, who see in what they do the opportunity for helping others. Whether in noble deeds of justice that involve the future of nations or in quiet acts of compassion that go unnoticed and are seen only by the few, we honor those who care for others. Encourage every person to understand that it is in giving and caring for others that we truly receive Your blessed gifts. Amen.

THE JOURNAL

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

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

MESSAGE FROM THE SENATE

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

H.R. 3067. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1986, and for other purposes; and

H.R. 3327. An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1986, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3067) "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1986, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPECTER, Mr. HATFIELD, Mr. MATTINGLY, Mr. DOMENICI, Mr. LAUTENBERG, Mr. STENNIS, and Mr. HARKIN to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3327) "An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1986, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MATTINGLY, Mr. LAXALT, Mr. GARN, Mr. HATFIELD, Mr. SASSER, Mr. INOUYE, and Mr. STENNIS to be the conferees on the part of the Senate.

RAILROAD RETIREMENT FUND

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

Mr. FLORIO. Mr. Speaker, on Thursday, my subcommittee will investigate recent allegations of illegal actions by the Department of the Treasury that may possibly jeopardize the future benefits of 1 million railroad retirees.

The Railroad Retirement Act states clearly that it is the Railroad Retirement Board which shall determine when securities held by the Railroad Retirement Fund shall be sold, and that they shall be sold only in an amount necessary to pay benefits.

Normally, the Department of the Treasury withdraws money from the Railroad Retirement Funds only at the direction of the Railroad Retirement Board, and only in such amounts as the Board directs to pay benefits. At the beginning of this month, Treasury did something different.

Between November 1 and November 8, without legal authority, the Department of the Treasury unilaterally sold interest-bearing securities held by the Railroad Retirement Account in an amount $445 million in excess of what was required to make November benefit payments. This sum is almost twice the normal monthly benefit payments of $481 million. Furthermore, this action was taken without consultation with or direction from the Railroad Retirement Board. Simply put, the Treasury Department illegally used funds held in trust for the Nation's 1 million railroad retirees to finance other Government operations.

Last Friday, I wrote Treasury Secretary Baker asking for a complete explanation for this illegal action. I also requested the General Accounting Office to investigate the Treasury Department's action as well.

After this hearing was announced, the Department of the Treasury stated that it would repay the retirement fund the excess funds withdrawn, and pay interest to make the fund whole if the debt ceiling bill required them to do so. I am pleased that the Treasury has now admitted it acted incorrectly, but this does not excuse what must have been a willing violation of the law. We must ensure that this illegal activity cannot happen again, and protect railroad retirees' funds from any such future raids.

LIGHTNING STRIKES TWICE—A SECOND RUSSIAN FREEDOM-SEEKER TURNED AWAY

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

Mr. COBLE. Mr. Speaker, a venerable adage reminds us that lightning never strikes identical targets twice. That adage was shamefully and inexcusably refuted last week. Over a decade ago a crew member of a Russian vessel leaped to what he had hoped was his freedom. Our Coast Guard and State Department, as I recall, became involved and the crew member was returned to his ship against his will. Last week, under strikingly similar circumstances, our Customs Service and State Department rejected another request for freedom and a Ukrainian sailor was turned away. This Congress should demand a detailed accounting.

Do we no longer recognize the constitutional principle of political asylum? How many times must lightning strike before we permit commonsense to dictate reasonable and fair results in response to pleas for freedom?

It was a day of shame—and we should be ashamed.

LEGISLATION AUTHORIZING MINTING AND SALE OF AMERICAN GOLD COINS

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

Mr. LEWIS of California. Mr. Speaker, I wish to inform my colleagues that today I join my friend, the gentleman from California, Mr. JULIAN DIXON, in reintroducing legislation that would call upon the Treasury to mint and put for sale a series of American gold coins. This bill as reintroduced is a reflection of work that has been done between the two Houses. In conference with the Senate, the Members drafted a proposal involving four gold coins to be minted and sold in the marketplace. Those coins including an American eagle gold coin of approximately 1 troy ounce, a half-ounce coin, a quarter-ounce coin, and a tenth-ounce coin.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. Speaker, in the meantime, the President has called upon the Department of the Treasury to produce a report regarding the potential of such coin production. Currently we are experiencing approximately $1 billion deficit in gold coin trading because the United States is not in the market. $400 million of that capital flow goes to South Africa.

Mr. Speaker, it is time for us once again to return to the marketplace. I predict that very soon the Congress will pass and the President will sign such a measure and that the American gold coin will take that marketplace by storm.

A HISTORIC BARGAIN ON DEFICIT REDUCTION

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

Mr. SLATTERY. Mr. Speaker, I rise to urge the congressional leadership, and the President, to seek a historic budget compromise.

First, we should pass a clean, 3-week debt ceiling extension.

This would allow President Reagan to meet Mr. Gorbachev, without the worry of severe defense cuts that may be mandated by all versions of Gramm-Rudman.

Second, upon his return, the President should meet with the congressional leadership, with all parties offering honest concessions.

Third, we should seek a broad-based formula for deficit reduction, exempting only those who are truly in need.

Mr. Speaker, we can reject legislative gridlock, avoid financial crisis, and put the national interest ahead of partisan politics.

President Kennedy said we should ask what we can do for our country.

I believe the American people are ready to make the tough choices to reduce the deficit, they are ready to march, so long as they are asked to march together, sharing both the burdens and the rewards.

This Congress and this President can be remembered as the ones that summoned our people to a great endeavor: a historic bargain, to reduce deficits immediately, effectively, and fairly.

THE MISHANDLING OF THE MIROSLAV MEDVID CASE

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

Mr. PEASE. Mr. Speaker, now that the *Marshal Konev* has weighed anchor and steamed out of United States waters carrying the Ukrainian sailor who sought so desperately to defect to the United States, I feel it is only fitting that we review the administration's mishandling of Mr. Miroslav Medvid's case.

In interviews with reporters on Sunday and in subsequent newspaper stories, Secretary of State George Shultz has defended the administration's handling of the matter.

However, Secretary Shultz' comments to the contrary, the Reagan administration first bungled and then chose to stonewall the situation. Despite my efforts and those of my colleagues here in the House of Representatives, and 36 Senators, the administration chose to turn a deaf ear to what may have been a young man's desperate plea for asylum. Despite letters from House and Senate Members, telegrams from me and my colleagues Congressman FEIGHAN to President Reagan alerting him to the possible existence here in the United States of Mr. Medvid's relatives, telegrams and phone calls from me suggesting that he make an official request to the Swiss Government to intervene by allowing Mr. Medvid to be interviewed at their consulate in New Orleans, which the President neither acknowledged nor returned, the administration considered the case closed. I even made this suggestion last Thursday to Assistant Secretary of State Rozanne Ridgway during her appearance before a House subcommittee hearing into the matter; however, my suggestion was ignored.

I am ashamed that our Government allowed such a violation of human rights to take place on our soil. The Reagan administration should thoroughly examine its conscience.

VOTERS WAY AHEAD OF CONGRESS ON UNWARRANTED GOVERNMENT INTRUSION INTO QUALITY MEDICAL CARE

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

Mr. SCHEUER. Mr. Speaker, there is one very significant aspect of last Tuesday's election that has not been discussed in this body, despite the fact that it dealt directly with the legislative agenda in the House.

As debate continues over the Kemp-Hatch amendment aimed at prohibiting abortion counseling by title 10 family planning clinics, I point out to my colleagues that last week's election results show that voters of all political persuasions and all religious faiths are way ahead of those members of Congress who support unwarranted government intrusion into the practice of quality medical care.

Last Tuesday, three New England communities voted overwhelmingly against nonbinding referenda asking if the Supreme Court decision legalizing abortion should be overturned.

Ironically, in each community the referendum was placed on the ballot by so-called pro-life advocates.

In the conservative community of Dover, NH, voters opposed the referendum by nearly 2 to 1 and then went even further and soundly defeated the pro-life candidate who placed the referendum on the ballot in his bid for a city council seat.

The candidate came in last among the five candidates actively seeking three available city council seats.

Residents of the New Hampshire hamlet of Derry and the Connecticut city of Bristol also voted by margins exceeding 60 percent to support fundamental civil rights for women and uphold the 1973 Roe versus Wade Supreme Court decision legalizing abortion.

It is time for Members of the House to wake up and sense the mood of all American people of every religious persuasion who support good family planning programs, rather than cater to the views of a small, vocal, minority that wants to kill 15 years of progress.

The debate over family planning funding should not be construed as a religious issue. Last weeks vote proved that.

I respect propoundly all church doctrines and deeply admire the tenets of the Catholic, Protestant, and Jewish religions.

In our day and age, Americans of all religious persuasions have learned to keep faith with their religious beliefs, while thinking, acting, and voting like the mainstream Americans that they are.

LYING TO THE AMERICAN PUBLIC ABOUT THE DEFICIT

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

Mr. ROEMER Mr. Speaker, how does the country song go?

I'm running for President
I got money to burn
My heart don't ache
My body don't yearn
I'd lie to you for your love
And that's the truth, honey.

Mr. Speaker, we have been lying to the American public about the deficit for years and buying their love by spending money we do not have.

With the final consideration of Gramm-Rudman some lies are going to die this week.

The lie that the deficit will grow away with no pain and no cuts will die.

The lie that supply-side tax cuts will eliminate the deficit will die.

The lie that we can balance the budget without requiring corporations to pay their fair share will be exposed.

The lie that we have the courage and the ability to budget rationally

and make hard choices without the pressure of law on crises will die.

The gentleman from Texas, MARVIN LEATH, gave us that choice a month ago, and we flunked.

Gramm-Rudman with its across-the-board cuts and mindless automation is imperfect and ought to be improved, but it beats the slow, certain death of a massive deficit, costing us and our children countless jobs.

Remember the song:

I'm a movie star, a lawyer, a doctor.
I'm an astronaut.
Yes, honey, I own this bar.
I'd lie to you for your love.

Mr. Speaker, this week many lies should die, and the tough part for politicians is that the love might die, too.

TWO TRANSCENDENT ISSUES BEFORE THE HOUSE TODAY

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

Mr. FASCELL. Mr. Speaker, there are two transcendent issues before the House today.

The gentleman from Michigan [Mr. BROOMFIELD] and I in a bipartisan effort will present a resolution here today speaking for the American people and the Congress, wishing the President well as he goes to the summit in a rare opportunity to reduce tensions with a nation with which we have a major disagreement. Mr. Reagan goes to Geneva with a broad agenda. Although arms control is the focal point the summit will also discuss issues of human rights, regional conflicts and other bilateral matters, and the Congress and the American people wish the President well in the strongest bipartisan sense.

We also have the opportunity, Mr. Speaker, on another major issue confronting the American people, and that is the question of the deficit and the budget.

Now, we have strong differences of opinion which have been very ably expressed in both bodies and by both parties.

The time has come, which is right now, because the deadline is Thursday, for the parties to come together. Differences of opinion must be resolved and this can only be done under the leadership of the President and the White House meeting with both bodies and both parties to bring this issue to rest.

GETTING MARRIED FOR MONEY—A CHILLING TALE OF INADEQUACIES OF OUR IMMIGRATION LAWS

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

Mr. McCOLLUM. Mr. Speaker, the headlines of a recent article in the Miami Herald, "Getting Married for Money Is South Florida Cottage Industry" tells a chilling tale of the inadequacies of our immigration laws. While total immigration to the United States dropped 9.6 percent from 1978 to 543,903 in 1984, the number of immigrants obtaining status by marriage to U.S. citizens increased 43 percent from 78,057 in 1978 to 111,653 in 1984. A more important statistic recently revealed by the Immigration and Naturalization Service shows that in 1984 alone, 11,721 alien fiances were admitted to the United States, of these 4,935 adjusted their status, and 1,438 decided to leave our country leaving 45 percent unaccounted for.

Mr. Speaker, the legislation that I am introducing today will tighten the "K" nonimmigrant visa category by requiring that a couple intending to marry must have met in person, speak the same language and have a bona fide intention to marry. Upon marriage, the alien would be granted a conditional 3-year visa status which would count toward the 5-year naturalization period. At the end of this period the couple must produce evidence that a bonafide marriage exists. If this information is not produced then status is not adjusted and the individual is subject to deportation. In addition, this legislation creates criminal penalties for those who knowingly enter into a marriage contract for the purpose of evading immigration laws.

INTRODUCTION OF SENSE-OF-CONGRESS RESOLUTION FOR NO INCREASE IN INDIVIDUAL INCOME TAX

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

Mr. ROWLAND of Connecticut. Mr. Speaker, thus far in the 99th Congress, higher individual income tax rates have not been proposed in legislative form. However, many expect that early next year some Members of Congress will be saying we need higher income tax rates.

Last week, I introduced a sense-of-the-Congress resolution which states that there should be no increase in individual income tax rates. Today, I invite Members of the House to join this effort to derail a movement to increase personal tax rates next year.

There are numerous areas of the Federal budget that must be cut, rather than using individual income tax increases as a deficit-reduction tool. The American taxpayer already shoulders an excessive tax burden and must not be called on to absorb further pain just because Congress lacks the political will to cut Federal programs.

Those Members signing on to this resolution will be squarely on record as opposing individual income tax hikes and will represent a deterrent to those contemplating such an increase.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SKELTON). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each 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.

Such rollcall votes, if postponed, will be taken after debate has been concluded on all motions to suspend the rules.

RELATING TO PROPOSED SALES OF ARMS TO JORDAN

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 228) relating to the proposed sales of arms to Jordan.

The Clerk read as follows:

S.J. RES. 228

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That prior to March 1, 1986, no letter of offer shall be valid with respect to any of the proposed sales to Jordan of advanced weapons systems, including advanced aircraft and advanced air defense systems, that are described in the notification pursuant to section 36(b) of the Arms Export Control Act submitted to the Congress on October 21, 1985, unless direct and meaningful peace negotiations between Israel and Jordan are underway.

□ 1225

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Florida [Mr. FASCELL] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

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

Mr. Speaker, the question of arms sales to Jordan is a rather contentious one. It impacts on the difficult issue of the Middle East peace process and a number of other U.S. national security concerns. In short, it is a matter that has received intensive and careful review in both bodies of Congress.

The abiding interest of the Committee on Foreign Affairs in the Middle

East has intensified over the last several months as the United States has increased its diplomatic efforts with both Jordan and Israel regarding a Middle East peace agreement. Correspondingly, both Jordan's King Hussein and Israel's Prime Minister Peres have made several important initiatives to help lay the groundwork for negotiations. The goal of the committee and the goal of this Congress, Mr. Speaker, should be to help advance that peace process.

Pending before the committee at markup were two resolutions. The underlying sentiment of the committee was expressed in House Joint Resolution 428 which was introduced on October 24 by myself and 273 cosponsors and which would prohibit the sale of weapons to Jordan unless direct bilateral negotiations have commenced between Jordan and Israel.

Also pending before the committee was Senate Joint Resolution 228 which extended the notification period to March 1, 1986, but allowed the sales to proceed before that date if direct and meaningful negotiations were underway between Israel and Jordan.

In considering possible legislation, the committee was guided by several principles. First, the committee wanted to support and encourage the peace process. Second, the committee believes it is essential to establish an ongoing peace process before proceeding with new arms sales and, therefore, concluded that until direct and meaningful negotiations are started the United States should not sell advanced weapons to Jordan. Third, the committee accordingly felt that if pressed to vote on these sales now, the sales would be disapproved.

In light of all these factors, the committee decided on November 7 to act on Senate Joint Resolution 228, the resolution which is now before us. The committee believes this resolution represents a compromise which addresses the concerns of all parties, gives the peace process a chance and preserves the options of the committee for further action in the coming months, including an outright disapproval of the issuance of a letter of offer if direct and meaningful negotiations are not taking place.

Senate Joint Resolution 228 was passed unanimously by the committee by voice vote, a quorum being present.

It is the view of the committee that there are several ways in which Senate Joint Resolution 228 could have been improved. However, there is a commitment from the President that he will sign Senate Joint Resolution 228 in its present form; the committee therefore believes that it is important to expedite the legislative process and submit this legislation to the President for his signature.

The committee defines the phrase "direct and meaningful" negotiations in Senate Joint Resolution 228 as involving:

Direct, publicly acknowledged, ongoing peace negotiations between leaders of Jordan and Israel or their designated negotiating teams;

The establishment of a mechanism by the two parties to ensure the continuation of the substantive negotating process and regular face-to-face talks between the two parties;

A process which would result in a clear public declaration to end the state of belligerency between Jordan and Israel.

In providing this definition the committee seeks to make clear its view that any peace conference convened under international auspices should lead promptly to direct negotiations between Israel and Jordan on the substance of peace issues, not procedural questions.

If direct and meaningful negotiations—under the above definition—are taking place, the President should communicate that publicly to this committee and undertake consultations with the Congress at least 30 days before proceeding with any sale. While the resolution provides no procedural mechanism for deciding if direct and meaningful negotiations are underway, the sale of arms to Jordan should take place only if there is a consensus between the executive branch and the Congress that negotiations are underway.

If by February 1, 1986, no negotiations of the specified nature are underway, the committee expects to be informed by the President whether he intends to, first, proceed with an arms sale after March 1, 1986, as per the letter of notification of October 21, 1985; second, delay the sale further until direct and meaningful negotiations are underway; third, resubmit the sale in accordance with section 36(b) of the Arms Export Control Act; or fourth, withdraw the sale.

The committee believes that passage of Senate Joint Resolution 228 in no way restricts the options of the Congress to pass further legislation on this issue as developments occur. As appropriate and warranted, for example, the committee holds open the option of reporting out House Joint Resolution 428 as a resolution of disapproval which would take effect on or after the March 1, 1986, date.

The committee also intends to consider separate but related legislation to provide for expedited procedures in order to facilitate consideration of any future legislation involving arms sales.

One of the committee's chief concerns relating to this matter involved the effect of the Supreme Court's Chadha decision, under which the legislative veto by concurrent resolution is considered unconstitutional. Flowing from that fact is the loss of expedited procedures under which this legislation could be considered.

In an effort to help solve that problem, at least in part, the committee has received assurances from the chairman of the Senate Foreign Relations Committee concerning possible future Senate action. I insert that letter in the RECORD at this point.

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, November 6, 1985.

Hon. DANTE FASCELL,
Chairman, Committee on Foreign Affairs, U.S. House of Representative, Washington, DC.

DEAR DANTE: I just wanted to follow up on our meeting last Friday concerning the proposed Jordan arms sale. As you know, at that time I expressed to you and to Larry Smith my own concern that reconsideration of this issue on the Senate floor could injure the consensus we achieved to defer the sale to March 1st. I would like to reiterate that concern now. I have had the occasion to review this matter with officials of the Administration. In my judgment, the Administration has assented only to the language of the current Senate bill and not to any other language.

At the same time, I want to assure you that should there be no negotiations by early next year, a disapproval resolution would be considered by the Foreign Relations Committee in a timely manner. I would oppose parliamentary maneuvering that would allow the sale to go forward against the wishes of the majority of the Senate. As I have all along said, it is necessary to form a consensus on this issue in order to address the problem of potential appropriations further along in the process.

I hope that this commitment is reassuring to you and to other members of the House. I look forward to working closely with you in order to ensure that the deeply felt views of both Houses are reflected in the final outcome.

With best wishes.

Sincerely,

RICHARD G. LUGAR,
Senate, Foreign Relations Committee.

Mr. Speaker, as I said at the outset, this has been a difficult issue involving a number of important implications. Taking all of that into account, this committee has concluded that the best legislative solution at this time is Senate Joint Resolution 228. I therefore urge its passage.

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

Mr. Speaker, I want to offer my support for the compromise legislation before us today. Thanks to the leadership of Chairman FASCELL and in the spirit of bipartisanship, this resolution received the strong support of the Foreign Affairs Committee. The Senate recently adopted the resolution by a 97 to 1 margin.

The legislation considers the interests of all parties and, in my judgment, should be supported. Its passage is clearly not a defeat for anyone. It incorporates the concerns of many of us in the Congress who believe that peace

is now possible in the Middle East. We must be careful, however, not to lose this promising opportunity.

The administration's needs are also served by the passage of this resolution. I am pleased that the executive branch has no objection to this prudent course of action that we are proposing.

The real strength of the legislation before us is that it lets our Government deal with both Jordan and Israel in an effort to keep the peace process moving forward. I am pleased that there are increasing diplomatic contacts between Jordan and Israel on this important effort.

By supporting this legislative approach, we avoid the undesirable option of taking an adverse vote on the arms sale to Jordan. Under the proposal before us, that sale cannot be made until March 1, 1986, unless direct and meaningful negotiations between Israel and Jordan are underway.

This resolution presents a workable compromise which serves the interests of all of those who want peace in the Middle East. I urge all my colleagues to join me in supporting this important resolution.

Mr. FASCELL. Mr. Speaker, I yield 4 minutes to the distinguished chairman of the Subcommittee on Europe and the Middle East, the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of Senate Joint Resolution 228 which effectively extends the notification period for the proposed arms sales to Jordan until March 1, 1986, but which would allow the proposed sales to proceed in the interim if direct and meaningful negotiations between Israel and Jordan are underway.

The effect of the resolution is to prohibit the sales temporarily but conditionally.

The phrase "direct and meaningful" negotiations in Senate Joint Resolution 228 involves several features:

First, direct, publicly acknowledged, ongoing peace negotiations between leaders of Jordan and Israel or their designated negotiating teams;

Second, the establishment of a mechanism by the two parties to ensure the continuation of the substantive negotiating process and regular face-to-face talks between the two parties;

Third, a process which would result in a clear public declaration to end the state of belligerency between Jordan to Israel.

The resolution seeks to make clear that any peace conference convened under international auspices should lead promptly to direct negotiations between Israel and Jordan on the substance of peace issues, not on procedural questions.

In recent weeks, the involvement of the United States in diplomatic contacts with both Jordan and Israel with respect to a Middle East peace process has intensified. Jordan's King Hussein and Prime Minister Peres of Israel have made important statements and efforts to try to narrow procedural differences to enable peace talks to proceed. We want to encourage that process.

Mr. Speaker, it is because we want to further the peace process that it is prudent to delay this arms sales package, It is only within the framework of a viable, ongoing peace process that arms sales and other security assistance can be supportive both of U.S. interests and of peace efforts.

Both Israel and Jordan are important friends of the United States. Millions of citizens throughout the Middle East are focused on current efforts to restart peace talks. They want this process to succeed both for themselves and for future generations. At the same time, there is a small minority in the Middle East which seeks, through violence and terror, to frustrate any peace process and cause its failure.

The United States at this time should focus all its efforts on that peace process and avoid any actions which divert energies or attention away from it. Arms sales, without direct and meaningful negotiations, could do precisely that.

Helping Jordan with its legitimate security needs is important, but this should be accomplished in the proper context. Without prejudice to these long-term security needs of Jordan, we today ask for a short delay in the arms sales process in order to give current peace efforts a chance to start sustained and substantive negotiations.

Mr. Speaker, I urge my colleagues to support Senate Joint Resolution 228.

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

Mr. Speaker, before I call on the next Member on our side to speak, I want to congratulate the gentleman from Indiana [Mr. HAMILTON], the chairman of the Subcommittee on Europe and the Middle East, and also the gentleman I am going to call on, the gentleman from New York [Mr. GILMAN], for the excellent work that that subcommittee did in regard to this legislation.

Mr. Speaker, it is my honor now to yield 3 minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of the resolution, and I want to commend the distinguished chairman of our committee, the gentleman from Florida [Mr. FASCELL], the distinguished chairman of our subcommittee, the gentleman from Indiana [Mr. HAMILTON], and our ranking minority member, the gentleman from Michigan [Mr. BROOMFIELD], for bringing this measure to the floor with such dispatch.

Mr. Speaker, Senate Joint Resolution 228 temporarily withholding sales of advanced weapons to Jordan, is by no means an ideal solution to the problem of providing proper defense for Jordan. On the other hand, it is a solution which the Committee on Foreign Affairs was able to agree upon with relative dispatch, which was passed by the other body, and which has the support of the President of the United States. I believe it merits the support of each Member of this House.

Sales of arms to Jordan have become linked with the progress of the peace process. As the distinguished chairman of our subcommittee on the Middle East, the gentleman from Indiana, so wisely observed—and I shall paraphrase him—that while consummating any specific arms sale may not bring forward the peace process, improper handling of an arms sale by the Congress can certainly set back the process.

The peace process is—and has remained, as much as we may regret it—at a delicate stage for the past several months. This was not an appropriate time to send to the Congress a major arms sale. The administration, unfortunately, chose to ignore the pleas of Congress and sent us an arms package which while appearing to meet the defense needs of Jordan also has a significant impact on Israel's ability to defend itself. Obviously—and justifiably—such a sale is controversial. While the administration initially plowed ahead, thereafter it wisely bowed to the congressional response, agreeing to postpone a final vote on this matter until late this winter.

Mr. Speaker, while we cannot fortell the future, we hope and pray that peace negotiations can get underway and appropriate arms can be provided to Jordan. But the question of arms supplies remains very much in the hands of the parties to the conflict themselves. We will be watching that Middle East Peace negotiations very closely, looking for indications that peace between Israel and its neighbors can eventually be achieved and the way cleared to the supply of defensive weapons against outside threats.

Mr. Speaker, I commend the Members on both sides of the aisle whose leadership allowed this compromise resolution to come to the floor with such dispatch.

□ 1235

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. FLORIO].

Mr. FLORIO. Mr. Speaker, with the understanding that this resolution in no way affects the prerogatives of the Congress under the existing law, I rise in support of the resolution.

Mr. Speaker, I rise to express my opposition to the administration's proposal to sell sophisticated weapons to Jordan, before that nation has accepted the framework of the Camp David peace process and agreed to direct negotiations with Israel. We are today considering a resolution, Senate Joint Resolution 228, that would postpone a decision on this particular sale until March 1, 1986, in order to encourage direct and meaningful peace negotiations between Israel and Jordan during that timeframe.

Mr. Speaker, I rise with apprehension to discuss this resolution because I am concerned about the perception that this resolution would allow the administration to go forward with this sale on March 1, 1986, unless the Congress passes a joint resolution of disapproval before that date. On October 21, 1985, the President formally notified Congress of the intent to sell a package of 40 F-20 or F-16 advanced fighters, 108 Stinger missiles, 12 Hawk missile units, 300 Sidewinder air-to-air missiles, and 32 M-3 Bradley cavalry fighting vehicles. This entire air defense package would carry a cost of as much as $1.9 billion and would threaten the air superiority of Israel—its cornerstone of security.

For a number of years, Jordan's King Hussein has been reluctant to recognize Israel and enter into direct negotiations to bring about a much needed settlement. He is currently hiding behind the shield of an international peace conference that would involve the PLO, Syria, and the Soviet Union as participants. By proposing an arms sale at this time, the administration is rewarding the King for his intransigence. If sophisticated weapons are provided to Jordan before that country makes peace with Israel, the incentive for direct negotiations would be removed and attention would be focused on instruments of war rather than maneuvers for peace. This weapons package would reduce Israel's ability to defend itself from a more possible Arab offensive.

Additionally, the arms sale to Jordan would increase Israel's defense burden by forcing Israel to allot an even greater proportion of its budget to defense needs. Not only would we be facing increases in our foreign aid demands for Israel and Egypt, but it would also be a detriment to the already troubled Israeli economy.

On June 10, I and my colleague from New York, Mr. LENT, introduced House Resolution 194, to express the opposition of the House of Representatives to selling arms to Jordan and to call upon Jordan to enter into direct peace negotiations with Israel. House Resolution 194 received the support of 91 of our colleagues before a joint resolution of disapproval was introduced by Mr. FASCELL. I was pleased to have been an original cosponsor of this resolution and I hope that, if direct and meaningful peace negotiations between Israel and Jordan do not occur before March 1, this joint resolution will be approved by the Congress to block this sale.

The resolution we are considering today should be taken as simply an extension of the legal 30-day period of review that Congress has to block such a sale. It should not be accepted as a resolution approving this sale unconditionally after March 1, 1986. There are meaningful steps that Jordan must take before the Congress lends approval to this sale.

Increasing our weapons supply to this region and promoting fear among our ally, Israel, will not foster peace and understanding in the Middle East. Encouraging direct negotiations with meaningful results will.

Mr. Speaker, it is imperative that this message be sent both to the administration and to all parties involved in this conflict. Our Government cannot condone intransigence by providing Jordan with gifts of weapons. Too much time has been spent already in waiting for Jordan to recognize Israel's right to exist and agree to direct meaningful negotiations. I hope that, as March 1 approaches, Congress will again review any progress that has been made and if there has not been any, pass a resolution of disapproval to block this sale once and for all, and send a message of our expectations in the peace process.

Mr. FASCELL. Mr. Speaker, I yield 3 mintues to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

First, I want to commend the gentleman from Florida [Mr. FASCELL] as author of the House resolution, together with the gentleman from Michigan [Mr. BROOMFIELD] and myself, and 280-plus other sponsors of the resolution of the House which was a resolution of disapproval. That resolution was exactly duplicative of the resolution that originally was filed in the other body.

The other body went ahead and changed the wording of their resolution to accommodate what was basically the argument that had been made by both this Chamber and the other body, and that was that the delay was the most important thing, that this was not the appropriate time for an arms sale in the Middle East, for an arms sale to Jordan. It would most likely hinder rather than help the peace process.

The gentleman from Florida [Mr. FASCELL], the gentleman from Michigan [Mr. BROOMFIELD], the majority leader, the gentleman from Indiana [Mr. HAMILTON], and others were successful in putting together the kind of work that was necessary to make sure everybody understood that what we wanted to do was to see the peace process move forward, and not bog down over a secondary, marginal issue.

What the problem is, however, and let us make it very clear, and let us make no mistake about it, is that the resolution language as the other body has drafted it, and as we are going to pass it, provides that as of March 1, the resolution allows for a sale to proceed without further notification by the President or the administration to the Congress.

The House resolution of over 280 cosponsors was a resolution of disapproval. That resolution will be taken up in the event that as of February 1, approximately, there is no change in the circumstances on the ground in the Middle East. If Hussein and Perez are not talking, if Israel and Jordan are not talking with each other, if their negotiating teams are not talking, I fully intend as a prime cosponsor of that legislation, and I am sure the others feel the same way, to move forward with our resolution to block that sale so that we again do not get bogged down in that arms sale while there is no good-faith effort being made toward the peace process.

Just this weekend alone, Arafat said once again that they would not lay down their arms in an arms struggle against Israel, and King Hussein said, and unfortunately, I am sorry to hear, that once again Arab flags, Jordanian flags would be flying over Jerusalem. I thought that was what the purpose of negotiations were supposed to be.

This country is a good friend of Jordan, this country is a good friend of King Hussein. This year alone, we raised above the administration's proposal the amount for economic support, we raised over the administration's proposed amount the amount for arms.

I urge my colleagues to vote for this, for the delay, and then wait to see what happens in the Middle East.

Mr. FASCELL. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN of Michigan. Mr. Speaker, I appreciate the gentleman yielding me this time, and I rise in support of this resolution and associate myself with the very cogent remarks of the gentleman from Florida who has just spoken.

Mr. Speaker, during King Hussein's visit this past summer he spoke of his commitment to the peace process in the Middle East. More recently, the King hailed Prime Minister Shimon Peres' speech to the United Nations, calling him a "man of vision."

All of which are encouraging signals to those of us watching this region closely.

But none of the above can let us ignore the central fact in this process—that Jordan's relationship with the Palestinian Liberation Organization empowers their terrorist agenda in the region. And that Jordan and Israel are not yet at the negotiating table.

Additionally, it is impossible to ignore that the type of weapons under discussion are just what must be most threatening to

Israel's security. Jordan's air bases are close to Israel's population centers. Israel's longest border is with Jordan—180 miles of territory difficult to defend by ground forces. The F-16 and F-20 interceptors under consideration could make it impossible for Israel to defend her own airspace.

In addition to the combat aircraft under discussion, the sale of Hawk and Stinger missiles raise their own questions about stability and peace in the region. Jordan already has 14 improved Hawk batteries—but their purchase was conditioned on their being attached to concrete pads that eliminated the possibility of their use against Israel. The new Hawks would not be so conditioned, and pose a much greater potential threat.

The Stinger has been called the "ideal terrorist weapon"—portable, potent, it can destroy a low-flying aircraft from any angle. The obvious questions about Jordan's ability to keep these weapons out of the hands of the PLO has yet to be answered by this administration.

Finally, the proposed sale includes Bradley fighting vehicles and Sidewinder heat-seeking missiles.

This sale would indisputably harm Israel's air superiority over its neighbors in the region. Right now, it is a risk Israel—and we—cannot take. The bill before us delays the sale until March, unless Jordan comes to the table in the meantime. I urge my colleagues' support of this measure.

Mr. FASCELL. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. JONES].

Mr. JONES of Oklahoma. Mr. Speaker, I, too, rise in strong support of this measure, Senate Joint Resolution 228, disapproving the sale of advanced weapons to Jordan.

As in the Florio and Fascell resolutions, both of which I have cosponsored, this legislation is based on one premise: That the United States must not reward intransigence or weak-hearted approaches to peace in the Middle East.

No Middle Eastern nation which refuses to engage in direct and meaningful negotiations with Israel should be supplied with advanced United States weapons.

By standing firm on this guiding principle, we will undoubtedly enhance the chance of long-term success for the Camp David peace process.

I urge my colleagues' support for this measure.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I rise in support of the resolution and in support of the principle of negotiations before arms.

Mr. Speaker, the resolution before us transforms the proposed Jordan arms sale into an opportunity for peace.

In passing the resolution, we prevent an immediate arms sale before direct and meaningful negotiations between Israel and Jordan are underway.

We leave open the question of future weapons transfers to Jordan. If serious negotiations do not begin, Congress can enact legislation before March 1 to block or further postpone a sale. The House and Senate have shown that they will so act with their overwhelming support for resolutions barring arms sales to Jordan before direct bilateral talks are in progress.

The Foreign Affairs Committee, on which I serve, stands ready to report whenever necessary the resolution barring arms sales to Jordan. That resolution was cosponsored by 281 Members of the House and 75 Senators.

If the President determines that direct and meaningful negotiations are underway and proceeds with a letter of offer of arms to Jordan, Congress can independently assess the talks and can still act to halt or restrict the sale.

While this resolution prevents the administration's proposed immediate arms sale to Jordan and leaves open the question whether the sale will go forward in the future, it avoids the kind of outright disapproval that could jeopardize the United States' and Israel's ability to work with Jordan toward peace.

For months, we who support this resolution have been pleading with the administration not to send up for congressional approval or disapproval at this time a sale of sophisticated weapons to Jordan.

The only successful strategy for linking Arab arms sales to peace is that followed with Egypt: no weapons transfers until talks are underway, the commitment to peace is clear, and irrevocable steps have been taken toward a settlement.

By contrast, strategies of first arms then peace have proved abysmal failures with Jordan and Saudi Arabia. In fact, these weapons transfers have been barriers to peace. If a country can obtain the most sophisticated arms from the United States without sitting down at the negotiating table, what incentive is there for peace? The weapons transfers only serve to heighten tensions and escalate the arms race that is raging in the Middle East.

Israeli Prime Minister Shimon Peres recently reminded the Knesset, "During the 37 years of Israel's existence, we have known five wars and one peace."

Mr. Peres added, "For wars—irrespective of who initiates them—all the sides pay a price. In peace—irrespective of who initiates it—all the sides enjoy its fruits. Today, Israel is ready to pay the price for peace—but provided that the payment actually brings peace, and provided that the Arabs also pay its price. Otherwise, no one will believe that they genuinely want peace."

Mr. Speaker, Jordan's purchase of American arms now—before peace talks begin—would not be the proper payment for peace.

We should have peace first. If peace talks take place, then we can discuss arms sales later.

But in the absence of peace talks between Jordan and Israel, we in the House must stand by the decision we took unanimously in July and oppose massive new arms sales to Jordan.

Prime Minister Peres was quite frank about what will follow this arms sale. He said, "Forty new F-16's will be received by Jordan in 3 years and could strike many targets in Israel. Weapons are always being given to the Arabs and then we have to ask for balance in aid and arms * * *. The mobile Hawk missiles are a serious military security problem."

I ask my colleagues to consider a few facts about the balance of arms in the Middle East before they vote on whether or not to allow an immediate arms sales to Jordan.

We know that when a united front of Arab nations launched a surprise attack on Israel in 1973, Jordan was able to excuse itself from the original attack by explaining to its Arab allies that it had no air force capable of defending itself from an Israeli retaliatory air strike.

Jordan's air force bomb payload was 100 metric tons in 1973 at the time of the Yom Kippur war; Jordan's air force bomb payload has increased almost fourfold since then, and this sale would further boost that nation's bomb payload to 500 metric tons.

At the time of the Yom Kippur war, Jordan had about 50 planes, most of them outdated and unsophisticated. Today Jordan has 115 planes in the air force, and King Hussein has plans to increase the number to 160. Further, Hussein has said he plans to retire many of his older planes on his way to a 160-plane air force. This arms sale will not fulfill his plan—he will be back for 40 more sophisticated fighter-bombers after this sale is made.

Jordan had no air defense batteries at the time of the Yom Kippur war, when the absence of air defenses restricted Jordan's participation in that united attempt by Arab regimes to destroy the Nation of Israel.

If this arms sales were completed, Jordan would have 43 air defense batteries. The next time, should the other Arab nations pressure Jordan to join in a united attack on Israel, Jordan would not be able to plead the absence of an air defense as a reason to sit out the original attack on Israel.

Of course, what American weapons Jordan had at the time of the Yom Kippur war were provided on the solemn promise that those weapons would not be turned against our friend, Israel. We all know that Jordan's American tanks were on the Gholan Heights, firing on Israeli soldiers, in blatant violation of King Hussein's solemn promise.

We would be deluding ourselves were we to estimate future damage from war in the Middle East based on damage caused by previous wars. The sophistication and the destructive power of weapons held now by both Israel and by the Arab Nations is far beyond what it was just a little over a decade ago.

Surely my colleagues were as appalled and frightened—and, frankly, as awed—by the new weapons that were on display at

the time of the Falklands war. Missiles that flew in from over the horizon to disable aircraft carriers, jump-jets that operate like tanks in the sky, hand-held antiaircraft weapons that would be the dream of any small terrorist organization like the PLO—these new weapons got their tryout in the south Atlantic Ocean off the coast of Argentina, when that little war served as an arms bazaar and a live-ammo demonstration tape for arms salesmen around the world.

Let us think twice before we raise the level of the arms race in that volatile region by approving this transfer of weapons to Jordan.

There are three levels to the arms race in the Middle East and this single arms transfer would exacerbate all three of those races.

There is the arms race between Israel's American weapons and the American weapons we sell to Arab countries. When an Arab country receives the latest generation of an American weapon, we must—to assure the continued existence of Israel—provide weapons as sophisticated or more sophisticated. Through this transfer we will again raise the need for additional weapons to Israel.

In addition to the continuing spiral of ever-more advanced American weapons on both sides of the conflict in the region, there is the race between American weapons and the Soviet weapons provided to the Soviet allies in the region. The administration proposes to justify this sale by arguing that Jordan needs these weapons to defend itself against Syria. That is a transparent dodge—these weapons are, in fact, uniquely designed for use in a war against Israel, not a land invasion of Jordan by Syria. But despite the transparence of that dodge, this sale will lead Syria and other Arab allies of the Soviets to demand that the American sale of weapons to Jordan be matched by a Soviet arms transfer to them.

Finally, Israel—surrounded as she is by nations committed to her destruction—cannot sit idly by when American arms held by Arab countries are upgraded through additional arms sales. Rather, Israel's arms industry must develop weapons to defend against the new generation of American weapons being provided. This arms sale will lead to new expenditures by Israel to devise defensive weapons designed to thwart the American weapons provided to Jordan. That level of the arms race will be further exacerbated when Israel is forced to respond to the additional Soviet arms that this sale of American weapons will draw into the region.

On all three levels, this arms sale to Jordan escalates the Middle Eastern arms race.

The border with Jordan is Israel's longest, and Israel cannot defend that border without the air superiority it now enjoys. This arms sale will seriously threaten that air superiority, both by supplying airplanes and air defenses, and will gravely threaten Israel's security.

Finally, this arms sale threaten's American security. The most obvious reason for that is the threat to Israel posed by this arms sale. Israel is our strongest, most stable and most reliable ally in the region. Israel is the fiercest enemy of the Soviet Union in the Middle East. Any threat to Israel is a direct threat to United States interests in the Middle East.

Mr. Speaker, I beg my colleagues to delay this arms sale to Jordan. It will escalate the arms race in a volatile region, and will threaten the security of our strongest ally in the region.

Jordan has been willing to inch toward peace only under the toughest pressure from our Nation, but Jordan has not gone nearly far enough to have earned this awful reward. There are not peace talks now. There is no lifting of the formal state of war with Israel by King Hussein. There is no renunciation by Jordan of the efforts of the PLO and the Soviet Union to turn peace negotiations into a propaganda exercize orchestrated by the greatest enemy of the United States and by the worst terrorist organization in the world.

An arms sale before peace talks rewards Jordanian intransigence.

Mr. Speaker, let us have peace first.

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

Mr. Speaker, at this point I want to express my appreciation to the ranking Republican Member, the gentleman from Michigan [Mr. BROOMFIELD], for his work and efforts on this matter in bringing about a bipartisan approach to a resolution of this problem. I also express my deep appreciation to the chairman of the subcommittee, Mr. HAMILTON, and the ranking member of the Middle East Subcommittee Mr. GILMAN, for their work, for the hearings that they have held in bringing this resolution forward. A special thanks goes to my colleague from Florida, Mr. SMITH, who undertook to do the hard work of sponsoring the original resolution which is still pending before our committee and now has 280 cosponsors to show a very large bipartisan consensus in this body that we do not believe that the peace process can be enhanced with the sale of sophisticated equipment to Jordan, or for that matter, to any other country, in the Middle East.

We need to provide the incentive whereby both Israel and Jordan, who have already indicated their seriousness, can make those concessions, which will help ultimately to bring about face-to-face negotiations, thereby reducing the tensions and bringing about a just and lasting peace in the Middle East. We have that here now. We hope that because of this message going forward from both bodies in the Congress on a fully bipartisan basis that the parties in the Middle East will take this seriously in an effort to bring about the necessary steps for direct and substantive negotiations.

None of us envision simply a meeting for the parties to get together and have some chitchat as satisfying the criteria in this legislation. We are not talking about that. What we are talking about is direct, face-to-face negotiation, substantive, meaningful efforts in order to arrive at the peace process.

We are willing to delay, Mr. Speaker, the time within which this sale would go forward. However, while we hope that the process would continue and the criteria which we have laid down in the law, which is inherent in this legislation, would actually be met, we stand ready, as my colleague from Florida has said, and all of us know and we have agreed, Republicans and Democrats alike, that the resolution which is still pending before the committee would be brought forward. Also in the record now are the assurances of the chairman of the other body's Committee on Foreign Relations that they would move forward promptly with disapproval legislation in the event that the peace process was not able to move forward.

So we present this legislation, Mr. Speaker, in the fervent hope that the parties will take it seriously, and that they will undertake to move forward from the positions they have now made public, and that the peace process can continue, that there will be direct and meaningful negotiations between Jordan and Israel, and the peace process can move on.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, today we will be called upon to consider how long we should postpone the administration's $1.3 billion arms sale to Jordan. And once again it is obvious what a short memory this administration has. For 10 years ago almost to the day the Nation of Jordan was one of the principal sponsors of the infamous Zionism is racism resolution in the United Nations. That resolution, forever a scar on the history of the United Nations, is the way that Jordan and the other Arab Nations have justified their attack on Israel.

The Zionism is racism resolution was not the first attack on the people and the Nation of Israel and God knows it wasn't the last. Fortunately the friends of Israel have much longer memories than this administration does.

If the Jordanians have changed their minds about Israel and are now serious about peace in the region, and I hope they are, let them show it by entering into direct unfettered talks with Israel before we reward them.

Mr. Speaker, 10 years ago yesterday 72 nations decreed in a U.N. Resolution that Zionism was racism. Although 10 years have passed that same anti-Semitism is the cause of most of the attacks on Israel. Let us send the message that we in Congress do not forget so easily. I urge my colleagues to postpone this misguided arms sale for at least another 10 years.

Mr. WAXMAN. Mr. Speaker, I rise today in strong support of Senate Joint Resolu-

tion 228, which delays the sale of $1.9 billion worth of weapons to Jordan for at least 6 months, unless direct and meaningful negotiations are underway between Israel and Jordan.

The essence of this issue is whether we ought to reward Jordan for something it has not yet done. We are trying to move Jordan to enter direct talks with Israel—the kind of talks that Egypt undertook with enormous success in the late 1970's. It makes little sense to give Jordan further means to make war while trying to coax them to make peace.

It did not require an arms package to convince the Egyptians to go to Camp David. They went because they decided it was in their interest to make peace with their neighbor. Part of that interest lay in the prospect of significant American aid—both economic and military—after such a peace was attained. And indeed we now have a larger aid relationship with Egypt than with almost any other nation in the world.

But imagine if we had offered Egypt large arms sales before the negotiations. The incentive to the Egyptians would have been reduced, and the negotiations might never have taken place.

Mr. Speaker, the Government of Israel now rests with a tenuous coalition. Prime Minister Peres is taking the boldest steps he possibly can for peace—continually sending signals to Jordan that Israel is ready to negotiate any time, any place. But he is under tremendous pressure from this Likud partners who are extremely skeptical of the peacemaking process, and very worried about compromising Israeli security in any kind of bargaining. To sell $1.9 billion of sophisticated fighter aircraft and surface-to-air missiles to Jordan now would make it much harder for Prime Minister Peres to justify to his coalition partners and to his people the taking of any kind of risk for peace.

In short, Mr. Speaker, I believe the sale to be ill-timed and ill-conceived, and I will fight against it unless and until Jordan clearly starts down the road to peace with Isreal. Thank you.

Mr. SCHEUER. Mr. Speaker, I rise in strong support of Senate Joint Resolution 228, a measure to delay President Reagan's proposed arms sale to Jordan. This proposal has been rightfully opposed by an overwhelming majority in both Houses and I believe that Senate Joint Resolution 228 should be adopted promptly.

There can be no doubt in the mind of anyone in this Chamber today, indeed in the minds of anyone in the United States, that Israel is our most loyal and steadfast friend in the turbulent Middle East. There can be no doubt that Israel, the only truly democratic nation in the region, is surrounded by nations which are pledged to destroy Israel. How can the President possibly imagine that selling Jordan F-16 or F-20 fighter aircraft, Stinger air-to-air missiles, and other advanced weapons systems will improve Israel's precarious situation?

Jordan has been in a state of war with Israel since 1948 and has refused not only to recognize Israel's right to exist but also to enter into direct negotiations with Israel to reach a peaceful settlement. Although recent events have provided some glimmer of hope that the status quo may change in favor of a more conciliatory position by Jordan with regard to Israel, this is far from a foregone conclusion and we would be wise to postpone any arms sale until the dust has settled and the smoke has cleared.

The foreign aid authorization passed by Congress and signed by the President earlier this year stated in clear, concise terms that no sale of weapons to Jordan should be made until Jordan recognizes Israel's right to exist and enters into direct negotiations with Israel. Because President Reagan has ignored this provision, it is necessary for us to go on record once again and state that we will not even consider an arms sale until there have been direct and meaningful peace negotiations between Israel and Jordan. This, of course, necessitates that Israel be recognized by Jordan.

I believe that it is sensible and in fact necessary that any arms sale proposal be postponed from consideration until at least March 1, 1986, as stipulated in the measure before us. I urge my colleagues to join me in supporting passage of Senate Joint Resolution 228.

Mr. SHELBY. Mr. Speaker, I rise to express my deep concern over the proposed arms sale to Jordan.

Peace and stability in the Middle East is a key national interest and has direct ramifications on our own security and well-being.

Any arms sale to Jordan at this time is premature and an antithesis to peace. I am concerned that it will escalate the chances for war and increased terrorist activity.

King Hussein and Prime Minister Peres are currently making overtures of peace and it is the hope of all of us that these leaders will continue to demonstrate the resolve and courage to enter into direct peace negotiations.

In this climate of peace, an arms sale now would only bring about a tempest. It would not encourage the pursuit of peace, but the escalation of a regional arms race.

I also question whether we can rely on Jordan's assurances that United States supplied weapons will not be used against Israel. In 1964, United States supplied tanks to Jordan on the basis of such assurances, but 3 years later, Jordan sent these tanks to the West Bank where they were used in the Six-Day War. Again in 1973, Jordanian Army forces used American weapons against Israel in the Golan Heights.

We must not permit the weakening of the security of our good and trusted ally, Israel. I am convinced that the arming of Jordan will threaten Israel militarily, and also undermine its fragile economic recovery as more resources are shifted to defense.

Mr. Speaker, this resolution encourages face-to-face discussions between Israel and Jordan, and allows time for those negotiations. Should the peace process fail, Congress retains its leverage to disallow this arms sale.

Only when Jordan and Israel move beyond the loose rhetorical commitments to peace and make positive steps in the direction of a meaningful and lasting peace, should the sale of arms to Jordan even be considered.

Mr. FORD of Tennessee. Mr. Speaker, the issue at hand is a very simple one. Should we arm the State of Jordan before there is any indication of that nation sitting down to the bargaining table with their neighbors, the Israelis? While I do not reject the notion of an arms sale to Jordan in the future, it is the Jordanian nation that remains technically at war with the State of Israel, our most reliable ally in the region. I can see no reason at the present time for this chamber, in fact this country, to support such an arms sale, and it is in that regard that I am a strong supporter of today's resolution.

Detractors of this resolution believe that this measure is legal blackmail; that the Jordanians will turn to the Soviets to obtain their arms. Let me point out to these people that the Jordanians know full well that Soviet military hardware are delivered with many unwanted strings attached. I doubt that the King is ready to turn Jordan into a Soviet-client state.

It is more realistic to believe that instead of inviting in an influx of Soviet aides, the King will await a propitious time to announce that Jordan will sit down at the negotiating table with Israel. At that time, I will be more than ready to support this arms sale. A true peace in the region needs the strong participation of Jordan. I believe the Jordanians to be reasonable people, and will understand the present American concern about such a sale.

Mr. WIRTH. Mr. Speaker, I rise in support of the resolution. However, I believe the House's support for Senate Joint Resolution 228 should be carefully qualified. The willingness of the Congress to defer consideration of the arms sale to Jordan must not be construed by the administration as a signal that Congress will approve the arms sale come March 1, 1986.

In fact, the administration should prepare itself for a resounding defeat of any unconditional arms package if Jordan continues its staunch opposition to recognizing and negotiating directly with Israel.

Jordan may contend that the arms sale is a necessary prerequisite to its entry into the peace process. But we have seen through previous arms sales to Arab countries that advanced arms do not guarantee a commitment to peace with Israel. For example, in 1981, President Reagan conditioned the sale of AWACS planes to Saudi Arabia on that country's promotion of the peace process. Despite those conditions, the Saudis are still working to subvert the peace process by strongly supporting the PLO and Syria. Beyond that, they have made no secret of their efforts to destroy Israel. Their economic policies—especially their boycott against firms doing business with Israel—threaten to erode Israel's com-

mercial viability. In short, arms sales to Arab countries provide no guarantee of peace for Israel.

More likely, arms sales risk encouraging another Arab war against a vulnerable Israel. We cannot forget that Jordan has been involved in three wars against Israel in the last 37 years. It would be the height of folly to arm Jordan with advanced fighter aircraft without extracting an irrevocable commitment to peace from King Hussein.

For a better example of how to use arms sales to advance the peace process, we should look to Egypt. The United States did not send any arms to Egypt until it had entered into direct peace negotiations with Israel. Our Government rewarded Egypt for its pursuit of peace through direct negotiations. We must not similarly reward Jordan's opposition to direct negotiations, a position King Hussein has affirmed by calling for an international conference involving the Soviet Union, Syria, and the PLO. We must not lend credibility to the negotiating credentials of a country which continues to harbor the PLO, has yet to renounce its hostile intentions toward Israel, and has failed to abide by its recognition, in 1967, of Resolution 242.

Mr. Speaker, I urge our colleagues to approve Senate Joint Resolution 228 as an indication of congressional dissatisfaction with Jordan's delay of the peace process. It should also serve as an expression of concern about the President's arms proposal as presently constituted and conditioned.

The resolution calls for direct and meaningful negotiations. We should take this opportunity to define clearly the substance of that phrase to that Jordan has no illusions about the requirements it must meet to receive American military aid. We should unambiguously state that no arms sales to Jordan can take place until Jordan has begun direct negotiations with Israel. Those negotiations must be based on Jordan's full understanding and acceptance of U.N. Resolution 242 and the Camp David accords. Finally, Jordan must accompany its willingness to negotiate with a clear and definitive renunciation of violence against Israel.

Until those conditions are met, I will vote against any advanced arms package to Jordan. I urge our colleagues to follow the same course in order to assure the security of Israel, as well as further the cause of peace in the Middle East.

Mrs. KENNELLY. Mr. Speaker, I rise in support of Senate Joint Resolution 228, a resolution to bar the sale of any weapons to Jordan until March 1, 1986, unless direct and meaningful negotiations between Israel and Jordan are underway by then.

I was 1 of 281 House Members to cosponsor House Joint Resolution 428, the resolution to bar the administration's proposed arms sale to Jordan. I cosponsored that resolution because I believed that before we sell arms to Jordan, we need something in return from King Hussein, and that is a clear demonstration that he is willing to talk directly with Israel. I support Senate Joint Resolution 228 for the same reason: any arms sale to Jordan must come after, not before, substantive moves by King Hussein.

The Mideast peace process is stalled. It needs a push. But providing Jordan with advanced surface-to-air missiles, fighter jets, and antitank missiles isn't a push toward peace; it is a shove away from the negotiating table. We would be rewarding Jordan for its delays, and the result could well be that these crucial negotiations would never take place.

A clear majority of the House is already on record as opposing the arms sale for precisely this reason. This resolution achieves the same objectives: it says that peace talks, not arms sales, must be our first consideration in the Middle East. I support this resolution with the understanding that if there is no movement in the peace process by March 1, I will continue to stand with my colleages in opposing this arms sale.

Mr. MATSUI. Mr. Speaker, I rise in support of Senate Joint Resolution 228, which would delay the sale of $1.9 billion worth of sophisticated weapons to Jordan until March 1, 1986.

Of great importance to United States interests in the Middle Eastern region is the national security and survival of the State of Israel. Providing advanced aircraft to Israel's neighbor Jordan, who shares her longest border, would erode Israel's qualitative military superiority. Such a sale would seriously upset the military balance in the Middle East and introduce an added measure of instability to the region. It would also place an added financial burden on Israel's already strained economy.

I believe that an arms sale of this magnitude, at this delicate stage of the peace process, would harm the chances for a negotiated settlement. An arms sale to Jordan must not be made independent of any movement toward peace, but should come only after direct negotiations have achieved positive results.

The United States has a proven track record on this issue. President Carter brought 30 years of war between Egypt and Israel to an end with the Camp David accords. The Camp David accords, and subsequent adherence to the peace, have opened the door for both of those nations to receive increased financial support from the United States.

Today, with this resolution, we are sending a message to Jordan that is consistent with our Camp David policy: The road to receiving increased American support is reached through participation in the peace process.

Mr. Speaker, by taking this action today we are enhancing the prospects for peace in the region. I urge my colleagues to join me in support of this resolution.

Mr. LEVINE of California. Mr. Speaker, I rise in support of Senate Joint Resolution 228. This resolution states that prior to March 1, 1986, no letter of offer for any sale to Jordan of advanced weapons systems included in the administration's notification of October 21 shall be valid unless "direct and meaningful peace negotiations between Israel and Jordan are underway."

Adoption of this resolution will defer congressional consideration of arms sales to Jordan at a point when what is needed is time—time to let the peace process unfold.

Mr. Speaker, we cannot buy peace with arms sales. Those who believe that selling weapons to Arab nations will entice them to the peace table are misguided in their belief. Rather, arms sales should come after Arab nations have agreed to make peace with Israel and engaged in direct negotiations with it.

The ideas put forth by Israeli Prime Minister Shimon Peres in his speech to the United Nations, the statements of King Hussein, and the diplomacy of our own President all give reason to hope that Jordan and Israel will engage in direct negotiations. Direct negotiations are at the heart of any substantive effort to secure peace between these two countries. We can help serve the cause of peace by doing all we can to facilitate these negotiations. Adoption of this resolution will help avoid an acrimonious debate—a debate no one wants to engage in especially at this crucial time in the evolution of the peace process. If Jordan, which is a friend of the United States, makes peace with Israel, then Congress can in the future agree to sell it arms. This resolution gives the process needed time.

This is a responsible resolution. I support it and I urge my colleagues to support it as well.

Thank you.

Mr. BIAGGI. Mr. Speaker, I rise in strong support of Senate Joint Resolution 228 to delay until at least March 1, 1986, a proposed sale of some $2 billion in United States arms and weapons to Jordan. A delay of this type is absolutely essential at this time for without it we are undercutting in the worst possible fashion the recent peace initiative put forward by Prime Minister Peres of Israel.

In all candor, I would prefer that the administration had taken the initiative to completely withdraw this ill advised and poorly timed arms sale. Its approval would most certainly gut the latest peace proposal and could lead to a further imbalance of power in the Middle East threatening Israel's security.

Prime Minister Peres, in a dramatic speech before the United Nations last month, invoked the spirit of Camp David when he proposed a process that would lead to direct talks between Israel and Jordan. As he put it: "The state of war between Israel and Jordan should be terminated immediately. Israel declares this readily."

Prime Minister Peres' plan would involve negotiations that would be based on the U.N. Security Council Resolutions 242 and 338. Negotiations would be conducted directly between states and would not include a Jordanian-Palestinian delegation both comprising delegates that represent peace, not terror.

The United States called the Peres plan "Statesmanlike, thoughtful, and forward looking." King Hussein of Jordan welcomed the spirit of the Peres peace proposal. In his words:

I believe his speech represents the beginning of movement in the right direction and reflects a personal concern for the fate of future generations and a determination to contribute toward the achievement of peace in our time.

The fact is Prime Minister Peres has made a bold and important proposal which deserves an opportunity to succeed. It should not be diminished by virtue of an action by the United States to sell sophisticated arms to a nation which remains an adversary of Israel. Yet that is precisely what the administration has proposed with the Jordan arms sale.

Yet the issue that perhaps troubles me the most is the fact that the United States is not doing more to ensure that Israel maintains its military superiority in the Middle East. We propose to sell $2 billion in arms to Jordan at a time when her import of arms is rising at a rapid and dramatic rate. Today, 25 percent of Jordan's gross national product goes to arms and weapons.

Where is the incentive for King Hussein to enter into peace talks with Israel if we insist on this sale? Further, where are the guarantees against Jordan converting these arms into offensive purposes against Israel? For this reason alone, this sale should be delayed if not entirely shelved.

According to a dramatic article in a recent Washington Times, Israel's military edge against its Arab adversaries "is steadily eroding and this increases the danger of military confrontation." Again according to the Washington Times, whereas in recent years Israel's military expenditures have remained steady or even slightly decreased, Arab military expenditures have skyrocketed and in the past decade alone have jumped from $10 to about $40 billion. We should do nothing to exacerbate this situation and should not pursue arms sales to Arab nations on the assumption that Israel's military superiority is unchallengeable.

Let us not proceed to reward King Hussein and Jordan by selling them arms. Let us not forget the precise nature of relations between Israel and Jordan. Jordan does not even recognize Israel's right to exist. Jordan does not condemn the PLO and in fact continues to negotiate with them. Jordan has no trade with Israel. Finally, Jordan continues to militarize along their border with Israel, posing a daily threat. For this they should not be sold $2 billion in additional U.S. arms and weapons.

Let us view the Peres plan as a catalyst that could lead to a resumption of the Camp David principle and perhaps an expansion of it. Direct negotiations between Israel and Jordan are critical to any plan to bring peace to the Middle East and should be pursued. Let us contribute to a furtherance of the conditions for peace. Let us not contribute to the furtherance of conflict.

Finally, the resolution does delay action on the sale until March of next year unless direct and meaningful negotiations between Israel and Jordan are underway. Let us hope that this is the outgrowth of this resolution. As a cosponsor and supporter, it is my intent.

Mr. SHAW. Mr. Speaker, we find ourselves in a paradoxical situation: We are ready to sell arms to a nation that recognizes the fervent enemy of our closest ally in the Middle East—Israel. Our President has indicated his support for a sale of sophisticated weapons to Jordan, which recognizes the Palestinian Liberation Organization, and I want to take this opportunity to urge the President to take a long and critical look at political conditions in the Middle East before moving forward with the sale.

This arms sale will do little to further peace in the Middle East. More likely, it will strain tensions even further and disrupt our own relations with our ally, Israel. Because of these reasons, I have joined other Members of this Congress in signing a joint resolution opposing any arms sale to Jordan prior to the commencement of direct bilateral negotiations between Jordan and Israel.

Our resolution further states that if action on the sale of arms to Jordan is taken before the resolution is enacted then the President shall make no deliveries to Jordan pursuant to that sale without specific authorization by the Congress. I want to applaud my fellow Congressman in the Florida delegation, LARRY SMITH, for his commitment to this important measure.

Mr. Speaker, the President has notified us of his intention to sell some of our most advanced aircraft and air defense systems to Jordan. I have supported a measure approved here in the House and in the Senate that would delay the sale until at least March 1986.

It is vital that we maintain what precious stability currently exists in the Middle East. Before the President approves this sale, I hope he will give great consideration to its implications.

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

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. FASCELL] that the House suspended the rules and pass the Senate joint resolution, Senate Joint Resolution 228.

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

A motion to reconsider was laid on the table.

SUPPORT OF HOUSE OF REPRESENTATIVES FOR PRESIDENT REAGAN AT GENEVA SUMMIT

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 316) expressing the support of the House of Representatives for the President as he prepares to meet with Soviet General Secretary Gorbachev in Geneva, Switzerland, and expressing its hope that this summit meeting will provide a basis for a freer, more stable, and more peaceful world.

The Clerk read as follows:

H. RES. 316

Whereas the November 1985 summit meeting between President Reagan and Soviet General Secretary Gorbachev in Geneva, Switzerland, provides an historic opportunity for the United States and the Soviet Union to begin to reduce tensions between the superpowers; and

Whereas President Reagan exercised leadership and statesmanship in seeking this important meeting with General Secretary Gorbachev: Now, therefore, be it

Resolved, That the House of Representatives hereby offers its support for the President as he prepares to meet with Soviet General Secretary Gorbachev, and expresses its hope that this summit meeting will provide a basis for a freer, more stable, and more peaceful world.

The SPEAKER pro tempore. Is a second demanded?

Mr. BROOMFIELD. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida [Mr. FASCELL] will be recognized for 20 minutes and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

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

Mr. FASCELL. Mr. Speaker, I rise in support of the resolution at the desk concerning the upcoming Reagan-Gorbachev summit.

This resolution received unanimous approval in the Committee on Foreign Affairs and is cosponsored by the ranking minority member, Mr. BROOMFIELD.

The resolution is simple and straightforward. It commends President Reagan for his leadership and statesmanship in seeking the upcoming summit meeting with General Secretary Gorbachev and expresses the hope that the summit meeting will provide a basis for a freer, more stable, and more peaceful world.

Mr. Speaker, I am sure all of us have our own ideas about what the summit meeting should accomplish concerning arms control, human rights, regional issues, and bilateral relations. Nonetheless, it is important that we send the President a clear bipartisan message of support. This resolution accomplishes that important task and I urge its approval.

□ 1250

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

Mr. Speaker, this resolution expresses the sense of Congress that this body and the American people offer their support for the President's efforts for constructive discussions in Geneva. This resolution is both timely and appropriate. Now is the time to stand squarely behind our Chief Executive as he prepares to meet with Mr. Gorbachev.

Who can doubt the importance of the upcoming Geneva talks? Our two nations share a common interest in the survival of mankind in this nuclear age. There is tension, however, between our two nations over numerous issues. The issues of mutual concern between our two countries also affect our allies and friends around the globe.

I believe that President Reagan's latest arms reduction proposal demonstrates our government's strong commitment to achieve mutual and verifiable reductions in nuclear weapons. Our President also deeply believes in the rights of human beings and the importance of freedom and peace. While there are deep differences between our two systems, I hope that progress can be made in resolving these issues.

In his talks with the Soviet leader, our President will seek ways to ease tensions in the relationship between our nations. On the summit agenda will be an effort to reduce nuclear arms. Discussions will be held on ways to ease regional conflicts. In addition, President Reagan will talk about human rights violations in the Soviet Union as well as other areas of friction. Finally, he will attempt to establish a structure for preserving peace and stability.

All of us share the same vision of the future. We all hope for a world at peace where reason and understanding prevail for all mankind.

As we approach the summit, I urge my colleagues to support our resolution calling for the Congress and the American people to stand behind the President and support his efforts at Geneva.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support in House Resolution 316. Yesterday, on Veterans Day, the President spoke movingly at Arlington National Cemetery about his hopes for the forthcoming summit talks with Soviet Secretary-General Gorbachev. He said that he would bear in mind the sacrifices of millions of our American servicemen in past wars as he strove to work for peace at the summit.

The prayers and hopes of millions of Americans go with the President as he leaves for Geneva. We want him to be open to all new suggestions, yet firm in his defense of our values and interests. We want our President to raise topics of a bilateral nature that go to the heart of our humanitarian concerns about the fate of individuals behind the Iron Curtain. We want him to raise issues of regional peace. Finally, we want him to exert every effort to move toward progress in discussions on nuclear armaments.

There is enormous pressure on the President to come to a final agreement on one or more of these issues with the Soviet leader. The fact remains, however, that in all likelihood insufficient groundwork has been laid for any final agreements to be concluded. The important objective to be achieved at this summit is that positions become understandable and that areas for possible movement by each side become apparent. Then in the weeks and months to come, the negotiating teams can move forward.

The important aspect of the summit for all of us to bear in mind—both here and abroad—is that the United States truly wants peace and will make every effort to achieve peace at the summit and thereafter.

Mr. FASCELL. Mr. Speaker, I thank the gentleman from New York for his comments.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DORNAN], a member of our committee.

Mr. DORNAN of California. Mr. Speaker, I want to commend our chairman of the Foreign Affairs Committee and the Republican leader on foreign affairs for bringing to the floor this resolution of guidance to our President. Throughout this next week the world will be watching the U.S.-U.S.S.R. talks and the buildup to these incredibly important discussions. The agenda is wide open. Our President must lead with the subject of human rights.

Over the weekend, I had three separate meetings with fighters for human rights including Soviet citizens who have left their country seeking freedom. There were dissidents who fled for political reasons and religious reasons. All of them begged me and the six other representatives from this great legislative body that we should advise our President not to be dissuaded from using that linkage between human rights and the strategic issues that have brought the Soviet Union to the Geneva bargaining table. After all, remember that the Soviets said they would never deal with Mr. Reagan throughout the full 8 years of his term after they broke off the START talks 2 years ago.

I believe that human rights is exactly the key to make the Kremlin get serious about real, hard-figures arms reductions. Stalin once cynically referred to the value of a single human life: He said that the death of millions of people in war or revolution is not comprehensible, but the death of one person can be understood and used. Consider tragic Miroslav Medvid, who is probably in chains somewhere out there in the Atlantic right now, heading back to Russia and a miserable fate. Consider all of the various refuseniks, Hebrew scholars, or members of broker families pleading to be united with their husbands or wives in the West. They all have high hopes about the Geneva summit. I think the President has been an inspiration to these people over the past 5 years. Now he is going to sit down with Mr. Gorbachev, and clearly explain why we are concerned about the Soviet violations of human rights. Especially in Afghanistan, where they use heavy armor and huge helicopter gunships to crush just hundreds upon hundreds of small villages. These heavy helicopter gunships are also being used to kill young blacks in Angola, fighting for their freedom beside Jonas Sivimbi.

This "Hind" helicopter gunship is used extensively to kill freedom fighters in Afghanistan and Angola and now it has been flying in combat in Nicaragua throughout July, August, September, and October killing freedom fighters here on our own continent of North America. And then there is the Soviet use of poison gas in Afghanistan in violation of all treaties—1925-72.

These human issues are important to the world, particularly to the young world. I believe our President will not let us down, and that when these 2 days, November 19 and 20, have passed many of use begin to discuss the historical significance in special orders thereafter, that we will be expressing great pride in our President. We will be as proud of him and his performance as we have been of any President in our lifetime.

Mr. VALENTINE. Mr. Speaker, House Resolution 316 addresses the most important issue of our time, the relationship between the two most powerful nations on Earth. As President Reagan meets with secretary Gorbachev, I want to express my hope for the success of their meeting in Geneva.

We must be clear about the definition of success. The President faces the challenge of showing both strength and flexibility. He must succeed in negotiating for peace while guarding our Nation's right to military strength.

Our country's allies, especially in Europe, will be looking to the President as the leader of NATO. He will have to succeed in keeping their interests in mind as he talks with the Soviet leader, and he will have to exercise wisdom in balancing their

individual perspectives against those of America.

The Soviets act on the international stage with no illusions about the role of personal friendships between the leaders of nations. They have stressed again and again that fundamental national drives are far more enduring than personal relations. It would be foolish indeed to expect a quick and permanent cure for the ills of the world simply because of this meeting in Geneva.

The President must succeed in understanding this without adopting a pessimistic approach. The President can succeed in laying the ground work for a better relationship between the world's strongest countries. He can reassure the Soviets, and the rest of the world, that America strives for peace but insists on its right to a strong and effective national defense. The people of North Carolina join me, I am sure, in wishing him success in this difficult task.

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

Mr. FASCELL. 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 Florida [Mr. FASCELL] that the House suspend the rules and agree to the resolution, House Resolution 316.

The question was taken; and (two-thirds having voted thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just adopted, House Resolution 316, and on the Senate joint resolution previously adopted, Senate Joint Resolution 228.

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

There was no objection.

SUPPORT FOR PRESIDENT'S DISCUSSION OF SOVIET PRESENCE IN AFGHANISTAN

Mr. SOLARZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 300) supporting the intent of the President to discuss with leaders of the Soviet Union American concerns with the Soviet presence in Afghanistan, and for other purposes.

The Clerk read as follows:

H. RES. 300

Whereas military forces of the Union of Soviet Socialist Republics invaded Afghanistan in December 1979;

Whereas there are at present more than 115,000 Soviet troops engaged in the systematic destruction of Afghanistan through a scorched earth policy which includes the destruction of crops, water, and food supplies, the agricultural infrastructure, and villages, and includes the widespread killing of innocent civilians;

Whereas Soviet tactics in Afghanistan have directly caused the following: a refugee population in Iran and Pakistan of more than three million, the largest refugee population in the world; hundreds of thousands of war-related casualties; deprivation and suffering for most Afghan citizens; and the possibility of large-scale famine;

Whereas Soviet troops and their Afghan proxies have employed the use of chemical weapons against innocent Afghans;

Whereas the human rights abuses perpetrated by Soviet troops against the Afghan population, including women, children, and the elderly, have been thoroughly documented by the report from Helsinki Watch entitled "Tears, Blood and Cries" and by the report on the situation of human rights in Afghanistan prepared for the Economic and Social Council of the United Nations;

Whereas both the United States and the United Nations have repeatedly called for a peaceful, negotiated settlement of the conflict, including the immediate withdrawal of all foreign troops from Afghanistan; and

Whereas no President of the United States has met directly with the head of the Soviet Union since the invasion of Afghanistan in December 1979: Now, therefore, be it

Resolved, That the House, in an effort to bring about an end to the massive human rights abuses and murderous policies which the Soviet Union is Perpetrating against the population of Afghanistan—

(1) strongly supports President Reagan's intent to discuss directly with Soviet leaders American concerns with the Soviet presence in Afghanistan; and

(2) calls upon the President to reiterate the desire of the United States to achieve a negotiated political settlement agreeable to all interested parties in Afghanistan, which settlement should include-

(A) the complete withdrawal of all foreign troops;

(B) the restoration of the independent and nonaligned status of Afghanistan;

(C) self-determination for the Afghan people; and

(D) the return of Afghan refugees with safety and honor.

SEC. 2. The Clerk of the House shall transmit a copy of this resolution to the President.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from New York [Mr. SOLARZ] will be recognized for 20 minutes and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLARZ].

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

Mr. Speaker, I want to begin by paying a very special tribute to my very good friend and our distinguished colleague from California [Mr. LAGOMARSINO], the author of this resolution in the House, which has already been adopted by the other body, where it was introduced by Senator HUMPHREY on October 25.

Perhaps more so than any other Member of the House of Representatives, the gentleman from California, in his own quiet but effective way, has managed to put the issue of Afghanistan on the agenda of the Congress and of the country, and he has indefatigably pursued the effort to mobilize support, both in the Congress and around the country, on behalf of American assistance; politically, diplomatically and in other ways, for the very brave resistance fighters in Afghanistan.

This resolution which he authored which is before us today expresses the support of the Congress for the determination of President Reagan to raise the Afghan problem in his discussions with the leader of the Soviet Union, Mr. Gorbachev, when they meet in Geneva next week.

This will indeed by the first summit conference between the leaders of our two nations since the invasion of Afghanistan by the Soviet Union in 1979.

□ 1300

Over the course of the last 6 years, up to a million Afghans have lost their lives in ways that are clearly attributable to the Soviet occupation of their country. Through carpet bombing, through the destruction of crops and irrigation networks, and through the use of chemical agents against the people of Afghanistan as well, hundreds of thousands and up to a million of them have lost their lives; a third of the entire Afghan nation has been driven into exile and are now living as refugees in the neighboring nations of Pakistan and Iran.

At this very moment, 115,000 Soviet troops continue to occupy the country. In response to this brutal invasion, the people of Afghanistan, almost as they were one, have risen up against their oppressors. There can be no doubt but that the primary issue on the agenda at Geneva when President Reagan meets with Chairman Gorbachev will be the overriding need for some kind of breakthrough in the effort to bring the arms race and nuclear weapons under control. But arms control and the arms race will not be the only issues under discussion at Geneva. It is very important that some of the regional conflicts which could potentially escalate into superpower confrontations be put on the agenda as well. And there is indeed no other issue, other than arms control, where the Soviet Union could make a greater contribution to the reduction of tensions between our two countries than on Afghanistan, if they were prepared to indicate a willingness to withdraw all of their forces from that country and to permit the Afghan people to freely determine their own future and the refugees who have been driven from that country to return in honor.

I am sure that President Reagan would have raised this issue at Geneva

even in the absence of this resolution, but with its adoption he will cross the Atlantic for his historic meeting with Gorbachev confident in the knowledge that the Congress of the United States stands foursquare behind him in his determination to raise this matter at the summit.

This is an issue on which all of us, Republicans and Democrats, conservatives and liberals, Members of Congress and the members of the executive branch, are united, in the determination that we should use all of our influence to facilitate a resolution of the Afghan problem in a way which is compatible with the legitimate concerns of the Afghan people as well as with the security concerns of the Soviet Union and the strategic interests of the United States and our friends in the region.

So I want to pay tribute to the gentleman from California [Mr. LAGOMARSINO] for bringing this matter before us, and I urge my colleagues to vote for this resolution when the debate has concluded.

Mr. BROOMFIELD. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I want to commend my colleague, the gentleman from California [Mr. LAGOMARSINO] for sponsoring this resolution, which offers the support of the Congress for the President's plans to discuss United States concerns about Afghanistan with Soviet leaders. I believe that it is vital that Congress voice its support for our President's efforts.

As my colleagues know, the Soviets have been terrorizing Afghanistan for 6 years. Their scorched Earth policy has resulted in the destruction of agriculture in that country as well as the killing of innocent civilians. Soviet atrocities and the extensive use of chemical weapons have been well documented. The Soviet occupiers of that country have even booby-trapped toys in order to inflict casualties on the poor Afghani people. Millions of refugees have fled from that long-suffering country.

Our country and the United Nations have called for a negotiated settlement of the conflict, yet little progress has been made.

This resolution supports the President's intent to discuss directly with Soviet leaders our deep concerns about the illegal Soviet presence in that country. It also calls upon the President to restate our intention to seek a negotiated political settlement agreeable to all interested parties to include withdrawal of foreign troops and self-determination for the Afghani people.

I urge all of my colleagues to join me in supporting this worthwhile resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Speaker, I want to commend the chairman of the full committee, the gentleman from Florida [Mr. FASCELL], the chairman of the subcommittee, the gentleman from New York [Mr. SOLARZ], and, of course, the ranking Republican, the gentleman from Michigan [Mr. BROOMFIELD], for their help and assistance in bringing this resolution to the floor.

House Resolution 300 is quite simple but, I believe, important legislation expressing the concern and the interest of the House regarding the future of the Afghan people and nation.

As has been pointed out, the other body has already passed identical legislation. This legislation is very similar to legislation offered by the gentleman from New York [Mr. KEMP], and cosponsored by many of my colleagues, and he is a cosponsor of this measure as well.

Mr. Speaker, House Resolution 300 supports the intent of the President to discuss during his November 19-20 summit meetings with Soviet General Secretary Gorbachev American concerns with the continuing Soviet presence in Afghanistan. In addition, the resolution calls upon President Reagan to reiterate the desire of the U.S. House of Representatives and the American people to achieve a negotiated political settlement agreeable to all interested parties in Afghanistan. Such a settlement should include the complete and total withdrawal of all Soviet troops; the restoration of its independent and nonaligned status; self-determination for the valiant Afghan people; and, the return of Afghan refugees with safety and honor.

Mr. Speaker, this legislation notes that in December 1979 tens of thousands of Soviet Red Army troops invaded and began occupying that south Asian nation. It further notes that the Soviets—today—have over 115,000 troops inside Afghanistan. And, according to National Security affairs adviser Robert McFarlane, these troops "are waging the most brutal war underway on the face of the earth." The resolution states that the Kremlin-directed "scorched-earth" policy in Afghanistan includes the systematic destruction of crops, water and food supplies, the agricultural infrastructure, and villages, and includes the widespread killing of civilians.

Furthermore, the resolution states that Soviet tactics in the war against Afghanistan have directly caused the following: a refugee population in Iran and Pakistan of more than 3 million, the largest refugee population in the world; hundreds of thousands of war-related casualties; deprivation and suffering for most Afghan citizens; and the possibility of wide-spread famine.

In their ruthless drive to conquer that once peaceful and "unrulable" land, the resolution notes, Soviet troops and their Afghan proxies have employed chemical weapons against innocent Afghan tribesmen and villagers. When we discuss Soviet violations of international treaties and agreements, this flagrant violation becomes all the more difficult to ignore. The use of deadly poisons against innocent tribesmen who merely want to be left to their families, their crops and their culture, is simply appalling and, I believe, says much about the people sitting across from us at the arms control negotiating tables in Vienna, Geneva, and elsewhere.

Mr. Speaker, the resolution also notes that the human rights abuses perpetrated by Soviet troops against the Afghan population, including innocent women, children and the elderly, are almost unimaginable. As Americans, we find it difficult to understand how such a ruthless campaign of terror can be so coldly planned and executed against our fellow human beings. It is difficult to escape the fact that a war of genocide is underway in Afghanistan, Mr. Chairman. As the Soviets have done so often in the past, terror, torture, famine and execution are being used by the Soviets as tools to smash the will to fight of a freedom-loving nation and people. But should such behavior surprise us? Surely it should not. After all, it constitutes merely a repeat performance of what the world witnessed when the "peace-loving" Soviets "Liberated" Lithuania, Estonia, Latvia, and so many other nations and peoples.

As Americans, we cannot turn a blind eye to this—even as horrible as it appears. We in this Congress, and as Americans, who represent the beacon of hope and freedom for the world's downtrodden, have a moral responsibility to bring the plight of these courageous people to the forefront of international attention. Let me just briefly add that a thorough documentation of Soviet human rights practices and violations has been published by Helsinki Watch, entitled, "tears, blood and cries," and that another report on the human rights conditions in Afghanistan has been drafted by Felix Frmacora, an able international civil servant, for the economic and social council of the United Nations. I highly recommend these reports to my colleagues for a grim recital of what is today going on inside Afghanistan. But let me warn you, such reading is not for the squeamish.

The resolution notes further that both the United States and the United Nations have repeatedly called for a peaceful, negotiated settlement of the conflict, including the immediate withdrawal of all Soviet troops from Afghanistan. The Soviets have expressed a profound lack of interest in participating directly in these negotiations. They view the conflict, instead, as one

between Pakistan, which allegedly provides safe haven and support for CIA and Chinese bandits and mercenaries—a ludicrous and blatantly false claim—and the regime of Babrak Karmal in Afghanistan. But the world knows better. We all know that the Soviets are the ones directing this brutal war of aggression against a once-independent, nonaligned and Islamic nation. We all know that the Soviets are manipulating the puppet regime of Babrak Karmal. We all know it is the Soviets who are directly threatening Pakistan with repeated border violations and armed attacks against Pakistani border villages and refugee camps. We all know it is the Soviets who initiated this expansionist war of occupation and repression. And we all know that it is the Soviets who could stop this bloody war if they chose to.

Members of this body are undoubtedly aware of the tragic plight of the Afghan people. The case of Afghanistan is one of the most clear-cut examples of treachery and foreign occupation and oppression in modern times. The Soviets have used ruthless tactics to try to eliminate all resistance to their barbarous policies there; yet, the Afghan people have courageously refused to surrender their freedom, and their nation, to Communist domination and oppression and have continued their armed struggle for freedom to this very day.

It is up to us as Americans to insure that the light of freedom in Afghanistan is not extinguished. We have it in our power to assist these desparate people in their time of need. I was proud to have sponsored an amendment to the fiscal 1986 foreign aid authorization bill, which has since been signed into law by the President, to provide—for the first time—overt humanitarian assistance to the Afghan people, inside that war-torn country. That amendment, which passed unanimously, is, I believe, a strong signal of the support of the American people and the Congress for the courageous Afghans, who are so fiercely battling for freedom against the world's most-powerful land army. Passage of this resolution will, I believe, Mr. Chairman, add further impetus to the Afghan people's worthy cause.

Just briefly, Mr. Speaker, let me explain some of the underlying rationale behind this legislation. While the American Government supports the worthy goal of a "peaceful, negotiated settlement", many of us are concerned that those most directly affected by Soviet aggression, the Afghan people, might be left out of any solution. This legislation makes plain that the Congress and the American people refuse to be party to an agreement which does not take into consideration, and negotiations which do not actively seek, the views of the Afghan people. Any diplomatic negotiations to find a "solution" to the Afghan problem" must include participation by the non-Communist Afghan leaders themselves.

I would also like to just briefly point out to my collegues that many of the leaders of "free Afghanistan" will be in New York this week to seek admission to the United Nations General Assembly. I wish them great luck and can only say that this action is one which our Government can and should support. These rebel leaders are certainly better representative of the Afghan nation than the representatives of the puppet regime of Babrak Karmal, which so ruthlessly destroys Afghan villages, mutilates and disfigures Afghan children and violates practically every norm of decency and human behavior.

Mr. Speaker, I urge my colleagues to support this important legislation and to send a strong signal to the President and to the Soviets in these last few days prior to the Reagan-Gorbachev summit. That signal is that, if the Soviets hope for an improved bilateral relationship with the United States, they can do much to improve the climate of relations by getting out of Afghanistan and letting the lives of the Afghan people begin to return to normal. More than any one single event, the Soviets' quitting Afghanistan could signal that they, too, seek an improved bilateral relationship.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. BIAGGI].

Mr. BIAGGI. Mr. Speaker, I thank the gentleman for yielding, and I commend the committee for reporting this resolution.

It clearly focuses attention on a terrible situation in Afghanistan. The Afghans are tremendously heroic and brave in resisting the encroachment and domination of the Soviet Union, and hopefully, that issue can be met and addressed at the Geneva summit, and I am sure this resolution will be of substantial importance.

Mr. Speaker, once again I thank the gentleman for yielding.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to our extraordinarily distinguished, able, effective, and beloved chairman of the full committee, the gentleman from Florida [Mr. FASCELL].

□ 1315

Mr. FASCELL. I thank the gentleman for yielding.

Mr. Speaker, I take this time to rise in strong support of this resolution. The chairman of the subcommittee Mr. SOLARZ, beat me to the punch a little bit because, really, one of the reasons I took this time was to express my appreciation to him for his leadership on the Committee on Foreign Affairs, where the gentleman from New York does an outstanding job in every issue that I can think of. He is dedicated and determined. He has made a substantial contribution to the foreign policy of this country in a very constructive way.

And may I add my commendations, also, to the gentleman from California, who is the chief sponsor of this resolution, in raising an issue which is of vital concern to the American people, for what is involved here is a matter of principle. The Soviet Union is, of course, a great country. But it seems almost unbelievable to think of what they have done to their own creation in Afghanistan. This fight started not because Afghanistan was free; this fight started because the Soviets did not like the kind of Communist government that was in there. So this whole fight, this whole destruction of freedom in Afghanistan, is simply for the Soviet Union to show not only the people of that country but to the world that if everybody is not in a little square box that looks exactly like the box the Soviets want, they will go out and destroy people who show the slightest variation from whatever it is the leadership in that government wants to have.

This is a phenomenal thing we are seeing in Afghanistan—the destruction of a people and a country, in a dispute over a slight variation within their own system.

So here we are, as a matter of great moral conviction, talking about self-determination and human rights. This is a matter that should be of greater interest to the Soviet Union than anyone else because of the message that they have given so clearly to the Third World that if you are going to choose a different system, if you are not going to go to the democratic process, you better be darn sure what kind of a Communist process you choose, because if they do not like what you are doing even as Communists, they are going to set out to destroy you. That is the message of Afghanistan.

But that is not the reason I took the floor. I took the floor because I want the American people to know about this bipartisan support for this. They read and they hear about so much contention in the Congress, and that the parties are always fighting and that there is a dipute between the Republicans and the Democrats or between the House of Representatives and the other body or the Congress and the chief administrative officer of the country, the President of the United States. Yet what we have demonstrated in the Committee on Foreign Affairs since the beginning of this Congress is that we have managed to take extremely important issues with strongly held views of both the Republican Party, the Democratic Party, lib-

erals, conservatives and people in the middle, and we have forged a bipartisan consensus. And this resolution is another example of that effort.

I want the American people to understand and realize that all is not lost. While we have our different parties, while we have our differences of opinion, when it comes down to the bottom line, we come together to support not just the President of the United States, not just some political party, but we support what is in the best interest of the people of the United States, and the lovers of freedom around the world.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. GILMAN.]

Mr. GILMAN. Mr. Speaker, I commend the author of this resolution, the gentleman from California [Mr. LAGOMARSINO], a distinguished member of the Committee on Foreign Affairs. It succinctly sets forth what I believe is the overwhelming sentiment of the Members of the House, and indeed, the American people, that the Soviet presence in Afghanistan over 100,000 Soviet troops, is offensive and should be withdrawn. The President has the full support of the House in his efforts to put forward this position and to work for a peaceful solution to the problems of Afghanistan. Such a resolution should include the complete withdrawal of all foreign troops, the restoration of Afghanistan's nonaligned and independent status, self-determination for the Afghan people, and the safe return of Afghan refugees to their homes.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RITTER].

Mr. RITTER. Mr. Speaker, Afghanistan is important to the upcoming summit talks because it is a crucial human rights question. It is the most egregious violation of human rights in the world today. The Soviet Union is systematically—I say systematically—destroying the life and the people of the whole nation in Afghanistan.

Afghanistan is a question of world peace. While there are 115,000 Soviets troops in Afghanistan waging war against the Afghan nation, world peace cannot be achieved.

And also extremely important is that Afghanistan is a strategic question for the United States and for Western civilization.

Afghanistan occupies the high ground above South Asia. Afghanistan is some 300 miles from the Arabian Sea. On the Arabian Sea is the port of Gwadar, the finest deep-water port in the area. If the Soviets took Afghanistan, if they had a stable situation there, it would not be a great endeavor for them to move south and take the warm-water port, the dream not only of commissars, but of czars, going back through Russian history; their navy, positioned on the Arabian Sea could easily threaten the oil-shipping lanes of the West.

Thus, Afghanistan poses crucial questions for the American people, for the people of the West, for the question of war and peace, for the question of human rights, and for the question of strategic balance between the two superpowers.

I support this resolution and urge the President to bring up the question of Afghanistan with Mr. Gorbachev in the most serious and deliberate fashion.

Mr. SOLARZ. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. LEVIN].

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

Mr. Speaker, I rise in support of this resolution. What it says again is that human rights issues represent an indispensable subject at the forthcoming summit and that within that indispensable ambit must be included the discussion of the plight of Afghanistan.

It is important because the summit approaches; it is important because the sixth anniversary of the invasion of Afghanistan by Soviet troops is fast approaching. And since then, the picture there has become more brutal, more gruesome, rather than less.

It is also important to say this because, in the last week or two, we have seen a couple of important events. They represented single acts, acts by two Soviet citizens who tried to leave the Soviet ambit, who tried, literally and figuratively, to "jump the Soviet ship." The results, I think, highlight for us the importance of human rights issues. Those were two individuals. But I think we have learned in our discussion and approach to human rights issues that every single human life has to count. And here, in the case of Afghanistan, we are talking about millions of people who want their freedom and whose freedom at this point is being suppressed.

So I am privileged to rise in support of this resolution. I hope it will pass this House unanimously.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to my very good friend, the gentleman from California [Mr. LEVINE].

Mr. LEVINE of California. Mr. Speaker, I rise in support of House Resolution 300, supporting the intent of the President to discuss with leaders of the Soviet Union American concerns with the Soviet presence in Afghanistan.

It is almost 6 years since the Soviet Union invaded Afghanistan and cast an enduring chill over East-West relations. There are now more than 115,100 Soviet troops engaged in the systematic destruction of Afghanistan. The Soviets dominate Afghanistan's security forces and the bureaucracy. They have constructed extensive military and logistical facilities to support their forces and have tied Afghanistan closer than ever to the Soviet economic system. They are engaged in a scorched earth policy which includes destruction of crops, water and food supplies. They have destroyed villages and have killed Afghan civilians. Massive human rights abuses by Soviet troops against the Afghan population have been documented by Helsinki Watch.

The Soviet occupation and the internal turmoil in Afghanistan have caused the flight of one-fourth or more of its pre-1979 population, creating the largest refugee population in the world. Close to 3 million Afghan refugees are reported to be in Pakistan, and some 1½ million in Iran.

Soviet troops and their Afghan proxies have used chemical weapons against innocent Afghans. Soviet strategy seems to be to maintain control of Afghanistan with a minimum commitment while, ominously, seeking a new generation of Afghan Communist leaders loyal to Moscow.

Both the United States and the United Nations have repeatedly called for a peaceful, negotiated settlement of the conflict in Afghanistan, including the immediate withdrawal of all foreign troops from that country.

Mr. Speaker, the President will soon meet with Soviet Chairman Gorbachev. He has indicated he will discuss the Soviet occupation of Afghanistan with the Soviet leader. The resolution we are considering affirms our support for the President's intent to discuss directly with Chairman Gorbachev our concerns about the Soviet presence in Afghanistan. It calls upon the President to reiterate our desire to achieve a negotiated political settlement which should include: First, the complete withdrawal of all foreign troops; second, the restoration of the independent and nonaligned status of Afghanistan; third, selfdetermination for the Afghan people; and fourth, the return of Afghan refugees with safety and honor.

The United States must do all it can to end the massive human rights abuses, the suffering and the destruction caused by the Soviet occupation of Afghanistan. This resolution is an affirmation of our goal.

I strongly support House Resolution 300, and I urge my colleagues to do so as well.

Thank you.

Mr. VALENTINE. Mr. Speaker, House Resolution 300 expresses the support of the House for an end to the Soviet Union's oppressive occupation of Afghanistan. We must express in no uncertain terms the repugnance we feel for the methods and goals of the U.S.S.R. in this innocent land.

It is well known that the Soviet Union fomented a change of government in Kabul in order to make itself appear as an invited guest fighting for the restoration of order in Afghanistan. The free world had no trouble in seeing through this facade. To this day, Soviet armies continue to inflict gruesome suffering on the people of Afghanistan.

The Soviet compulsion to subdue this nation stands as distasteful tribute to the Russian fear of diversity and freedom in

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the nations that border the Soviet Union. Even within the Soviet Union itself, the rulers of Moscow have imposed their authority on unwilling peoples whose traditions, customs, and language differ fundamentally from those of their Communist masters. Today, the Soviet Union contains over 100 separate nationalities under the dictatorial rule of Moscow's Russian oppressors.

The United States must heed the lesson of Moscow's invasion of its southern neighbor. The world must know with no uncertainty that the United States supports the people of Afghanistan in its heroic resistance to Soviet rule.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. SOLARZ] that the House suspend the rules and agree to the resolution, House Resolution 300.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SOLARZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just agreed to.

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

There was no objection.

EXPRESSING SENSE OF THE HOUSE REGARDING THE DEFECTION OF MIROSLAV MEDVID

Mr. LANTOS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 314) expressing the sense of the U.S. House of Representatives that Miroslav Medvid should not be allowed to be removed from the United States until a complete investigation can determine whether he has been accorded all rights due him as a possible defector, and until he is accorded those rights, as amended.

The Clerk read as follows:

H. RES. 314

Whereas Miroslav Medvid, a Ukrainian sailor on board the Soviet ship *Marshal Konev*, jumped into the Mississippi River and swam ashore on October 24, 1985; and

Whereas he indicated that he sought refuge in this country: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the President should pursue an active and impartial investigation into the facts and circumstances of the Medvid case so that no similar tragic and improper mishandling of a political asylum case will ever again cast its shadow on our principles of liberty and freedom.

The SPEAKER pro tempore. Is a second demanded?

Mr. BROOMFIELD. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. LANTOS] will be recognized for 20 minutes and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

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

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

Mr. Speaker, for the last couple of weeks the attention of the American people has been riveted on New Orleans where a young Ukrainian sailor twice attempted to make his break for freedom. In one of the most dramatic episodes of attempted defection, this young man swam the waters of the Mississippi twice, only to be dragged back to his ship by six Soviet sailors where, on the basis of every evidence we have, he was drugged, he was threatened and, after a considerable length of time elapsed, he was finally interviewed by our own authorities. He claimed that he wished to return to the Soviet Union.

Now, Mr. Speaker, it is self-evident that there are grave unanswered questions concerning the case of seaman Medvid. He initially attempted his escape with his sailor's papers carefully placed in a sealed jar. Upon reaching shore, he wanted to make contact with the New Orleans Police. Upon being interviewed by a Ukrainian-speaking interpreter, he twice stated his desire to remain in the United States. Yet he was taken back to his ship. He jumped into the Mississippi again. He swam ashore to freedom. He had to be taken back, kicking and screaming, against his wishes, to the Soviet ship.

When our officials first visited with him on the ship, he appeared sedated, he was tied to his bed, his left arm and wrist were bandaged; and, subsequently, the Soviet physician indicated to us that he attempted to commit suicide.

Yet when he was finally interviewed, in the presence of his captain, in the presence of Soviet diplomatic officials, we accepted his statement clearly given under duress, under threats, under intimidation, that he wanted to return to the Soviet Union.

He is now on the high seas, and he may never again be seen outside of the Soviet Union.

It is mandatory, Mr. Speaker, that a thorough and complete and impartial and nonpolitical investigation be undertaken to ascertain all of the facts surrounding the case of seaman Medvid.

What makes this investigation all the more significant is that we had a similar case some 15 years ago, when a Lithuanian sailor jumped off a Soviet ship, only to be returned to Soviet hands against his own wishes.

□ 1330

At a hearing in the House Foreign Affairs Committee last week, that sailor who spent 4 years in the gulag, assured us, as we all knew anyway, that this young man was compelled by threats, use of drugs, and intimidation, to change his mind, to try and protect his parents. At this hearing we reviewed the incredible report of the U.S. psychiatrist, who did not order blood and urine tests that should have been conducted.

We are celebrating the 100th anniversary of the emplacement of the Statue of Liberty, and it is a singularly unhappy celebration when we send a message around the globe that, when there are other considerations present, we do not consider the right of individuals who want to live away from totalitarian systems—an important right.

I want to pay special tribute to my good friend and colleague from Pennsylvania, Congressman RITTER, who is the author of the resolution which initially called for not only an investigation but to keeping the sailor here so that he would be given an opportunity in a nonthreatening, quiet environment to rethink his decision and make, finally, a rational judgment about where he wanted to spend the rest of his life.

Circumstances and events have overtaken our original resolution. What we are dealing with now is merely a request of the President of the United States to get to the bottom of this affair. We must do so to be true to our principles, and we must do so, Mr. Speaker, so that we do not send the wrong signal to possible future defectors so they will know that their rights as potential defectors will be fully protected.

I think it is critical that we pass this resolution to try to undo the damage that was done in this case by ill-advised decisions of various governmental agencies involved.

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

Mr. Speaker, I want to join the gentleman from California [Mr. LANTOS] in paying our tribute to the principal sponsor of this resolution, the gentleman from Pennsylvania [Mr. RITTER]. I think it is very timely.

I support this resolution. It expresses the sense of the House that Mr. Medvid should have stayed in this country until an investigation determined that he had been granted all rights due him as a possible defector. We as a nation must ensure that human beings who seek freedom in this country are granted that freedom.

As has been reported, Mr. Medvid twice swam back to shore in his futile efforts to defect to the United States. After being returned to the ship, Mr. Medvid was probably threatened by the ship's captain. During a later interview he signed a statement that he did not want to defect. Unfortunately, he is on his way back to the Soviet Union.

I have been incensed at the way this attempted defection was handled. Through mishandling freedom may have been denied to this young man.

I believe we should know all of the facts concerning this unfortunate situation. I call upon the President to order a full investigation into the Medvid case, as well as Congress. We must learn the truth so that this tragedy will never happen again.

I am deeply concerned about the fate of Seaman Medvid. We all know how Soviet authorities deal with those who have attempted to defect. A long prison term is often the minimum punishment given to those who have reached out for freedom.

All elements of our Government must work together to ensure that future defectors are properly handled. We must understand exactly what went wrong so that we can avoid these blunders in the future. This is the least we can do for those who risk their lives in the quest for liberty.

I call upon my colleagues to join me in support of this resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. RITTER].

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

Mr. Speaker, the American people have been expressing a sense of outrage which is now a sense of disgust, which has been translated into the stomachs of anyone who has been associated with this situation to a sick feeling.

There are still so many unanswered questions as to what exactly happened to poor Mr. Medvid as he sought asylum in the United States. Just one, brief example. Mr. Medvid discussed with Mrs. Irene Padoch, a Ukrainian-speaking woman in New York, over the telephone, from New Orleans, the background of his desire to come to the United States. He expressed desire to seek asylum, and yes, when asked by INS authorities, Mrs. Padoch said, "Yes, the man wants political asylum. Yes, the man wants to defect."

In one part of this conversation between the INS official in charge and Mrs. Padoch, the INS official mentioned to Mrs. Padoch that she should tell the young man that Mr. Medvid faces no harm, that they will speak in the morning, yes they will be in contact with Mrs. Padoch in the morning.

Something happened; something happened that is yet unknown. It was very obvious to that particular immigration officer who was talking with Mrs. Padoch at the time, that Miroslav Medvid sought political asylum. We in this Congress, as the Representatives of the American people wish to know exactly what happened to change the mind of the Immigration and Naturalization Service on the scene. To change—from their expressed intent—to Mrs Padoch—to provide safe keeping for this man seeking asylum until the next morning—to the terrible decision to send him back to the Soviet ship, 1 hour from the point in a conversation indicating safe treatment for Medvid.

The way they did it makes one sick as well. They did not take the poor man back on the ship themselves; they called the shipping company that deals with the Soviet grain ship, and they asked the shipping company to take care of it; to get Mr. Medvid back.

The way they did that was to call the Soviet ship and ask for six burly sailors to take Mr. Medvid back, kicking and screaming. Mary McGrory, in a column written in the Washington Post last week, referred to Mr. Medvid's actions as "universal body language." INS at some point understood that body language, yet for some unknown reason, chose to switch. This resolution requests a full accounting. It calls upon the President for a full accounting.

It is not that we are going to get satisfaction on Mr. Medvid's case itself. According to Simas Kudirka, who underwent similar trials and tribulations more than a decade ago trouble lies ahead for Medvid, Kudirka was a would-be Lithuanian defector who jumped ship and was himself dragged back kicking and screaming. According to Kudirka the fate of Mr. Medvid is dire indeed. Mr. Kudirka referred to a special concentration camp in Mordavia in the Soviet Union that deals with would-be defectors who do not succeed. His testimony before a House subcommittee was gruesome on that account.

□ 1340

Unfortunately, Mr. Medvid does not have a parent, as Mr. Kudirka did, who was born in the United States so that eventually he could be freed.

No, the fate that awaits him is dire, but perhaps, perchance we can through this investigation see to it that the name of the United States, that the symbol of the Statue of Liberty is not sullied forever, that we can make clear to those seeking political asylum that indeed they are and they will be welcome in these United States.

Mr. LANTOS. Mr. Speaker, I am pleased to yield as much time as he might consume to the distinguished chairman of our committee, the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I thank the gentleman from California.

Mr. Speaker, I rise in strong support of this resolution, and commend my colleagues, the gentleman from California [Mr. LANTOS], the gentleman from Pennsylvania [Mr. RITTER], and others who have been following this matter very closely. This resolution was unanimously adopted in the Committee on Foreign Affairs and those who bring it here to the floor of the House so that we can have a discussion on this unfortunate event are to be congratulated.

This resolution, simply asks for an impartial investigation into the medical case which we all think is very important, in the hope that this tragic episode will not be repeated.

The United States must have a policy in cases like this that is understandable. Instructions should go out to the field so that our people know how to act and know what to do in cases of this kind, particularly with respect to the Soviet Union.

Whenever we have a case of this kind it is always extremely sensitive. This cannot be helped because of the fact that we have two superpowers involved. Our relationships are always extremely sensitive and delicate, and whenever a poor individual like Mr. Medvid gets in the middle of it he is the one who suffers.

I would hope also, Mr. Speaker, that proper representation be made to Soviet authorities so that Mr. Medvid would be accorded some humane consideration when he is returned to the Soviet Union. It seems to me that this is the least we can do for this gentleman. He is now at the mercy of Soviet justice and you cannot expect too much.

As a matter of fact, I need to remind my colleagues that in all of the testimony before the Commission on Security and Cooperation in Europe—where we have heard from Soviet defectors of one kind or another, and from many Soviet experts—the Soviets have a particular theory with respect to defectors of any kind, or people who ask simply to leave the country to go join their families. The Soviets take the position that any Soviet citizen who wants to leave the Soviet Union has to either be insane or a criminal. They treat him or her that way under their laws. It is hard for us to understand that, but that is the way they look at it.

So make no mistake about it, when Mr. Medvid goes back to the Soviet Union as a Soviet citizen, he will not be accorded normal treatment. Immediately the concept that there is something wrong with him mentally or that in some way he acted criminally against the state will be in force. Therefore, any way that any country or any individuals can intercede in his behalf for humane considerations on

his return to the Soviet Union might be helpful.

Nevertheless, it is our strong feeling in this resolution that the mistake in handling the Medvid case should not have happened. We hope it never happens again. In the meantime, what we are saying in the resolution is let us conduct a thorough, impartial investigation and get to the facts.

Mr. RITTER. Mr. Speaker, will the gentleman yield for just one comment in response to his comments?

Mr. FASCELL. I am happy to yield to the gentleman from Pennsylvania.

Mr. RITTER. Mr. Speaker, I thank the gentleman for yielding.

It often happens that Soviet citizens who face trouble in the realm of human rights are protected by attention given to them in the West, and the gentleman is correct when he states that perhaps a focus of attention on Mr. Medvid could save him from the brutality which he might expect if he simply disappeared into the abyss.

Mr. FASCELL. Mr. Speaker, I thank the gentleman for his comment.

Mr. BROOMFIELD. Mr. Speaker, may I inquire as to the amount of time left on both sides?

The SPEAKER pro tempore. The gentleman from Michigan [Mr. BROOMFIELD] has 12 minutes remaining and the gentleman from California [Mr. LANTOS] has 8 minutes remaining.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I thank the gentleman for giving me this time.

Mr. Speaker, this resolution, House Resolution 314, deserves the strong and full support of the House. It expresses the concern of the House about the abominable mishandling of the case of the Ukrainian sailor, Miroslav Medvid, who jumped ship, seeking asylum in the United States but who was cruelly turned back because of gross errors and violations of of regulations committed by low-ranking officials of the Department of Justice.

This resolution was initially introduced by the gentleman from Pennsylvania [Mr. RITTER] and the gentleman from Maryland [Mr. HOYER], and referred to our Committee on Foreign Affairs. Because of the pressing nature of the matter, the committee marked it up immediately, thanks to the assistance of the distinguished chairman of the committee, the gentleman from Florida [Mr. FASCELL] and our ranking minority member, the gentleman from Michigan [Mr. BROOMFIELD], as well as the chairman of the Europe and Middle East Subcommittee, the gentleman from Indiana [Mr. HAMILTON]. The resulting resolution is now before us.

In its operative paragraphs, the resolution, as reported, spoke to actions that the administration should have taken before the Soviet vessel, the *Marshal Konev*, was allowed to leave United States territorial waters, and to the steps needed to prevent such lapses in the future. It is regrettable that the administration chose to let the Soviet ship leave our shores without allowing the subpoena issued by a committee of the other body to be enforced. Nevertheless, it is appropriate to pass this resolution, as amended, at this time to express the concern of the House about our Nation's treatment of Seaman Medvid, and to exppress its further desire that every possible step be undertaken to ensure that such an event will never again occur.

Accordingly, I urge my colleagues to support this resolution.

Mr. LANTOS. Mr. Speaker, I yield such time as he may consume to my distinguished colleague, the gentleman from New York [Mr. BIAGGI].

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

Mr. Speaker, I would like to make the comment that the action taken by the Department of Justice boggles the American mind, but the message that is delivered worldwide as a result of the conduct of our officials is going to have an inhibiting effect on all those who seek freedom and justice and freedom from oppression. Clearly the Medvid case should go down in history as infamous in nature and unpardonable.

Mr. Speaker, the issue before us is a most important one. We must not let the Medvid matter happen again. When this original resolution was filed, the *Marshal Konev* was still in the Port of New Orleans, and Miroslav Medvid was still in custody on American soil.

However, on Saturday, in an action that perplexes and perturbs me, the Reagan administration allowed the ship to leave. This decision, according to an article in the New York Times, was made after American officials concluded that the seaman Miroslav Medvid, a 25-year-old Ukrainian wanted to return home. As a result we are unable to urge the President to provide Medvid with an additional interview. As a result we are unable to urge the President to allow Medvid to meet with his anxious relatives. As a result we are not able to urge the President to do the right and just thing—presume Medvid wanted to defect and grant him political asylum.

How totally inconsistent this incident is with our proud tradition of supporting freedom and those who aspire to it, whether they be an individual or group of people. Since when is it consistent for the United States of America to presume an individual who on two occasions escapes from his Soviet ship is not doing so for the purpose of defection? Since when is it consistent for the United States to side with the Soviet Union in matters related to a person seeking asylum.

Let us review the circumstances of this bizarre story. On the night of October 24, Seaman Medvid leaped off the *Marshal Konev* and swam a quarter mile to the shore. He was interviewed by immigration officials, but none of whom spoke or understood Russian. They relied on an interpretor who contended that he told immigration officials that Medvid was seeking asylum. The immigration service disagreed and contended that no request for asylum was made.

Following the interview agents of the Border Patrol tried to return him to the *Marshal Konev* but he again sought his freedom by jumping from their small boat. He was then forced onto the ship in handcuffs by a ship's officer and five shipmates.

Sometime in the ensuing 3 days, Medvid injured his wrists, according to the State Department, but the official refused to make a determination as to whether it constituted a suicide threat. The seaman was then removed from the ship and interviewed for 2 days by various American officials. This included a psychiatrist who concluded that defection was not being sought based on interviews with Medvid. However, this same psychiatrist admitted that officers aboard the ship had warned Medvid that harm would come to his parents if he chose to defect.

It was felt up until the events of Saturday that the confusion surrounding Medvid would lead to a delay in any action to send him back on the ship. In order to secure this, a subpoena from the Senate Agriculture Committee was issued.

Yet, in the end despite the legitimate concerns of Medvid's relatives, despite the concerns of Members of Congress and the American public, Medvid was returned to the Soviet Union and whatever aspirations he had for freedom were dashed when the ship pulled itself from the Port of New Orleans.

Some have contended that the administration did not want to risk a major incident just prior to the Geneva Summit. Yet, one is hard pressed to accept that view considering the nature of this event. Here was a young man who came to us. The United States did not orchestrate this situation or incite it. In fact, had we simply been more responsive initially when Medvid first presented himself to our shores, we might have averted a major incident. It would have been a cut-and-dried situation. However, our subsequent bungling of the entire affair made this a potentially serious incident. We deferred to the Soviets. We should not have.

There are clearly lessons to be learned from this tragic affair. First and foremost, we must have Russian-speaking personnel among immigration service and customs service personnel so the initial intention of a person, such as a Madvid, would be clearly understood and responded to. Second, when there is a judgment call of this nature to be made again, let us land on the side of the individual and assume defection. Finally, if the situation must be resolved at the highest levels of our Government let it not be done with the arrogance displayed in the Medvid case. It is not done

with the arrogance displayed in the Medvid case. It was obvious that there was deep concern and vast confusion about this case. A live Senate committee subpoena did exist in this matter but nonetheless the decision to free the ship *Marshal Konev,* and imprison the sailor, Medvid, was made.

I hope the passage of this resolution will convey to the White House the sense of outrage and frustration that many of us feel about the entire Medvid incident. It is a sorry incident that should never be repeated.

Mr. BROOMFIELD. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. LUNGREN], who is the ranking member of the Subcommittee on Immigration of the Committee on the Judiciary.

Mr. LUNGREN. Mr. Speaker, as the ranking member of the Subcommittee on Immigration, I have followed this matter with some interest and have been involved in conversations with members of the INS and the Justice Department. When all is said and done, I think what we can say about it is that it was a screw up. The guys on the ground did not do what they were supposed to do.

I do not find any grand conspiracy involved here based on the information I have been able to get. Sometimes you can establish the best guidelines and try to sensitize your employees the best you can, and things do not always work.

□ 1350

Now, I am pleased that the Commissioner of the INS has reiterated the policy of the Department, has sent out a special communique to all of their offices around the country, has underscored the fact that when dealing with people from Communist countries there has to be an enhanced sensitivy because of the difficulties from which these people have come and the difficulties they have in even bringing themselves to talk with representatives of the U.S. Government because of the repercussions that may ensue both for themselves and the family members.

Several months ago I had conversations with the INS because I was concerned about how several people from the People's Republic of China had been treated and a lack of sensitivity shown to them. At that point in time, following conversations with both representatives of the State Department and the INS, we were assured that new policies or a refinement of old policies had gone into effect and, in fact, I take that to be true.

I am sorry that this incident has come up to suggest that we have to again refine those policies. But there does seem to be no doubt that a greater sensitivity must be conveyed by those who deal with these individuals from these Communist countries because of the essential differences in experiences that these people bring with them.

There is no question in my mind that the policy of the INS was violated. There is no question in my mind that when the supervisors in the INS belatedly heard about this they took action to do what they could do. But unfortunately it is like the horse that has gotten out of the barn, if you do close the door, it really does not get that horse back.

With respect to the second interview that took place, I am convinced that both the State Department and the INS did everything they could at that time. Unfortunately, it was not enough because the individual had been in the hands of the Soviets for some considerable period of time. For various reasons I do think at that point in time he made it clear that even though he may very well have wanted to come to the United States, and I am convinced he did, I think everything indicated that he did, that was no longer his thought.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. LUNGREN] has expired.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 additional minutes to the gentleman from California.

Mr. LUNGREN. But again, as I say, that was not enough because of what had happened in the first instance.

What I hope will be done by this resolution, which basically is supportive of what is already going on, that is, an investigation is ongoing, is that perhaps we can raise the issue to such a visibility that that sensitivity which is necessary for the people actually involved in the service will be there, rather than be marked by its absence.

So I certainly join my colleagues in supporting this resolution, but I also think I should point out that it is my understanding that such an investigation has already been launched.

I am sorry that even the resolution of that investigation most likely can do very little for Mr. Medvid himself.

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

Mr. LUNGREN. I am happy to yield to the gentleman from California.

Mr. LANTOS. Mr. Speaker, I obviously welcome the support of my friend, the gentleman from California, for the resolution, but I would like to make a point which I think goes to the core of this issue.

There is unanimity about the initial mistakes made by INS officials. The problem many of us have with the final decision is that our State Department had plenty of other options than to put this poor fellow back on the ship. We could have kept him here for 10 days or 2 weeks. The State Department testified there was no time limit. We should have put him in a nonthreatening environment where he could have talked to fellow Ukrainians, where he could have talked this thing through, where possibly the drugs that were administered to him by the Soviet physician aboard the ship would have worn off and he could have made a judgment.

If I may just finish my thought, we are talking about two mistakes here. We are talking about the initial mistake, if indeed it was a mistake, of sending him back on the ship; but we are talking also about an even more serious judgment call of returning him from American soil when the American people and the American Congress know that this man wanted to defect. He was intimidated and drugged by the Soviets aboard the ship and we simply tried to sweep the whole issue under the rug.

Mr. LUNGREN. Madam Speaker, I do not think the people involved attempted to sweep it under the rug.

The SPEAKER pro tempore (Mrs. BURTON of California). The time of the gentleman from California [Mr. LUNGREN] has again expired.

Mr. BROOMFIELD. Madam Speaker, I yield 3 additional minutes to the gentleman from California.

Mr. LUNGREN. Madam Speaker, I do not want us to get off the point here, in which we have mutual support; but I frankly do not find any attempt by the administration or the people in the State Department, the INS, they sweep it under the rug.

I think once the initial mistake was made, we have some very legitimate concerns with respect to what we do. I think the fact that the gentleman says there would have been another option, an easy option, to keep a person here 10 days or 12 days who has already indicated under the law that is established that he does not wish to be here leads us to some very serious public policy consequences with respect to the Soviet Union.

I obviously am no defender of the Soviet Union, but I do not want a situation in which we set a precedent for the Soviet Union to take an American citizen and hold him for 12 days, even though that person has indicated he does not want to stay in the Soviet Union.

The point is that at some point in time you have to make a decision based on what the law is. The law states that someone has to express a well-founded fear of persecution and indicate that he or she wishes to be here.

It is my understanding that we had both a doctor and a phychiatrist in attendance during the period of time we had this individual.

We cannot undo the pressure that the Soviet Union brought to bear on him. That is why I say let us recall that we made an initial mistake.

Mr. RITTER. Madam Speaker, will the gentleman yield?

Mr. LUNGREN. I am happy to yield to the gentleman from Pennsylvania.

Mr. RITTER. Madam Speaker, the gentleman has made a good point. The gentleman from California [Mr. LANTOS] has also made a good point.

Here is what it all boils down to. In the hearings conducted by the gentleman from California [Mr. LANTOS] and the subcommittee, Mrs. Ridgeway, the Assistant Secretary of State for Europe, claimed that the call of the State Department was a judgment call.

The question then remains, with a man who has tried to slit his wrists, with a man who has obviously been drugged, with a man who is standing in front of a Soviet ship captain looking him right in the eyes, and with our knowledge of what most probably preceded the State Department finally getting to interview this person, what probably preceded this on the Soviet ship, the question is, is one night's sleep away from his tormentors and harassers, is that enough?

The interviewer from the State Department was speaking Russian. Now, this is a man who comes from Lwiw, who lives on the border of the western Ukraine with Poland. His mother is Polish, speaks Polish. On the streets of Lwiw they speak Ukrainian and the whole thing is conducted in Russian. Why was it conducted in Russian, why? Perhaps for the benefit of the Soviet ship captain who did not speak Ukrainian. I do not know.

I think this is what this investigation may point out; but given all of this and given the tormented state of this individual was in, perhaps we should have given him more time.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. LUNGREN] has again expired.

Mr. BROOMFIELD. Madam Speaker, I yield 2 additional minutes to the gentleman from California.

Mr. LUNGREN. Madam Speaker, I yield to the gentleman from Pennsylvania [Mr. RITTER].

Mr. RITTER. Perhaps we should have given him some greater time, as the gentleman from California [Mr. LANTOS] says, to speak to somebody who speaks Ukrainian, his own mother tongue, to speak with some people perhaps from the Ukrainian-American community who could convince him that the United States is not all that bad, after allowing him to be taken back after jumping ship twice.

Mr. LUNGREN. Madam Speaker, I will take back my time.

I just want to say, look, there was a mistake. It was a bad mistake. We do not want it to happen again. I have been working with the INS to make sure that it does not happen again. It not only involves Russian sailors, it involves members of the People's Republic of China and other countries.

We have to have an enhanced sensitivity with respect to the people that are involved.

I just will say, we ought to recognize that we did have a doctor, we did have a psychiatrist in attendance. When we are presented with certain facts with certain information, we are required under our law to make a decision. It does not matter whether the person is from the Ukraine or whether the person is from China or whether the person is from Nicaragua or whether the person is from Honduras, or wherever.

I just want us to keep that in mind. We have established certain laws. Those laws are to be duly executed.

I would argue in this case because of the insensitivity of the personnel first involved, we did not execute the law in the way in which we envisioned it here in the House of Representatives and the U.S. Senate and at the highest levels of the administration.

I hope that the investigation might bring to light this subject a little more clearly so that again we will continue to press those people involved with a recognition of that amount of sensitivity that is absolutely necessary to make certain that this thing does not happen again.

We must recognize that these claims are made on thousands of occasions and we do not want the fact that they are made on thousands of occasions to make people callous in terms of their consideration of them. That is the important thing.

Mr. LANTOS. Madam Speaker, I yield such time as she may consume to my friend and colleague, the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Madam Speaker, more than 2 weeks ago on October 24, Miroslav Medvid, a Ukrainian sailor on board the Soviet ship *Marshal Konev*, jumped into the Mississippi River near New Orleans and swam to shore seeking freedom in our country. Astonishingly, United States officials returned him to Soviet custody three times, the last time following a meeting where Mr. Medvid appeared in a drugged state and in the presence of Soviet officials who had threatened him and his family. On November 9, the *Marshal Konev* left our waters with Miroslav Medvid aboard, to face an uncertain fate in the Soviet Union.

During the 2-week drama, the administration took the consistent line that "we consider the matter closed." The American people, however, did not consider the matter closed and insisted on asking questions and demanding answers. Now that the ship has left with Miroslav Medvid on board, there is a sense of dismay.

As we sort through the mistakes and mishandling of the tragic case of Miroslav Medvid, it is important that we not close the case. We must use the resources of the U.S. Government, from the highest levels, to continue to express the interest of the American people in the fate of Miroslav Medvid, to seek assurances and solicit genuine evidence that he and his family have not been subject to reprisals for an act that our Government considers impulsive and nonpolitical.

It is also important that we learn from the mistakes that were made during the mishandling of this case. According to Government and news accounts, the errors began with a clumsy translation procedure over long-distance telephone. Later, when Miroslav Medvid met with Soviet and American officials for the last time, he was provided with a Russian translator, instead of one who speaks his native Ukrainian language. These technical errors and shortcomings of translation are inexcusable and certainly unnecessary. Our country is rich in language skills, if only we organize them correctly. Our various ethnic communities, including the Ukrainian community, have been sponsoring language and culture schools that constitute an invaluable resource for our country. It is essential that appropriate Government agencies, especially the State Department and the Immigration and Naturalization Service, establish orderly procedures to avail themselves of language skills on the scene in the event of cases such as the one we just witnessed. Obviously, other procedures must be evaluated and improved to prevent a similar case from occurring in the future.

Many people are dismayed and disappointed over the unfortunate mishandling and unhappy outcome of the Miroslav Medvid bid for freedom. It is my hope and expectation that this case will be raised at the highest levels in order to gain assurances about the well-being of Mr. Medvid and his family. I also hope and expect that an investigation of this case will reveal the errors and shortcomings that led to such a serious mishandling and that corrections in procedures will be made to avoid a similar outcome in the future.

Mr. LANTOS. Madam Speaker, I yield 1 minute to my friend and colleague, the chairman of the Helsinki Commission, the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Madam Speaker, I want to thank the gentleman from California for yielding. I want to congratulate him, the ranking member of the Helsinki Commission the gentleman from Pennsylvania [Mr. RITTER] and others, and certainly congratulate the committee for the work they have done on this resolution.

I would also at this time like to bring to the attention of the House that I have a letter here, that will be distributed to the House Members on the first rollcall, to the President indicating that as he goes to the summit, which has been discussed in the context of this resolution, that he continue to be forceful in his placing of human rights at the forefront of America's agenda. I would urge all Members of the House to sign it. We are hoping to have all 435 Members of the House sign this letter to the President. It is similar to a letter sent by

the other body, making it very clear to the Soviets and to the world that human rights is on the front burner of the agenda of the Congress of the United States.

Madam Speaker, the letter is as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 12, 1985.

The PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: On the eve of the Geneva Summit, we extend our sincere wishes for a successful meeting and reaffirm our strong support for you in presenting our country's forceful position in regard to human rights.

We pledge our firm support for your urging General Secretary Mikhail Gorbachev to undertake just and expeditious actions to alleviate the human rights abuses in the U.S.S.R. and to take steps that indicate an intent to abide by past international agreements such as the Helsinki Final Act. It must be emphasized that in the search for those elements needed for a more positive United States-Soviet relationship, respect for human rights and fundamental freedoms is absolutely essential.

Respectfully,

Mr. LANTOS. Madam Speaker, I yield 1 minute to my distinguished friend, the gentleman from New York [Mr. GARCIA].

Mr. GARCIA. Madam Speaker, I would like to join in this debate. I think everybody here has spoken quite well and eloquently on this issue.

I would hope that this lesson gets back to the INS, the Immigration and Naturalization Service.

One of the areas that I have for many years felt that they have lack of knowledge in is on the question of sensitivity. Many of the issues in which I have personally dealt with the INS dealing with sensitive matters, they have on occasion demonstrated a lack of knowledge. It seems to me that what has come out of this discussion, today it appears to me without doubt in my mind that the INS, Mr. Nelson, as Immigration and Naturalization Commissioner, should immediately institute a program to sensitize INS agents. There are many agents who are in fact sensitive, but it proves once again in this terrible episode that sensitivity was not demonstrated.

Mr. LANTOS. Madam Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mrs. BURTON of California). The question is on the motion offered by the gentleman from California [Mr. LANTOS] that the House suspend the rules and agree to the resolution, House Resolution 314, as amended.

The question was taken.

Mr. RITTER. Madam 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.

GENERAL LEAVE

Mr. LANTOS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just considered.

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

There was no objection.

HANDICAPPED CHILDREN'S PROTECTION ACT OF 1985

Mr. WILLIAMS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1523) to amend the Education of the Handicapped Act to authorize the award of reasonable attorneys' fees to certain prevailing parties, to clarify the effect of the Education of the Handicapped Act on rights, procedures, and remedies under other laws relating to the prohibition of discrimination, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1523

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 "Handicapped Children's Protection Act of 1985".

SEC. 2. AWARD OF ATTORNEYS' FEES

Section 615(e)(4) of the Education of the Handicapped Act (hereinafter in this Act referred to as "the Act") is amended by inserting "(A)" after the paragraph designation and by adding at the end thereof the following:

"(B) In any action or proceeding brought under this subsection, the court, in its discretion, may award reasonable attorneys' fees, expenses, and costs to the parents or guardian of a handicapped child or youth who is the prevailing party.

"(5) For purposes of this subsection—

"(A) fees awarded under this subsection shall be based on rates prevailing in the community in which the action or proceeding arose for the kind of quality of services furnished; and

"(B) fees, expenses, and costs awarded under this subsection to a prevailing party may not be paid with funds provided to the State under this Act.".

SEC. 3. EFFECT OF EDUCATION OF THE HANDICAPPED ACT ON OTHER LAWS.

Section 615 of the Act is amended by inserting at the end thereof the following new subsection:

"(f) Nothing in this title shall be construed to restrict or limit the rights, procedures, and remedies available under title V of the Rehabilitation Act of 1973 or other Federal laws redressing the rights of handicapped children and youth, except that before the filing of a civil action under such laws seeking relief that is also available under this part, the procedures under subsections (b)(2) and (c) shall be exhausted to the same extent as would be required had the action been brought under this part.".

SEC. 4. IMPROVEMENTS IN PROCEDURAL SAFEGUARDS UNDER THE ACT.

(a) PUBLIC ACCESS TO HEARING DECISIONS.—Section 615(d)(4) of the Act is amended by inserting "shall be made available to the public consistent with the requirements of section 617(c) and" immediately before "shall also".

(b) INFORMAL COMPLAINT RESOLUTION PROCEDURE.—Section 615(b)(2) is amended—

(1) by striking out the first sentence and inserting in lieu thereof the following:

"Whenever a complaint has been received under paragraph (1) of this subsection, the parents or guardian shall be provided an opportunity to meet informally with the State of local educational agency or intermediate educational unit to resolve the complaint. If the complaint is not resolved satisfactorily or a decision is made not to meet informally, the parents or guardian shall have an opportunity for an impartial due process hearing which shall be conducted by the State educational agency, the local educational agency, or an intermediate educational unit as determined by State law or by the State educational agency."; and

(2) by inserting at the end of such paragraph the following new sentence:

"Any decision regarding participation in an informal meeting under this paragraph shall not affect the availability or provision of any rights of the parents or guardian under this section.".

(c) ANTI-RETALIATION PROVISION.—Section 615 of the Act is amended by inserting at the end thereof the following new subsection:

"(g) No person may discharge, intimidate, retaliate, threaten, coerce or otherwise take an adverse action against any person because such person has filed a complaint, testified, furnished information, assisted, or participated in any manner in a meeting, hearing, review, investigation, or other activity related to the administration of, exercise of authority under, or right secured by this part.".

SEC. 5. GAO STUDY OF ATTORNEYS' FEES PROVISION.

(a) The Comptroller General of the United States, through the General Accounting Office, shall conduct a study of the impact of the amendments to the Education of the Handicapped Act made by section 2 of this Act. Not later than June 30, 1989, the Comptroller General shall submit a report containing the findings of such study to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate. The Comptroller General shall conduct a formal briefing for such Committees on the status of the study not later than March 1, 1988. Such report shall include the information described in subsection (b).

(b) The report authorized under subsection (a) shall include the following information:

(1) The number, in the aggregate and by State, of written decisions under sections 615(b)(2) and (c) transmitted to State advisory panels under section 615(d)(4) for fiscal years 1984 through 1988, and the prevailing party in each such decision. For fiscal year 1986, the report shall designate which decisions concern complaints filed after the date of enactment of this Act.

(2) The number, in the aggregate and by State, of civil actions brought under section 615(e)(2) and the prevailing party in each action for fiscal years 1984 through 1988. For fiscal year 1986, the report shall designate which decisions concern complaints filed after the date of enactment.

(3) Data, for a geographically representative selective sample of States, indicating the specific amount of attorneys' fees, costs,

and expenses awarded to the prevailing party, in each action and proceeding under section 615(e)(4)(B) from the date of the enactment of this Act through fiscal year 1988, and the range of such fees, costs, and expenses awarded in the various types of actions and proceedings under such section.

(4) Data, for a geographically representative sample of States, on the experience of educational agencies in resolving complaints informally under section 615(b)(2), from the date of the enactment of this Act through fiscal year 1988.

SEC. 6. AWARD OF ATTORNEYS' FEES ONLY FOR CIVIL ACTIONS.

(a) AWARD OF ATTORNEYS' FEES.—Section 615(e)(4)(B) of the Act is amended by striking out "action or proceeding and inserting in lieu thereof "civil action".

(b) EFFECTIVE DATE.—

(1) Except as provided in paragraph (2), subsection (a) shall take effect four years after the date of the enactment of this Act.

(2) If the report authorized under section 5 is not submitted to both committees of the Congress within the period established by such section, subsection (a) shall take effect 180 days after the date on which such submission requirement is fulfilled or five years after the date of the enactment of this Act, whichever occurs first.

SEC. 7. EFFECTIVE DATE.

(a) GENERAL PROVISION.—Except as otherwise provided, this Act shall take effect on the date of enactment of this Act.

(b) LIMITED RETROACTIVE APPLICATION.—The amendments made by sections 2 and 3 shall apply with respect to actions or proceedings brought under section 615(e) of the Education of the Handicapped Act after July 3, 1984, and actions or proceedings brought prior to July 4, 1984, under such section which were pending on July 4, 1984.

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The SPEAKER pro tempore. Is a second demanded?

Mr. BARTLETT. Madam Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Montana [Mr. WILLIAMS] will be recognized for 20 minutes and the gentleman from Texas [Mr. BARTLETT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Montana [Mr. WILLIAMS].

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

Madam Speaker, on March 7, 1985, H.R. 1523, the Handicapped Children's Protection Act was introduced. The original bill was designed to accomplish four basic objectives.

First, to authorize courts to award reasonable attorneys' fees to parents of handicapped children who prevail in specified circumstances under Part B of the Education of the Handicapped Act.

Second, to reestablish statutory rights repealed by the U.S. Supreme Court in the decision in Smith versus Robinson.

Third, to reaffirm, in light of this decision, the viability of section 504 of the Rehabilitation Act of 1973, 42 U.S.C. 1983 and other statutes as separate vehicles for ensuring the rights of handicapped children.

Fourth, to improve the due process procedures available under part B of the Education of the Handicapped Act.

Today, we are considering an amendment in the nature of a substitute which satisfies all of these objectives. The road traveled to reach this bipartisan compromise has not been smooth. The issues involved in the legislation are extremely complex and affect all participants in our educational system: Handicapped children and their families, teachers, and school officials. However, Members on both sides of the aisle have worked long and hard to reach this bipartisan compromise. Special recognition must go to Mr. HAWKINS, Mr. BIAGGI, Mr. JEFFORDS, and Mr. BARTLETT. My personal thanks for all your efforts.

In the course of drafting this legislation, organizations representing handicapped children, parents, educators, administrators, boards of education have often expressed strong and often divergent positions on the provisions in the bill. The consequences of including or excluding particular provisions were expressed and then debated at length.

The bill we present today for passage represents a consensus which achieves the needed balance between the rights of handicapped children and local and State educational agencies. I urge my colleagues to support this bipartisan substitute.

Let me briefly describe the key components of the legislation.

First, it amends part B of EHA to provide that a parent or guardian of a handicapped child who prevails against a school district or State educational agency in a civil action in Federal or State court, or an administrative proceeding such as a due process hearing or State appeal, may be awarded reasonable attorney's fees, costs and expenses by the court.

Second, it provides for the submission to Congress of a GAO study on the impact of this provision no later than 3½ years after the date of enactment of the legislation.

Third, the legislation contains a sunset provision under which a court's authority to award fees to parents who prevail in administrative proceedings terminates 4 years after the date of enactment of this legislation if the GAO report is submitted on schedule. Thus, after 4 years, unless Congress passes additional legislation, a court's authority to award fees will be limited to civil actions in State or Federal courts in which parents prevail.

Fourth, it overturns the U.S. Supreme Court's decision in Smith versus Robinson by reestablishing the viability of Section 504 of the Rehabilitation Act of 1973 and other statutes as separate vehicles for ensuring the rights of handicapped children and youth.

Fifth, it deletes section 3(b) of H.R. 1523, as reported out of the Education and Labor Committee. Section 3(b) provides that with respect to preschool, elementary, secondary, and adult education programs and activities, section 504 must continue to be carried out in accordance with the regulations in effect on July 4, 1984, unless expressly authorized by act or joint resolution of the Congress approved after July 4, 1984.

The decision to delete this provision from the bipartisan substitute should not be construed as reflecting a congressional change in support for the validity of the current section 504 regulations. The section 504 regulations were the result of extensive consideration in the regulatory process. Congress had the opportunity to review these regulations during oversight hearings in 1977, preceding the passage of the 1978 amendments to the Rehabilitation Act of 1973. At that time Congress explicitly approved the section 504 regulations.

This view of the section 504 regulations has been upheld in two recent unanimous Supreme Court decisions, Consolidated Rail Corporation versus Darrone and Alexander versus Chaote.

In Darrone, the Supreme Court found that the "responsible congressional committees participated in their formulation, and both these committees and Congress itself endorsed the regulations in their final form." The court also found that in passing the 1978 amendments, "Congress incorporated the substance of the Department's regulations into the statute."

In Alexander, the Supreme Court characterized its decision in Darrone as "holding that the 1978 Amendments to the act were intended to codify the regulations enforcing section 504."

Today, we reaffirm Congress' prior endorsements of the current section 504 regulations and the Supreme Court's understanding of our intent. The decision to delete section 3(b) from the bipartisan substitute simply reflects our conclusion that it is no longer necessary to codify the existing section 504 regulations in this bill because the administration is expressing no current desire to modify these regulations in any way.

Sixth, the bipartisan substitute amends part B of the Education of the Handicapped Act to improve procedural protections under the act. These changes include: a requirement that hearing decisions be made available to the public without diminishing the privacy rights of the children; a re-

quirement that a school district provide a parent with an opportunity to meet informally with agency officials to resolve complaints prior to the due process hearings; and an anti-retaliation provision barring public agencies from taking adverse actions against persons participating or involved in, among other things, meetings or hearings.

Finally, the bill specifies that the provisions concerning the awarding of attorneys' fees and the effect of the Education of the Handicapped Act on other laws apply retroactively with respect to actions or proceedings after July 3, 1984, and actions or proceedings brought prior to July 4, 1984, which were pending on July 4, 1984.

The Congressional Budget Office states that there will be no increase in Federal cost as a result of this bill.

Public Law 94-142 was hailed upon passage as a significant step forward in ensuring the educational rights of persons with handicaps and it is living up to its promises. This legislation before you today only strengthens that capability. I urge my colleagues to support the compromise.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. (Mr. GARCIA). The Chair recognizes the gentleman from Texas [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, I yield myself 14½ minutes.

Mr. Speaker, first, for the House, I would note that the section would codify section 504 regulations has been deleted, and that eliminates one-half of the controversy from the floor today.

Second, I would note that upon a letter that was delivered this morning to the chairman of the committee, it is apparent that the administration does support the bill in its present form with that deletion of codification of section 504 and with reservations relating to administrative fees prevailing in the community, and the absence of a double-dipping provision.

Mr. Speaker, I would also note that I support this bill and do urge a "yes" vote and its enactment today, although I do have some reservations about one section of the bill which I will detail in my statement. I will take a few minutes. Mr. Speaker, to explain a bit as to how we got here.

In July of 1984, the Supreme Court handed down a decision in the case of Smith versus Robinson which seriously threatens the ability of parents to enforce their handicapped child's rights under Public Law 94-142, the Education For All Handicapped Children Act. In that case, the Court upheld the claim of the parents of a special education student who sought appropriate placement for their handicapped child, but denied their request to recover attorneys' fees on the grounds that Public Law 94-142 is silent on the issue. The Court reasoned that since the educational relief was granted under the authority of Public Law 94-142, the claimants could not seek to recover attorneys' fees under another statute which authorized fees. While this decision is consistent with the so-called American rule which provides that attorneys' fees are not recoverable unless specified in the statute under consideration, the Smith versus Robinson decision represented a serious setback for parents of handicapped children seeking to enforce their child's right to a free and appropriate education. By denying attorneys' fees in Smith, the Supreme Court effectively shut the courthouse doors in the face of poor and middle-class parents of handicapped children who would find the cost of retaining counsel prohibitive without the prospect of recovering fees upon prevailing in the civil action.

Quite simply, the Supreme Court's decision has compelled Congress to act to amend Public Law 94-142 to specify that parents who prevail in court actions brought under Public Law 94-142 are entitled to recover reasonable attorneys' fees. Justice Brennan, writing for the three dissenting Justices in the Smith decision captured the task before Congress when he said:

"* * * with today's decision coming as it does after Congress has spoken on the subject of attorneys' fees, Congress will now have to take the time to revisit the matter. And until it does, the handicapped children of this country whose difficulties are compounded by discrimination and by other deprivations of constitutional rights will have to pay the costs."

Mr. Speaker, H.R. 1523 constructively addresses the issue of the recovery of attorneys' fees for civil action under Public Law 94-142 in response to the Smith decision. It properly authorizes courts to award reasonable attorneys' fees to parents of handicapped children who prevail in civil actions. I support without reservation, this portion of H.R. 1523, believing that not only the families of handicapped children will be served by this amendment but also the public interest of ensuring the provision of a free and appropriate education for all handicapped children.

Saying this, Mr. Speaker, I must raise what I consider to be a serious flaw in H.R. 1523 which taints its contributions to Public Law 94-142. H.R. 1523 mistakenly extends the authority for the recovery of attorneys' fees into Public Law 94-142's administrative hearing process.

Public Law 94-142 is essentially a grant-in-aid statute that provides an informal process by which parents and educators can mutually determine what is an appropriate education for a handicapped student. The system for identifying, evaluating, developing, and administering the individualized educational program rests upon the ability of parents and educators to meet, share information, and agree upon a program.

When parents and educators disagree on what is educationally appropriate for a handicapped child, either party may file a request for an administrative hearing presided over by an impartial due process hearing officer. These hearing officers are trained by the State and are generally individuals with experience in special education or special education legal policy. The hearing officers are not required to be attorneys, and neither the parents nor the school systems are required to be represented by attorneys. The hearing officer's responsibility is to determine the appropriate education for the handicapped student based upon the information that the parents and the educators present.

Under H.R. 1523, for the first time, parents who retain an attorney for work conducted at the administrative hearing level will be able to recover fees if they prevail at the hearing, even if the issue does not go to court. This represents a significant departure from past and current practice, where it has only been the case four times since 1975 that courts have awarded attorneys' fees at the administrative level to parents who later prevailed in court action and never awarded attorneys' fees at the administrative level in cases which do not go on to court.

There are a number of very good reasons why this provision is both unnecessary and could be destructive. Foremost is an indisputable fact that the number of administrative hearings held each year to resolve disputes between parents and educators is decreasing. According to a survey by the National Association of State Directors of Special Education the number of first-level hearings decreased by 39 percent between 1979-80 and 1983-84. For the school year 1983-84 only 1 out of every 3,000 of the approximately 4 million students was involved in a first-level hearing and only 1 in every 64,800 was the subject of litigation.

In the cases which reach a hearing level we know, according to a recent Rand Corp. study of attorneys' fees under Public Law 94-142, that parents win about 50 percent of the time.

We also know that school systems are understandably reluctant to hire attorneys for Public Law 94-142 hearings. A recent survey conducted by the American Association of School Administrators indicates that 56 percent of the local educational agencies surveyed stated that they either never use an attorney or only use an attorney when a parent does in special education hearings.

Examining this information, it becomes clear that: First, there are in-

creasingly fewer disputes in special education resulting in administrative hearings; second, in the hearings that do take place, parents currently prevail approximately 50 percent of the time, and; third, school systems have demonstrated that they would like to avoid their own attorneys' fees.

Mr. Speaker, H.R. 1523 threatens to significantly alter a system of conflict resolution which is working as Congress intended, and no compelling evidence exists which supports a need to make this fundamental change. I am confident that Public Law 94-142's administrative hearing system is working fairly and properly, and I attribute this to its formal and inexpensive nature. My position is affirmed by the Rand study, and I quote:

> The administrative due process system offers plaintiffs the same kinds of protections and results as the courts, but at greater speed and lower cost. Parents and school officials are therefore generally eager to settle their disputes informally or in the administrative due process system.

H.R. 1523, by allowing for the recovery of fees at the administrative level, removes the incentive to resolve disputes informally because schools will be as liable for attorneys' fees under the administrative system as they are in court. The complications resulting from this part of H.R. 1523 becomes even clearer when one considers the impact of fees at the administrative level on the mediation or informal complaint procedure that is also a part of H.R. 1523.

Section 4 of H.R. 1523 provides that after a complaint has been filed, parents are entitled to an informal meeting with school officials to see if a resolution of the dispute can be worked out prior to a hearing. The purpose of this provison is to provide that parents and educators should be given a final opportunity prior to a hearing to informally reach a solution to their dispute. This well-intended provision is undermined completely by H.R. 1523's administrative hearing fee recovery provision because if a parent brings an attorney to the informal complaint resolution meeting, and the school officials and the parents reach a settlement, then according to H.R. 1523 the school system is liable for the parents' attorneys' fees.

Mr. Speaker, why would a school system seek to settle a dispute informally, knowing that a consequence of that settlement will include the cost of the parents' attorneys' fees? Common sense tells us that too often persons in that situation would not settle and face certain fees payment, but rather take their chances of winning in a hearing and thus avoid paying fees.

The principle that I advocate on this issue is a simple one: Congress should not do anything to encourage the participation of lawyers in a conflict resolution situation which does require their participation. By allowing for the recovery of attorneys' fees under Public Law 94-142 at the administative level, H.R. 1523 will increase the participation of attorneys and decrease the likelihood that parents and educators will resolve their disputes informally and inexpensively.

In addition to making the relationship between parents and educators more adversarial, the cost for these attorneys' fees will come out of the State and local public schools' general educations funds. The money that our schools will pay to lawyers to participate in the resolution of these educational disputes will mean less money for books, equipment, and teachers' salaries. To add injury to insult, our State and local school systems are not allowed to use Federal funds to pay for the consequences of this Federal requirement.

Mr. Speaker, the issue of attorneys' fees is one of the fastest growing and most controversial areas of law. It has been compared to a quicksand pit where with every turn one becomes more deeply involved in a new set of problems and complexities. To allow for an unlimited authority to recover attorneys' fees at the administrative level under Public Law 94-142 will unnecessarily invite the complications besetting fee-shifting statutes into our public schools. We will have succeeded in making Public Law 94-142's decisionmaking process more litigous, but not necessarily any better.

The development of this legislation has typified those complexities cited here, and I recognize the difficult waters that the chairman of the Select Education Subcommittee has navigated over this legislation. I commend him for his efforts and appreciate the bipartisan work that has gone into the sunset provision and GAO study which will address the long-term concerns that I have raised here.

Mr. Speaker, there is an old Italian proverb which says that "A lawsuit is like a fruit tree growing in a lawyers' garden." I am afraid that H.R. 1523 has added Public Law 94-142's administrative and informal complaint resolution processes to that garden. I wish it were not the case and hope that the situation can yet be improved.

I support H.R. 1523 at this time for two reasons: First, I do believe Congress should act to restore attorneys' fees to court level, and second, the bill includes sunset on the provision authorizing fees at the administrative level. This sunset will mean that after a sufficient period of time, Congress will be able to examine the impact of the bill as presently constituted and act accordingly. If this provision were not in H.R. 1523, I could not support the bill.

Mr. Speaker, H.R. 1523 serves a vital purpose of allowing courts to authorize attorneys' fees to parents who prevail in Public Law 94-142 litigation. H.R. 1523 also jeopardizes Public Law 94-142's administrative hearing system and the process by which parents and educators informally determine what is appropriate for a handicapped student.

Mr. Speaker, I support the major purpose of H.R. 1523 but wish to register my serious concern that the latter provision noted here may well overshadow the public service constituted in allowing courts to award attorneys' fees to parents who prevail in Public Law 94-142 litigation. The sunset provision represents something of a safety valve for the integrity of Public Law 94-142's decisionmaking system, allow Congress to take a closer look over the next several years.

Mr. Speaker, parents of handicapped students, particularly poor and middle-class parents, should be able to access our judicial system as readily as those with substantial means in order to enforce their rights under Public Law 94-142. The Supreme Court's ruling in Smith versus Robinson will be viewed as only a temporary setback because of the action that Congress is taking. I support this effort.

□ 1415

Mr. Speaker, at this time, I would ask the gentleman from Montana [Mr. WILLIAMS] if he would engage in a colloquy.

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

Mr. BARTLETT. I yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Speaker, I will be pleased to join with my colleague in a colloquy.

Mr. BARTLETT. Mr. Speaker, section 2 of H.R. 1523 amends section 615(e)(4) of the Education of the Handicapped Act by adding the following new provision:

> In any action or proceeding brought under this subsection, the court, in its discretion, may award reasonable attorneys' fees, expenses, and costs to the parents or guardian of a handicapped child or youth who is the prevailing party.

Could you clarify the meaning of the terms "action" and "proceeding?"

Mr. WILLIAMS. The term "action" is intended to include a civil action filed in a State or Federal court. The term "proceeding" is limited to the due process hearing that parents are required to exhaust under 615(b)(2) and the State appeal under section 615(c). The term "proceeding" is not intended to include meetings held to develop individualized education programs or meetings to make decisions concerning such matters as the identification, evaluation, or placement of handicapped children.

Mr. BARTLETT. It is my understanding that parents are not entitled to any fees, costs, or expenses when they are declared the prevailing party

in any action or proceeding but at the final appeal of such action or proceeding the school district is declared the prevailing party. Do you agree with this statement?

Mr. WILLIAMS. Yes, I do agree with that.

Mr. BARTLETT. Similarly, where the parents lose in any action or proceeding but at the final appeal of such action or proceeding the parents are declared the prevailing party, do you agree that they are entitled to reasonable fees, costs, and expenses related to all prior actions and proceedings as well as the final appeal?

Mr. WILLIAMS. Yes, I do.

Mr. BARTLETT. Would you clarify the meaning of the terms "reasonable" and "prevailing?"

Mr. WILLIAMS. These terms are intended to be construed as being consistent with all of the standards set forth in the U.S. Supreme Court's decision in *Hensley* v. *Eckerhart*, 461 U.S. 424 (1983). In this case, the Court held, in part, that:

> The extent of a plaintiff's success is a crucial factor in determining the proper amount of an award of attorneys' fees. Where the plaintiff has failed to prevail on a claim that is distinct in all respects from his successful claims, the hours spent on the unsuccessful claim should be excluded in considering the amount of a reasonable fee. Where a lawsuit consists of related claims, a plaintiff who has won substantial relief should not have his attorneys' fee reduced simply because the court did not adopt each contention raised. But where the plaintiff achieved only limited success, the court should award only that amount of fees that is reasonable in relation to the results obtained.

Mr. BARTLETT. I thank the gentleman. Do you share my expectation that, although the precise amount of fees awarded to a prevailing party must be determined on the facts of each case, it is the intent of this legislation that the courts will not simply pay lip service to Hensley decision; rather they will actually undertake the analyses set out in the decision?

Mr. WILLIAMS. Yes, I would agree with that interpretation.

Mr. BARTLETT. And would you also agree that it is the intent of this legislation that the courts must provide a concise but clear explanation of their reasons for the fee award?

Mr. WILLIAMS. Yes.

Mr. BARTLETT. To ensure that we all have the same understanding of the standards set out in Hensley, I would like clarification of certain issues that are of particular importance to me. First, would you state your understanding of the starting point for determining the reasonableness of a fee and the prevailing party's obligation with respect to the claim?

Mr. WILLIAMS. In accordance with Hensley, a useful starting point for determining the amount of a reasonable fee is the number of hours reasonably expended on the litigation multiplied by the reasonable hourly rate. The parents bear the burden of establishing their entitlement and documenting the amount. The parents' attorney must submit evidence supporting the hours worked and the rates claimed. Where documentation is inadequate, the court may reduce the award accordingly. The court also should exclude from the fee calculation those hours that were not reasonably expended. Cases may be overstaffed and the skill and experience of lawyers vary widely. Hours that are excessive, redundant, or otherwise unnecessary should also be excluded. An applicant for fees must exercise billing judgment with respect to hours and should maintain billing time records in a manner that will enable a reviewing court to identify distinct claims.

Mr. BARTLETT. What is your understanding of the next point of inquiry?

Mr. WILLIAMS. The product of reasonable hours times a reasonable rate does not end the inquiry. There remain other considerations, including the critical factor of the results obtained. This factor is particularly crucial where a plaintiff is deemed a "prevailing party" even though he or she succeeded on only some of the claims for relief. In this situtation two questions must be addressed:

First. Did the parent fail to prevail on claims that were unrelated to the claims on which he or she succeeded?

Second. Did the parent achieve a level of success that makes hours reasonably expended a satisfactory basis for making a fee award?

Our intent to limit awards to the parents when they are the prevailing party requires that unrelated claims be treated as if they had been raised in separate lawsuits and therefore no fee may be awarded for services on the unsuccessful unrelated claims.

Where the prevailing party only obtains partial or limited success, the product of hours reasonably expended on the litigation as a whole times a reasonable hourly rate may be an excessive amount. This will be true even where the prevailing party's claims were interrelated, nonfrivolous, and raised in good faith. The most critical factor is the degree of success.

Where the parents only win on a preliminary procedural matters—for example, motion to compel discovery, certification of the class, or motion filed by the school district to dismiss the action—but they fail to prevail on the merits on any claim, for example, a claim that the hearing examiner was not impartial, they are not considered a "prevailing" party and therefore are not entitled to fees.

And finally, in contrast, where a prevailing party has obtained "excellent" results, his or her attorney should be entitled to recover a full fee. See the text of Hensley accompanying footnotes 9 and 11. Under these circumstance, the fee award should not be reduced simply because the prevailing party failed to prevail on every contention raised in the lawsuit. Litigants in good faith may raise alternative legal grounds for a desired outcome and the courts rejection or a failure to reach certain grounds is not sufficient reason for reducing a fee. The result is what matters.

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

□ 1430

The SPEAKER pro tempore. The gentleman from Texas [Mr. BARTLETT] has 5½ minutes remaining and the gentleman from Montana [Mr. WILLIAMS] has 13 minutes remaining.

Mr. WILLIAMS. Mr. Speaker, I yield 7 minutes to my colleague, the gentleman from New York [Mr. BIAGGI], without whose help and leadership this bill would not have come this far.

Mr. BIAGGI. I thank the chairman for yielding and I also take this opportunity to commend him for his vital contribution and leadership; also the gentleman from Texas [Mr. BARTLETT] for his sense of cooperation.

Although we have arrived at this point, Mr. Speaker, it was not without some great difficulty, and I regret deeply that 3(B), the codification portion of the bill has been deleted, because in my mind it was critical to permanently protect the rights of the handicapped children, which were addressed in this bill; but for the sake of expediting this bill and providing once and for all a clarification with relation to attorney's fees, I rise to support the legislation.

As one of the original authors of Public Law 94-142, which was enacted some 10 years ago, I have during this period shepherded its development and clearly, it has worked the will of the then Congress. I am proud to be here today to support this legislation.

The part of the bill that the gentleman from Texas says is flawed I regard as its strength. What we are talking about is providing attorneys' fees for those individuals who are being denied access to the educational system; access as provided by Public Law 94-142.

It is argued that the hearings are informal and that the school boards are generally cooperative. The reality of the matter is this: We are talking about Mr. or Mrs. John Doe who have a problem with a child gaining access, who then come before a school board. While most of us have experience, testifying in one forum or another; so hence we are not impressed nor more intimidated by a school board. Do we fully understand the psychological impact and burden it places on the parents appearing before a quasi-judi-

cial body? There is an inhibition placed; they do not have the ability nor experience to argue and to make their case.

At the same time, the school board has present, on staff, their own attorneys; but absent that, members of the school board are not burdened with the same lack of experience. They have been subjected to election; they have been through the process time and time again; they come in in an adversarial position, and that is the critical nature of this legislation and of this situation.

They are there to say that the child should not be in the school. The parents want the child in the program. So clearly, confrontation exists. It is important to establish a record, whether the parents prevail at this point or not, the record must be established. Most parents, by themselves, cannot effectively establish the record on which a step forward into the courts can be based. They do not have that knowledge or skills.

For the most part, they will not prevail, and oftentimes when they are rejected at that point, they leave and give up the fight, to the detriment of the child.

In contravention of Public Law 94-142, which was clearly the intent of the Congress.

Reference is made to Smith versus Robinson, which said that the bill was silent. Well, that may be a gray area, but certainly it was not a gray area in the minds of the Members of the House in committee who voted for this bill in 1975. We went through the same committee process, and it was the intention that there be attorneys' fees; there would be some attorneys present.

Well, Smith versus Robinson upset that whole course of events; and that is what we are here today, to deal with the legislation before us. That puts it in place; not simply in the courts, but at the administrative hearings where we have most of the difficulty.

Why should not the parents, in the advocacy of the child access rights, civil rights to put it more aptly.

Why should not that parent have that right? That is what we are talking about; and for those who say legal fees will run wild, or it will be a lawyer's harvest, I think not. The fact of the matter is, when you are dealing with 4 million handicapped children in this educational system, and you talk in terms of the paltry sum that have finally gone to court, the cost is minimal.

It has been stated by the Congressional Budget Office that this legislation if enacted will require no additional cost to the Federal Government.

So I have analogized this matter, Mr. Speaker, in a way that all people can understand: This is like the David and Goliath struggle; David with his slingshot slew the mighty Goliath. In this case, the school system is the Goliath. The parents are David. The unfortunate part of it is that this David does not have a slingshot. The slingshot in this instance would be represented by the presence of an attorney, with an assurance that legal fees will be paid and providing they would not be swayed from engaging an attorney because they are afraid of the cost of said lawyer.

There is a paramount issue here, pure and simple: Four million handicapped children, who have the right to have access to school. It is a civil right, it is a right mandated by Public Law 94-142. It is not to be denied; it is to be enhanced in every way, and his legislation does it.

The committee substitute provides an appropriate response to the July 5, 1984, decision by the Supreme Court in Smith versus Robinson which eliminated the ability of parents to secure the educational rights of their handicapped children. By eliminating the parent's inability to be reimbursed for fees under Public Law 94-142—an elimination that I believe was a misinterpretation of the law—the Court has made the due process procedures under the act unavailable to many low-income families.

This bill restores equity to this process and clarifies the original intent of Congress in this matter. The language in this bill which provides reimbursement for fees, identical to the language adopted by the Supreme Court in the 1980 case New York Gaslight Club versus Carey.

It is important to note that statistically, there are very few cases under Public Law 94-142 that actually go into litigation that this bill seeks to address. In only about 0.03 percent of the 4.2 million students in special education, is there an appeal through the formal administrative proceedings. An even smaller number, only 67 cases in 1983, go beyond the administrative proceedings to court. Clearly, schools and parents are working together effectively to meet the needs of handicapped students.

However, we need H.R. 1523 for the very reason that there are exceptions to every rule. For example, we know that discrimination on the basis of race and disability continues to be a problem for many minorities that are incorrectly classified as mentally retarded. For the benefit of my colleagues, I wish to place into the RECORD a memo that was written by the Disability Rights and Education Fund that outlines the special problems faced by minorities in special education:

ATTORNEY'S FEES UNDER THE EHA—IMPACT ON MINORITY CHILDREN

Too often disabled children involved in special education are assumed to be white and middle class. To the contrary, studies indicate that due to a variety of factors such as lack of pre-natal care, the incidence of disability is significantly higher among minority populations.[1] Moreover, minority children not only face all the issues that all disabled children face in securing an appropriate integrated education, but also face additional burdens due to racial discrimination.

Approximately four and one half million children are served under the Education For All Handicapped Children's Act (U.S. Dept. of Education, 1985). Minority students overall, and especially blacks, are more likely than white students to be in special education and are greatly over-representated in some special education programs. In 1980, enrollment in classes for the educable mentally retarded [EMR], trainable mentally retarded [TMR], specific learning disabled [SLD], seriously emotionally disturbed [SED], and speech impaired [SI] accounted for 93 percent of the total enrollment in special education. The incidence of enrollment in these classes differed significantly between minorities and non-minorities (Table 1).

Table 1.—Number of Students Per 1000 Enrolled in EMR, TMR, SLD, SED, and SI in 1980[2]

All minorities	83.2
Blacks only	97.4
Hispanics only	65.0
Whites	72.4

[2] Dept. of Education, Office of Civil Rights, Elementary and Secondary School Civil Rights Survey (1980-1981).

Discrimination on the basis of race and on the basis of disability merge in the context of the over-classification of minorities as mentally retarded. In 1980, blacks were three times as likely as whites to be enrolled in classes for the educable mentally retarded and one and a half times as likely to be enrolled in trainable mentally retarded programs.[2] While blacks comprise only 16 percent of the school population, they represent 39 percent of the enrollment in EMR classes.[3] This classification results in stigma, and segregated, dead-ended placements which largely determine future adult roles.[4] See, *Larry P.* v. *Riles*, 495 F. Supp. 926, 935 (1979).

Specific findings on misclassification follow.[5]

1. The average percentage of minority students in EMR classes exceeds the average percentage of whites in every state except four.

2. The South exhibits consistently high and disproportionate minority enrollments in EMR. While not nearly as high as the

[1] Statistical Abstract of the United States (102nd ed., 1981) at 25, Table Nos. 26, 28; reprinted in Bureau of the Census, U.S. Dept. of Commerce. See also *Executive Summary for the California Disability Survey—Prepared for the California Dept. of Rehabilitation* (J. Shanks & H. Freeman, Dirs., 1980), Table ES-7. Moreover, a study by Glideman and Roth for the Carnegie Council on Children concluded that physical disabilities, sensory handicaps, and chronic health impairments may be twice as common among poor children as among other children. *Unexpected Minority*, p. 5.

[2] *Id.*

[3] National Academy of Sciences Analysis of Fall 1978 data from the Office of Civil Rights Elementary and Secondary Civil Rights Survey.

[4] Minority students, other than those classified EMR, are also over-represented in segregated facilities. In 1978-79, state schools for the visually handicapped has a 23 percent black enrollment and state schools for the seriously emotionally disturbed had a 25 percent black enrollment, though blacks made up only 16 percent of the regular public school population. *Id.*

[5] *Id.*

South, relatively high minority disproportions are found in the Border states. The Northeastern and Midwestern states have much lower minority placement rates than other states. More specifically, in 1978, minorities were three or more times as likely to be placed im EMR classes in:

9 of 11 Southern states

2 of 7 Border states (Delaware, Kentucky, Maryland, Missouri, New Mexico, Oklahoma, and West Virginia)

2 of 13 Western states

1 of 9 Northeastern states

Minorities were more than twice, but less than three times as likely to be placed in EMR classes in:

2 of 11 Southern states

2 of 7 Border states

3 of 9 Northeastern states

5 of 13 Western states

6 of 11 Midwestern states

3. In general, smaller degrees of disproportion occur in districts, states, and regions where smaller proportions of students are enrolled in EMR classes.

4. Districts with larger EMR disproportions are those in which the racial composition of the schools is more nearly balanced; districts where schools have imbalances tend to have more similar EMR rates for whites and minorities.

5. Among middle-sized school districts, those with student enrollments ranging from 1,000 to 30,000 students, there is a strong positive correlation between the placement of minorities in EMR classes and the suspension of minority students from school.

Moreover, classification as mentally retarded is more often used as a disciplinary tool for blacks than whites. A recent study by Designs for Change (1982) found that while the incidence of EMR placement for whites was virtually the same in elementary (1.77 percent) as secondary (1.78 percent) school, the EMR incidence among blacks jumped from 3.42 percent to 4.83 percent between elementary and high school. Experts have attributed this difference to the use of the EMR classification to isolate hard-to-handle youth.

The issue of misclassification was a major focus of Congress in enacting the EHA. Specific provisions were enacted to guard against discriminatory testing and segregation. See, 20 USC 1412 (5)(c) and 34 CFR 300.532. A parent who disputes the validity of the tests, or the results, or the placement decision, has a right to challenge the school district's determination through the administrative hearing procedures established under the Act.[6]

However, few parents will utilize the process without the assistance of a trained advocate. The fair hearing is similar to a trial. An impartial hearing officer presides, and both parties have the right to examine and cross-examine witnesses and present documentary evidence, which is often technical or medical. School districts are represented either by counsel or by trained specialists, who possess education, psychology, or other degrees and have been trained by attorneys. Few parents feel comfortable representing themselves in this situation. Class, race, and educational differences exacerbate the inherent inequality.

The whole purpose of attorney's fees provisions is to help equalize the balance of power and to enable those protected by civil rights statutes to pursue the procedures established by Congress. As it was stated in a Senate Report on the issue of civil rights attorney's fees:

In many cases arising under our civil rights law, the citizen who must sue to enforce the law has little or no money with which to hire a lawyer. If private citizens are to be able to assert their civil rights, and if those who violate the Nation's fundamental laws are not to proceed with impunity, then citizens must have the opportunity to recover what it costs them to vindicate these rights in court.

In enacting the 1976 Civil Rights Attorney's Fees Act, Congress recognized that, "if our civil rights laws are not to become mere hollow pronouncements which the average citizen cannot enforce, we must maintain the traditionally effective remedy of fee shifting." S. Rep. No. 1011, 94th Cong., 2d Sess. 6 (1976).

The Supreme Court has acknowledged the importance of attorney's fees in a case which extended the recovery of fees to the administrative hearing in a statute with a similar structure to the EHA. The Court stated that the primary purpose of an attorney's fee provision is "to make it easier for a plaintiff of limited means to bring a meritorious suit." *N.Y. Gaslight Club, Inc.* v. *Carey*, 447 U.S. 52, 61 (1980).

There can be no doubt that an attorney's fee provision for the EHA which reimburses prevailing parents for fees incurred in the administrative as well as judicial proceedings will be a critical tool for minority parents seeking to secure Congress' guarantee of an appropriate education for their children. Without such a provision, minorities will continue to be powerless to challenge school-district decisions that are adverse to their children. A right without a remedy is no right at all.

In closing, Mr. Speaker, I wish to thank the chairman of the subcommittee, Mr. WILLIAMS, for his cooperation and our Republican colleagues, JIM JEFFORDS and STEVE BARTLETT. I also want to note for the RECORD the efforts of countless disability organizations which have played a pivotal role to date. They include United Cerebral Palsy, National Society for Children and Adults with Autism, the National Education Association, the Association for Retarded Citizens and the Disability Rights and Education Fund. They are certainly not the only organizations that have been interested and supportive of our efforts—but they are several of the many members of the Coalition for Citizens with Developmental Disabilities that have helped to bring us to this point today.

Mr. Speaker, I urge adoption of this legislation so that we may look back in another 10 years, as we celebrate the 20th anniversary of Public Law 94-142, and know that we did the right thing in adopting this legislation.

Mr. BARTLETT. Mr. Speaker, I yield 4 minutes to the gentleman from Vermont [Mr. JEFFORDS], the ranking member of the Education and Labor Committee.

Mr. JEFFORDS. Mr. Speaker, the bill before us today, H.R. 1523, the Handicapped Children's Protection Act, is necessary because of a Supreme Court decision in the case of Smith versus Robinson. There is no doubt that there is agreement among all of us that the decision rendered by the court in July 1984 must be overturned.

In this decision the court ruled that Public Law 94-142, the original authorizing legislation enabling a free and appropriate education for all handicapped children, was silent on the issue of payment of attorneys' fees. The question we face with the bill before us today is how to balance the original intent of the law and a parent's ability to seek the enforcement of their child's right to an education. All of us who have worked on this issue have labored long and hard to bring a reasonable bill to this body for consideration. I must congratulate the chairman of the subcommittee, Mr. WILLIAMS, and the ranking Republican, Mr. BARTLETT, for their efforts on this bill. The results of their labors is a bill that continues to support a handicapped child's rights, and the enforcement of those rights, to an appropriate education.

As a member of the Education and Labor Committee for the past 12 years, I worked on the original legislation which became Public Law 94-142. There was substantial debate and discussion at that time regarding the procedures established to insure adequate due process. During those discussions it was made clear that the intent was to guarantee that the proceedings would remain as informal as possible prior to a court appeal. Inherent in this construct is the belief that the process would not develop into a prolonged, adversarial confrontation between the parents and the schools. The overriding determining factor was that the parents and the schools could be brought together in an informal way to work out a sound agreement regarding the appropriate education program for the child.

In addition, substantial work was done to assure that each party would have open access to the documentation used in such informal proceedings. We attempted to reduce the costs associated with such procedures for the parents by making transcripts of the proceedings available to them at their request. Much of the work that I did 10 years ago with respect to the original legislation, in committee and in conference, was directed toward assuring that parents would not have to incur extensive expense, that the proceedings would remain as informal as possible, and that the procedural safeguards were clarified and strengthened so that the legal rights of the child and the parent would be protected. We wanted to provide a complete remedy to the parents and assure that a court review was available should it be necessary. Remarks made on the floor during the discussion of the conference report substantiated our ef-

[6] Studies suggest that use of proper assessment techniques will not result in more than 1.25 percent of any ethnic group being placed in EMR classes. (Designs for Change, 1982.)

forts toward the development of an impartial due process hearing with respect to the programs under the act.

I believe that the statistics bear out the original intent of the law and support my conviction that the law has worked well. In the development of most individualized education programs for handicapped children, disagreements are resolved informally. In the 1983-84 school year, 1,462 hearings were held, with only 56 going to court. This means that only 1 out of every 3,000 of the almost 4 million handicapped students served under the law was involved in a first-level hearing, and only 1 out of every 64,800 was the subject of litigation.

The issue is not whether attorneys' fees for court cases in which the parents prevail should be recompensed, but whether such fees should be paid for work done at the administrative hearing level. By providing for attorneys' fees at the administrative level, I am concerned that we will be reversing our original intent and interfering with a procedure that is working. Instead of informality and cooperation, the process will become formal and adversarial. The process will be working against those very people it was established to protect.

Currently there is no prohibition against the use of an attorney by either party at the administrative proceedings level. Neither the school district nor the parent is prohibited from using an attorney if so desired. Similarly, because one party has an attorney does not automatically trigger the requirement that the other party retain an attorney. We know though, that many school systems are understandably reluctant to hire attorneys. In a recent survey, 56 percent of the school districts questioned either never use an attorney, or only use one when the parent does. Our action in this bill may draw in the use of an attorney at an earlier stage in the proceedings than has been the norm to date. In this way, we may be disrupting a system of proven effectiveness. We may be providing a disincentive to resolve disagreements informally, as soon in the process as possible. We may instead be providing incentive to take the dispute to court.

The seriousness of this issue deserves discussion by this body. Our debate on the issue though, has been precluded somewhat by the action taken by the other body. Instead, concerns regarding the wisdom of providing for attorneys' fees at the administrative proceedings level have been partially addressed in H.R. 1523 by the inclusion of a sunset provision. I appreciate the willingness of the majority to work with the minority on this point. By including a 4-year sunset provisions directed toward the payment of attorney's fees at the hearing level, and requiring a GAO study to assess the affects of the provision, we can review the outcome and make the appropriate changes if they are necessary. I hope that my fears are proven wrong. It would be nice to be able to come to this body 4 years from now and heartily endorse the payment of attorneys' fees at the administrative level. I am not sure that such an action will be supported by our findings.

None of us disputes the intent of this bill. We all want to see the decision in Smith versus Robinson overturned, and allow the courts to authorize the payment of attorneys' fees to parents who prevail in Public Law 94-142 litigation. We may have tipped the scales too far in favor of such payments, but I believe that the balance we seek comes through the sunset provision added by the committee amendments today.

All children have the right to a free and appropriate education. Parents have the right to protect the rights of their children in this regard. We must act to retain these rights. These efforts should be supported and I encourage my colleagues to do so.

□ 1440

The SPEAKER pro tempore. The gentleman from Montana [Mr. WILLIAMS] has 6 minutes remaining.

Mr. WILLIAMS. Mr. Speaker, I yield 3 minutes to our colleague, the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I rise in strong support of H.R. 1523, the Handicapped Children's Protection Act, a bipartisan bill which reaffirms the rights of handicapped children to a free and appropriate public education.

Tonight we will celebrate the 10th anniversary of Public Law 94-142, the Education for All Handicapped Children's Act of 1975. As a coauthor of Public Law 94-142, I am extremely proud of the accomplishments of our law in the last decade. This landmark legislation has opened the schoolhouse doors to some 4 million handicapped children. The evidence is clear that the law has been effective.

Some problems have emerged with this law, and correcting some of those shortcomings is the goal of H.R. 1523. Some disabled children and their parents, and others who have been misclassified as handicapped, have been denied an appropriate education or the right to redress their grievances as the law guarantees.

Today's action is viewed as a response to the invitation of some of the Justices in Smith versus Robinson who asked Congress to "revisit this matter," because they argued that "until it does, the handicapped children of this country whose difficulties are compounded by discrimination and other deprivations of constitutional rights will have to pay the costs."

Parents' involvement in the education of their handicapped child is not only essential to the task, it is a right specifically included in the law.

This is a right, not just for the wealthy and well informed, but for all handicapped children.

The law requires parental involvement at all stages of the process, from requesting an evaluation to yearly review of the individualized education plan [IEP]. In those instances where parents feel compelled to pursue a formal hearing or court action to attain free appropriate education for their child, providing reimbursement for needed legal assistance is critical to assure fair and equal access to this right.

As an original coauthor of this landmark law, and as one who specifically wrote the provisions assuring parents the very rights we are discussing today, it was my clear intent that parents seeking redress should be entitled to attorney's fees.

I wrote this section of the law with three facts in mind:

First, without the ability to pay, parents' ability to exercise the due process rights which are the heart of Public Law 94-142 becomes meaningless. A right which is unaffordable is no right at all.

Second, without parental advocacy on behalf of handicapped children, these children's access to a free appropriate public education will be further jeopardized.

And third, neither I nor others who wrote the law intended that parents should be forced to expend valuable time and money exhausting unreasonable or unlawful administrative hurdles to gain for their children an education which meets their individual needs.

It is important to note that there are certain situations in which it is not appropriate to require the exhaustion of EHA administrative remedies before filing a civil law suit. These include complaints that: First, an agency has failed to provide services specified in the child's individualized education program [IEP]; second, an agency has abridged or denied a handicapped child's procedural rights (that is, failure to implement required procedures concerning least restrictive environment or convening of meetings); third, an agency has adopted a policy or pursued a practice of general applicability that is contrary to the law, or where it would otherwise be futile to use the due process procedures (that is, where the hearing officer lacks the authority to grant the relief sought); and fourth, an emergency situation exists (that is, failure to provide services during the pendency of proceedings, or a complaint concerning summer school placement which would not likely be

resolved in time for the student to take advantage of the program).

Today's bill addresses all of these concerns. I urge my colleagues to support this important legislation.

Mr. BARTLETT. Mr. Speaker, I yield the remaining 1½ minutes to the gentlewoman from Connecticut [Mrs. JOHNSON], a good friend of mine. We came together to this Congress in the 98th class, and we have worked together ever since.

Mrs. JOHNSON. With only 1½ minutes remaining, let me say very, very briefly that this is a good bill that addresses a very important concern, but it does need to be drawn more precisely and narrowly.

I thank the gentlemen for their colloquy. That moves to some extent in the right direction.

I urge the committee in conference to adopt the language that the subcommittee, on a bipartisan basis, adopted and brought to the full committee originally. It is imperative that every Member of this body find out what is happening in terms of insurance policies. The availability of those policies is dropping, the costs are skyrocketing. We must be careful not to divert even more money into litigation and away from the very education that these children desperately need and that we here in Congress are saying is critical to the future of America.

We need to provide all children with the right to litigation fees in court. But we must move carefully in supporting attorney's fees to be awarded at the administrative level without limitation, without going to court, because we are dealing with a subject that is very sensitive and difficult.

I do believe we must do children justice. I know that we risk doing to school districts what is happening to cities, to day-care centers, to nurse-midwives, and that is the cost and availability of insurance are way up and our school districts are, in the future, not only not going to make playgrounds available but they are going to withdraw many other benefits.

Mr. WILLIAMS. Mr. Speaker, I yield myself whatever time I may consume.

Mr. Speaker, the gentlewoman raises a matter which has been one of great contention. I will tell my colleagues that it has been considered, that the bill has been accepted overwhelmingly, and the administrative fee language in this bill is identical to that which has been accepted in the Senate. This bill provides to handicapped children and their parents the same rights, no more, no less, that are provided to all other groups under the other Civil Rights Acts of the United States. Handicapped children and their parents deserve no less than those protections which are provided to all of our other citizens.

This bill accomplishes that and no more.

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

Mr. WILLIAMS. 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 Montana [Mr. WILLIAMS] that the House suspend the rules and pass the bill, H.R. 1523, as amended.

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

A motion to reconsider was laid on the table.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be discharged from further consideration of the Senate bill (S. 415) to amend the Education of the Handicapped Act to authorize the award of reasonable attorney's fees to certain prevailing parties, and to clarify the effect of the Education of the Handicapped Act on rights, procedures, and remedies under other laws relating to the prohibition of discrimination, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Handicapped Children's Protection Act of 1985".

SEC. 2. Section 615(e)(4) of the Education of the Handicapped Act is amended by inserting "(A)" after the paragraph designation and by adding at the end thereof the following new subparagraphs:

"(B) In any action or proceeding brought under this subsection, the court, in its discretion, may award a reasonable attorney's fee in addition to the costs to a parent or legal representative of a handicapped child or youth who is the prevailing party.

"(C) Whenever the parent or legal representative of a handicapped child or youth—

"(i) is awarded fees under subparagraph (B), and

"(ii) is represented by a publicly funded organization which provides legal services,

the reasonable attorney's fee which is awarded pursuant to this subsection shall be computed based upon the actual cost related to the bringing of the civil action under this subsection to the publicly funded organization, including the proportion of the compensation of the attorney so related, other reasonable expenses which can be documented, and the proportion of the annual overhead costs of the publicly funded organization attributable to the number of hours reasonably spent on such civil action.

"(D) For the purpose of this paragraph, the term 'publicly funded organization' means any organization which receives funds, other than attorney fee awards, from Federal, State, or local governmental sources which are available for use during any fiscal year in which the action or proceeding is pending to enable the organization to provide legal counsel or representation.".

SEC. 3. Section 615 of the Education of the Handicapped Act is amended by adding at the end thereof the following new subsection:

"(f) Nothing in this title shall be construed to restrict or limit the rights, procedures, and remedies available under the Constitution, title V of the Rehabilitation Act of 1973, or other Federal statutes protecting the rights of handicapped children and youth, except that before the filing of a civil action under such laws seeking relief that is also available under this part, the procedures under subsection (b)(2) and (c) shall be exhausted to the same extent as would be required had the action been brought under this part.".

SEC. 4. The amendment made by section 2 shall apply with respect to actions or proceedings brought under section 615(e) of the Education of the Handicapped Act after July 3, 1984, and actions or proceedings brought prior to July 4, 1984, under such section which were pending on July 4, 1984.

MOTION OFFERED BY MR. WILLIAMS

Mr. WILLIAMS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WILLIAMS moves to strike out all after the enacting clause of the Senate bill, S. 415, and insert in lieu thereof the text of H.R. 1523, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: "A bill to amend the Education of the Handicapped Act to authorize the award of reasonable attorneys' fees to certain prevailing parties, to clarify the effect of the Education of the Handicapped Act on rights, procedures, and remedies under other laws relating to the prohibition of discrimination, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 1523) was laid on the table.

APPOINTMENT OF CONFEREES ON S. 415

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the Senate bill, S. 415, and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana? The Chair hears none and, without objection, appoints the following conferees: Messrs. HAWKINS, BIAGGI, WILLIAMS, HAYES, MARTINEZ, ECKART of Ohio, JEFFORDS, GOODLING, COLEMAN of Missouri, and BARTLETT.

There was no objection.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO FILE REPORT ON H.R. 2817, SUPERFUND AMENDMENTS OF 1985

Mr. WISE. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation may have until midnight tonight, November 12, 1985, to file a report on H.R. 2817, the Superfund Amendments of 1985.

Mr. Speaker, this has been cleared with the minority.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

ELIMINATION OF DECENNIAL CENSUSES OF DRAINAGE

Mr. ACKERMAN. Mr. Speaker, I move to suspend the rules and pass the bill, H.R. 2722, to amend title 13, United States Code, to eliminate the requirement relating to decennial censuses of drainage.

The Clerk read as follows:

H.R. 2722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 142 of title 13, United States Code, is amended—

(1) in subsection (b), by striking out "and drainage." and inserting in lieu thereof a period; and

(2) by amending the section heading to read as follows:

"§ 142. Agriculture and irrigation".

(b) The analysis for chapter 5 of title 13, United States Code, is amended—

(1) in the item relating to subchapter II, by striking out "DRAINAGE,"; and

(2) by striking out the item relating to section 142 and inserting in lieu thereof the following:

"142. Agriculture and irrigation.".

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from New York [Mr. ACKERMAN] will be recognized for 20 minutes and the gentleman from Utah [Mr. HANSEN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. ACKERMAN].

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

Mr. Speaker, H.R. 2722 is a noncontroversial bill. H.R. 2722 was introduced by the chairman of the Subcommittee on Census and Population, Mr. GARCIA, at the request of the Secretary of Commerce.

The drainage requirement was added to the 1920 Decennial Census Act as a statistical aid in developing agricultural land. At present, the little drainage activity that does exist is reported by other surveys—therefore, keeping decennial censuses on drainage would create duplicate data.

The Subcommittee on Census and Population conducted a hearing on H.R. 2722 on June 26, 1985, and received testimony from representatives of the Soil Conservation Service, U.S. Department of Agriculture and the Bureau of Census.

On the same day, the subcommittee, by voice vote, approved H.R. 2722, without amendment: and on July 24, the Committee on Post Office and Civil Service favorably reported the bill.

The Congressional Budget Office estimates that enactment of H.R. 2722 would result in savings of $280,000 between 1986 and 1989.

I urge my colleagues to support the legislation.

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

Mr. HANSEN. Mr. Speaker, I rise in support of H.R. 2722 which was proposed by the administration and would eliminate requirements in section 142 of title 13, which stipulates that a census of drainage is to be taken every 10 years.

Since 1930, new capital investments in drainage projects have almost been matched by depreciation and abandonment of drainage facilities, thus indicating very little new drainage activity. Data collected in the 1977 census of drainage indicated that a majority of drainage districts apparently are inactive. The U.S. Census Bureau through its research found that the data collected was not being used.

Mr. Speaker, I feel it is important that this requirement be deleted. The reasons for eliminating the collection of this data are clear since it has little use, is difficult to collect, and if needed can be better collected by the field staff of the Soil Conservation Service.

Mr. Speaker it is also important to note that repeal of this requirement would enable the Census Bureau to carry out their responsibilities in a more cost-effective manner. Based on the cost of the previous census, with adjustments for inflation, the expected savings to the Census Bureau, if H.R. 2722 were enacted, is estimated to be $35,000 in 1986, $85,000 in 1987, $120,000 in 1988, and $40,000 in 1989.

I urge my colleagues to support this legislation.

□ 1455

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

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

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from New York [Mr. ACKERMAN] that the House suspend the rules and pass the bill, H.R. 2722.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on H.R. 2722, the bill just passed.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to the provisions of clause 5, rule I, the Chair will now put the question on the motion on House Resolution 314, on which further proceedings were postponed earlier today and on which the vote will be taken by the yeas and nays.

EXPRESSING SENSE OF THE HOUSE REGARDING THE DEFECTION OF MIROSLAV MEDVID

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 314, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. LANTOS] that the House suspend the rules and agree to the resolution, H. Res. 314, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 405, nays 3, not voting 26, as follows:

[Roll No. 399]

YEAS—405

Ackerman	Bates	Brooks
Akaka	Bedell	Broomfield
Alexander	Bellenson	Brown (CO)
Anderson	Bennett	Broyhill
Andrews	Bentley	Bruce
Annunzio	Bereuter	Bryant
Anthony	Berman	Burton (CA)
Applegate	Bevill	Burton (IN)
Archer	Biaggi	Bustamante
Armey	Bilirakis	Byron
Aspin	Bliley	Callahan
Atkins	Boehlert	Campbell
AuCoin	Boggs	Carney
Badham	Boner (TN)	Carper
Barnard	Bonior (MI)	Carr
Barnes	Borski	Chapman
Bartlett	Boucher	Chappell
Barton	Boulter	Cheney
Bateman	Boxer	Clay

Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis
de la Garza
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Eckert (NY)
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fawell
Fazio
Feighan
Fiedler
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Franklin
Frenzel
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gilman
Glickman
Gonzalez
Goodling
Gordon
Gradison
Gray (PA)
Green
Gregg
Grotberg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hatcher
Hawkins
Hayes
Hefner
Heftel
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Hughes
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Loeffler
Long
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan
McMillan
Meyers
Michel
Mikulski
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Monson
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Oxley
Packard
Panetta
Parris
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Savage
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Seiberling
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Snyder
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stenholm
Stokes
Strang
Stratton
Studds
Stump
Sundquist
Swift
Swindall
Synar
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weaver
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams
Wilson
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (MO)
Zschau

NAYS—3

Crockett
Myers
Young (FL)

NOT VOTING—26

Addabbo
Boland
Bonker
Bosco
Breaux
Brown (CA)
Chandler
Chappie
Daschle
Edgar
Fowler
Gibbons
Gingrich
Gray (IL)
Hartnett
Huckaby
Hunter
Kindness
McCandless
McKinney
Mica
O'Brien
Pashayan
Roth
Sweeney
Torricelli

□ 1510

Mr. CROCKETT changed his vote from "yea" to "nay."

Mr. REID changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: "Resolution expressing the sense of the House of Representatives that the President should pursue an active and impartial investigation to determine whether Miroslav Medvid was accorded all the rights due him as a potential defector."

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC.,
November 8, 1985.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5, Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit sealed envelopes received from the White House at 4:35 p.m. on Friday, November 8, 1985 as follows:

(1) Said to contain a message from the President wherein he transmits the 1983 and 1984 annual reports under the Federal Mine Safety and Health Act of 1977 as prepared by the Secretary of Labor; and

(2) Said to contain a message from the President whereby he transmits the 1984 annual reports on activities under the Occupational Safety and Health Act of 1970 of the Departments of Labor and Health and Human Services and of the Occupational Safety Review Commission; and

(3) Said to contain H.R. 2409, an Act to amend the Public Health Service Act to revise and extend the authorities under that Act relating to the National Institutes of Health and National Research Institutes, and for other purposes, and a veto message thereon.

With kind regards, I am,

Sincerely,

BENJAMIN J. GUTHRIE,
Clerk, House of Representatives.

ANNUAL REPORTS FOR FISCAL YEARS 1983 and 1984 ON MINE SAFETY AND HEALTH ACTIVITIES—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 Education and Labor:

(For message, see proceedings of the Senate of today, Tuesday, November 12, 1985.)

□ 1520

ANNUAL REPORTS OF DEPARTMENT OF LABOR, DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND OF OCCUPATIONAL SAFETY AND REVIEW COMMISSION—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 Education and Labor:

(For message, see proceedings of the Senate of today, Tuesday, November 12, 1985.)

HEALTH RESEARCH EXTENSION ACT OF 1985—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 2409, the "Health Research Extension Act of 1985," which would extend and amend the biomedical research authorities of the National Institutes of Health (NIH).

My action on this bill should in no way be interpreted as a lessening of this Administration's strong commit-

ment to the biomedical research endeavors of NIH. In fact, I want to underscore my personal support and the support of my Administration for biomedical research and for the NIH. For over 40 years, the NIH has enjoyed unparalleled success. Enormous progress in research and the improved health of the American people attest to that success. An appropriations bill or a continuing resolution will provide uninterrupted funding for NIH activities in fiscal year 1986.

I believe that instead of fostering a strong Federal biomedical research effort, H.R. 2409 would adversely affect the pursuit of research excellence at NIH by:

—imposing numerous administrative and program requirements that would interfere with the ability to carry forward our biomedical research activities in the most cost-effective manner and would misallocate scarce financial and personnel resources;

—establishing unneeded new organizations, which would lead to unnecessary coordination problems and administrative expenses while doing little to assist the biomedical research endeavors of NIH; and

—imposing a uniform set of authorities on all the research institutes, thus diminishing our administrative flexibility to respond to changing biomedical research needs.

Although H.R. 2409 is overloaded with objectionable provisions that seriously undermine and threaten the ability of NIH to manage itself and is therefore unacceptable, I recognize there are areas in which the administration can step forward to strengthen specific research efforts.

As Senator HATCH pointed out when introducing the NIH reauthorization bill in the Senate in June of this year, arthritis afflicts some 49 million of this Nation's citizens and "all of us suffer, at some time in our life, from some form of arthritis." Further, arthritis, along with musculoskeletal and skin diseases, "collectively result in an extraordinary loss to our economy from lost productivity as well as from medical expense."

In recognition of the plight of the millions of arthritis victims and society's costs, I have directed the Secretary of Health and Human Services to establish administratively a separate National Institute of Arthritis and Musculoskeletal and Skin Diseases that will meet the continuing need for coordinated research in this important area. This directive is consistent with the Department's recommendation to me that this Institute be established.

At the same time, I do not believe that the establishment of a nursing research center at NIH is appropriate, for a very basic reason—there is a lack of compatibility between the mission of such a center and the mission of NIH. The biomedical research activities of NIH are concerned with discovering the etiology of and treatment for diseases. In contrast, nursing research uses substantive scientific information and methodology and focuses on their relevance to nursing practice and administration. This research is important, but neither it nor disease-oriented research are served by the provisions of the bill.

H.R. 2409 manifests an effort to exert undue political control over decisions regarding scientific research, thus limiting the ability of the NIH to set this Nation's biomedical research agenda. I do not believe that it is either necessary or wise to restrict the flexibility under which the NIH has operated so successfully. In 1984, I rejected a very similar bill, and once again I find no reasonable justification for the extensive changes to the NIH mandated by H.R. 2409. In order to allow NIH to continue to provide excellence in biomedical research and in its management, I am disapproving this bill.

RONALD REAGAN.

THE WHITE HOUSE, *November 8, 1985.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The gentleman from California [Mr. WAXMAN] is recognized for 1 hour.

Mr. WAXMAN. Mr. Speaker, first of all, I yield 30 minutes of my time to be managed by the ranking Republican member of our subcommittee, the gentleman from Illinois [Mr. MADIGAN], pending which I yield myself such time as I may consume.

Mr. Speaker; this afternoon we will have the opportunity to reassert congressional and public support for a strong and viable biomedical research effort by overriding the President's veto of H.R. 2409.

The purpose of the Health Research Extension Act was to preserve America's preeminence in medical research. It represented a bipartisan compromise resulting from 3 years of consideration between the House and Senate. It was the product of countless hearings and markup sessions.

The National Institutes of Health is a national treasure. It has done more to expand human knowledge about the cause, treatment, and prevention of disease than any other research institution in the world. It has accomplished these successes because of the responsible guidance and oversight of the Congress.

On October 23, this House approved the conference report on H.R. 2409 by an overwhelming vote of 395 to 10. The Senate passed the legislation unanimously. Last Friday, November 8, the President vetoed this legislation.

I regret the President's action.

Today we will have the opportunity to let the administration know that this Congress intends to stand behind this legislation and support one of this Nation's proudest achievements, its world leadership in biomedical research.

H.R. 2409 represents a responsible balance between scientific freedom and the Congress' responsibility to oversee the $5 billion annual budget of the National Institutes of Health. This legislation is needed to keep biomedical research on a firm and balanced foundation. It represents a necessary and forceful statement of support for the biomedical research programs of the NIH.

Mr. Speaker, let me briefly summarize some of the major provisions of the legislation. H.R. 2409 would:

Reauthorize the National Cancer Act and continue the war on cancer for 3 years.

Establish a new National Institute of Arthritis and Musculoskeletal and Skin Diseases.

Emphasize patient care research through a new National Center for Nursing Research.

Consolidate unnecessary reporting requirements.

Establish high priorities for research on Alzheimer's disease, spinal cord injury, AIDS and other public health emergencies.

Emphasize health promotion and disease prevention.

Reauthorize the National Heart, Lung and Blood Institute for three years.

Place a ceiling on administrative costs at the NIH.

Establish procedures for dealing with scientific fraud.

Establish guidelines for the proper care and treatment of animals used in biomedical research.

Mr. Speaker, support for biomedical research is an investment in the future. I urge Members to join in maintaining the quality and productivity of biomedical research by supporting the Health Research Extension Act of 1985.

□ 1530

Let me point out a couple of considerations in overriding this veto.

The dispute with those who have been successful in urging the President to veto the bill was not one over money. The dispute was over whether the Congress ought to have a say in some of these issues that are dealt with at NIH.

We feel that if the taxpayers' dollars, $5 billion a year, are being used for biomedical research, we ought to spell out some of our priorities. We ought to tell NIH what we think they ought to be looking at. It is not for us to make the individual decisions that

ought to be left to scientific peer review. But if we say that arthritis is a major crippler in this country and there ought to be a separate institute on arthritis, that is within our prerogative to do. We feel that that is establishing a priority which we as elected representatives of the people ought to be able to establish.

We set out protection for the cancer centers. We set out spinal cord regeneration as something we want a higher priority for them to deal with. We say, do the research, but do not forget about prevention, disease prevention and health promotion, and we ask NIH to give more consideration along these lines.

And we adopt many of the regulations that are already in place at NIH in terms of their overview of the fraud that may be committed by people who would receive Government funds for research purposes.

The bill went through many, many hearings, markups, disputes, and we reached an overwhelming consensus in the Congress of the United States as to how we ought to establish these issues for a sense of priority as it affects those people here in the Congress who are voting to spend this money.

If this bill is not passed, notwithstanding the veto of the President of the United States, we will still have an NIH, but it will be an NIH that will be funded without the full impact of the congressional oversight with recommendations as to how this money ought to be spent and some of those considerations we want to be reviewed by the people running NIH.

Let the scientists run the scientific activities, but let us have some say over how the people's money is being used to fund these research activities.

Mr. Speaker, I urge that we reaffirm our support which was expressed in vote of 395 to 10 for a strong NIH.

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

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

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

Mr. MADIGAN. Mr. Speaker, I am going to vote to override the veto of the President on the National Institutes of Health authorization.

My understanding was that the conference report was a compromise between the House, the other body, and representatives of the administration. That vehicle, which I understood to be a compromise, as has been pointed out, passed the House of Representatives by a vote of 395 to 10, and passed in the other body unanimously. I also understand that 78 Members of the other body have signed a letter urging the President to sign this bill.

In reading the veto message of the President relating to this bill, I note that he refers to it as being the same as a bill which he previously vetoed.

I would like to say at the outset that this bill is nowhere near the same as the bill that was previously vetoed. In this bill, the authorizations were changed to 3 years, which was a request of the administration.

The Nursing Institute contained in the previous bill was changed to a Nursing Center in this bill, which I understood to be a compromise between the other body and representatives of the administration.

The manpower provisions that were in the previous bill were changed in this bill to accommodate the administration's position.

The provision in the previous bill that called for the establishment of 55 cancer research centers was eliminated in this bill.

This bill removed a commission and two studies called for in the previous bill that were objected to by the administration.

In the veto message, no objection is raised by the administration the the authorization levels contained in this bill. These levels are consistent with the budget resolution and they are consistent with the levels contained in the appropriation bills in both bodies. No language in this bill would exempt this bill from any provisions of Gramm-Rudman.

With regard to the micromanagement issues referred to in the veto message, I understand that these are objections raised by the general counsel of the Office of Management and Budget.

As I previously said, the nursing provision I understood to be a compromise.

The statutory conditions on animal research contained in this bill, which can be termed "micromanagement," are actually based on the guidelines issued by the National Institutes of Health.

In the news story referring to the veto of this measure, mention is made of the restrictions placed on fetal research, which ovbiously would be a micromanagement issue. It is not possible for us in this body to pass an NIH bill without these restrictions on fetal research unless the House would be willing to consider the bill under a closed rule.

We have a letter from the National Right to Life organization urging the President to sign the bill because of the restrictions placed on fetal research in the bill.

This bill also allows the Secretary of HHS to expedite peer review processes at NIH in the event of a public health emergency.

I understand why the scientific community would object to expediting the peer review process, but this is not required. It is only allowed in the event of a public health emergency.

This is not a confrontation that I want or that I wanted. The conference between the House and the other body went on for nearly 3 months trying to work out language on all these items, and, as I said, I thought we had that job done.

The fetal research provisions in this bill are a victory for the gentleman from California [Mr. DANNEMEYER] of this body and the chairman of the Labor and Human Resources Committee in the other body.

Under our rules, the House must act first on this because it was the House bill that was the vehicle used in the conference.

The counterpart of the gentleman from Michigan [Mr. DINGELL], the chairman of the committee in the other body responsible for this legislation, has encouraged me to support overriding this veto.

As I said, it is not a confrontation that I want or that I wanted, but I feel that I must keep my word to the conferees from this and the other body on what I was led to believe was an agreement. I am therefore going to vote to override the veto.

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

Mr. WAXMAN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. ANDERSON].

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

Mr. Speaker, on October 23, 395 Members of this body voted to approve the conference report on H.R. 2409, the Health Research Extension Act. This measure amends the Public Health Service Act to extend the authorities under that act relating to the National Institutes of Health and the National Research Institutes.

This conference report provides vital funding for research on health problems confronting all Americans. The funding in this report for biomedical research is essential to the well-being of all Americans, and of our future generations.

One section of this report is particularly of interest to me. The report establishes a lupus erythematosus coordinating committee to plan, develop, coordinate, and implement comprehensive Federal initiatives in research on lupus erythematosus. This committee will meet at least four times a year and will submit a report on their activity no later than 18 months after the date of the enactment of this conference report. I believe that this coordinating committee will provide tremendous leadership in the fight against lupus.

Similarly, I believe that this conference report will provide tremendous leadership in the fight against all diseases. I urge my colleagues to join me in overriding the veto on this confer-

ence report which provides vital funding for the fight against health problems confronting all Americans.

Mr. WAXMAN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Oregon [Mr. WYDEN].

Mr. WYDEN. Mr. Speaker, first of all, I want to commend Chairman WAXMAN of California for a tremendous job in trying to put together what I think is excellent legislation.

It seems to me that the administration in vetoing this legislation is running up the white flag in our Nation's war against Alzheimer's disease, and cancer research, and arthritis. I think there is a reason why 395 Members of this body voted for this legislation, and that is because the considerable investment our country has made in health research has paid off very, very handsomely. We can tell that just by asking those with artificial joints and the many people in this country who have benefited from the early detection of disease: Health research has paid off for them.

The other thing that concerns me, Mr. Speaker, is that this legislation will help us tremendously in our efforts to combat Alzheimer's disease in this country. Only recently we have come to the realization that Alzheimer's disease is a leading cause of death among seniors. This legislation authorizes important funding for Alzheimer's disease research centers and a national registry to promote further research.

For that and many other reasons, Mr. Speaker, I believe this bill is a moneysaver. I believe we are going to save money in the years ahead as a result of important research efforts that it would authorize.

Mr. Speaker, I urge my colleagues to support this veto override.

Mr. MADIGAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah [Mr. NIELSON], a member of the committee.

Mr. NIELSON of Utah. Mr. Speaker, I rise in reluctant support of overriding the veto.

In the committee, I opposed the bill as originally brought to the committee, but the ranking member of the committee, the gentleman from Illinois [Mr. MADIGAN] was able to cut the funding down to a reasonable level and the conference committee took out the major objection that I had to the Institute of Nursing.

It seems to me that the compromise that we had was fair and reasonable to continue biomedical research.

As far as the micromanagement is concerned, I think that is overstated.

You might be interested in knowing that of the 42 members of the Committee on Energy and Commerce, 38 members voted for this bill, 2 voted against and 2 were absent.

In the original bill that was passed by a voice vote, I am aware of three or four others who would have voted against it at that time, but as it now stands it appears to be a very good bill. It will continue to research in the vital areas of cancer, heart disease, and things of this nature.

The objection the President had 2 years ago about the Institute of Arthritis, he apparently has changed his mind on that and is doing administratively what this bill calls for legislatively.

So the only valid objection I can see that he would have, since he has agreed on the budget levels and he has agreed on the arthritis measure, would be on nursing research.

I think a fair compromise was obtained there which provides for nursing research without having a separate institute using up vital money for that purpose.

□ 1545

Therefore, I urge my colleagues, and as I say, I say this with some sadness because there are a lot of bills that I think should have been vetoed and this is not one of them. I believe that the veto could well have been placed on a number of health bills that we have passed in this committee, but this, I believe, is a good one and I urge my colleagues to vote to override the President.

Mr. WAXMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DELLUMS].

PERMISSION TO FILE CONFERENCE REPORT ON S. 1042, MILITARY CONSTRUCTION AUTHORIZATION ACT, 1986

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the bill (S. 1042) to authorize certain construction at military installations for fiscal year 1986, and for other purposes.

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

There was no objection.

Mr. WAXMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. FORD].

Mr. FORD of Tennessee. I thank the gentleman for yielding this time to me.

Mr. Speaker, I would like to commend my colleagues here, both the gentleman from California [Mr. WAXMAN] and the gentleman from Illinois [Mr. MADIGAN], for bringing this piece of legislation to the House floor.

Mr. Speaker, on this past Friday the President vetoed H.R. 2409, the Health Research Extension Act of 1985, a bill which provides funds for cancer research institutions throughout our country.

The National Cancer Institute proposed to reduce cancer mortality by 50 percent by the year 2000. I indicated, on the floor of this House last month, that at our current rate of investment in cancer research this goal is merely a pipe dream; it simply will not happen without new comprehensive cancer research centers and more funds.

It is a cruel hoax upon the American public to set goals that all look forward to achieving, goals that will eliminate pain, suffering and thousands of unnecessary deaths, and then to withhold the means, the money necessary to attain these goals.

Mr. Speaker, we fool no one when we engage in such shenanigans and we should put an end to them. I am particularly sensitive to such ploys because the mid-South area does not have a comprehensive adult cancer research center. My cancer stricken constituents must frequently travel hundreds of miles for treatment adding more misery to this already sorrowful condition.

Mr. Speaker, let us stop this nonsense, let us vote to override the President's veto of this bill.

Mr. WAXMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALGREN.]

Mr. WALGREN. I thank the gentleman for yielding this time to me.

Mr. Speaker, I think it would be most proper to underscore the point that was made by the chairman of the Health Subcommittee that this is essentially a battle over whether the Congress has anything to say about the National Institutes of Health and whether we can, in some way, bring back from our districts the interests and sensitivities of people in this country who are suffering from aspects of disease or from a lack of responsiveness in our medical system that are not coming through in other ways.

I think in particular of the Alzheimer's provisions in this legislation. There is no more dramatic problem for the elderly than Alzheimer's disease. We attempt to direct the attention of the National Institutes of Health in a constructive way, with 10 centers, and some goals of their research. To say that this overmanages NIH is just denying the Congress the ability to bring the sensitivity that we pick up from our constituents to bear in this area.

The same can be said of the spinal cord injury provisions. These are not provisions that require the expenditure even of a specific amount of money, but it is an effort to direct the attention of the medical community because, in a sense, these are orphan causes, or causes that have not been pursued to the degree that we believe, both because of the advice we get and because of the depth of the problems that our people bring to us, they can be pursued.

If any administration should understand the pursuit of something that is not now real, this administration

should. Certainly they are leading us down that path to the tune of billions of dollars with respect to Star Wars. They can go with us down that path on some of the little orphan medical causes that deserve at least the emphasis and the attention of some of the effort being made through the National Institutes of Health.

Mr. Speaker, I urge that this veto be overridden.

Mr. MADIGAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. PURSELL].

Mr. PURSELL. I thank the gentleman for yielding time to me.

Mr. Speaker, first I want to congratulate the chairman and the ranking minority member for an outstanding piece of legislation. I am very disappointed today that somebody in the administration has recommended a veto to the President, who I am not sure has really looked at this bill.

Mr. Speaker, I rise today in support of this effort to override the President's veto of the National Institutes of Health Authorization.

The veto was exercised for two reasons: Because of the inclusion of the Center for Nursing Research and because of perceived congressional intrusion into the operation of the institutes. Neither concern offers a valid reason to block approval of this important NIH authorization.

I think it bears pointing out that this final bill represents a significant compromise—a compromise reached in conference by both sides and in both Houses.

I believe the decision to veto this bill was an unfortunate decision, considering the reasons offered for this action.

First of all, it must be pointed out that the Center for Nursing is a substantial compromise. Last year, we were told that authorization of an Institute for Nursing Research was "unneeded and premature," just as the proposed Institute for Arthritis was also unneeded.

The administration this year has decided to establish the Arthritis Institute by administrative order, yet is unwilling to accept a Nursing Center.

This body recognized the importance of nursing and went to conference with language calling for a Nursing Institute. The compromise of going from an Institute to a Center already is an insult to the many people who work in this field. Let's not go a step further and tell the members of this important health profession, the nurses of America, that a Nursing Research Center is unneeded.

Second, the idea that Congress is intruding into the management of the Institutes in unfounded. I believe it goes without mention that Congress has a responsibility for the management of taxpayers' resources.

But beyond that, this authorization also includes a compromise calling for a 3-year extension of the 1984 NIH bill. This is a 3-year program which is virtually free of specific congressional directions.

I urge my colleagues to join with me in voting to override.

The SPEAKER pro tempore. The gentleman from California [Mr. WAXMAN] has 14 minutes remaining, and the gentleman from Illinois [Mr. MADIGAN] has 19 minutes remaining.

Mr. WAXMAN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. ECKART].

Mr. ECKART of Ohio. I thank the gentleman for yielding this time to me.

Mr. Speaker, the bipartisan effort generated by the gentleman from California [Mr. WAXMAN] and the gentleman from Illinois [Mr. MADIGAN] deserves the strong support of the Members of the House.

Without reservation, this bill is fiscally responsible, ontime and under cost. Three points deserve to be noted well by all of the Members of the House.

First, we place a ceiling on the frittered-away administrative costs used in the past by NIH to truly deny appropriate scientific research.

Second, we place a strong emphasis on disease prevention, which we know is substantial and more cost effective than disease treatment.

Third, and perhaps most importantly, we consolidate unnecessary reporting requirements that have been burdensome to those who have participated in these programs in the past.

□ 1555

Mr. Speaker, this bill is deserving of our support. It is a bipartisan answer and appropriate response to health emergencies all across the United States.

The gentleman from Illinois [Mr. MADIGAN] and the gentleman from California [Mr. WAXMAN] have crafted a careful compromise that I think needs the fiscal constraints that are impinged upon the House while still dealing in a caring and compassionate way with the medical emergencies we are confronted with.

I urge an override of the veto.

Mr. MADIGAN. Mr. Speaker, I yield such time as he may consume to the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, as the Members of the House well know, before being elected leader, I served on the Appropriations Committee for many, many years as the ranking member of the old Subcommittee on Health, Education and Welfare that had to do with the funding of activities at the National Institutes of Health. Over that period of years, there were times when that whole institution grew enormously, by leaps and bounds, no question about it. But I think it was due in no small measure to the additional attention that we felt that institution required.

There were times, however, when we felt they had gone astray and needed correcting, restraining, and we exercised that authority at that time.

Now, I thought I listened quite attentively to the gentleman from Illinois [Mr. MADIGAN] when he made his remarks that would position him in overriding the President's veto of this legislation. Normally one would think leaders of the President's own party ought to stand down here, and without reservation whatsoever, support the President's position, and certainly take the ball and run with it in sustaining the President's position.

But before doing that, if I might inquire of the distinguished gentleman from Illinois if I heard him correctly when he said in the earlier deliberations of this legislation there were significant corrections made in keeping with what the administration had asked the committee to do. Is that not correct?

Mr. MADIGAN. Mr. Speaker, I think in my remarks I pointed out that we changed the period of authorization to accommodate the administration. We changed the Nursing Institute to a Center For Nursing Research, which was an accommodation to them. We changed the manpower provisions to what they wanted. We eliminated a provision on cancer research centers to accommodate them. We removed a commission requirement and two studies called for that they were objecting to.

With regard to the micromanagement issues that they raised, as I pointed out, those are either animal research restrictions or fetal research restrictions, something that we could not possibly do otherwise unless we did so under a closed rule. I thought that those were all things understood very well by the administration representatives with whom I was conversing.

Mr. MICHEL. And those were members of the administration with whom the gentleman was counseling, I gather, and not individuals from the National Institutes of Health, but actually political appointees of the administration? Is that not correct?

Mr. MADIGAN. If the gentleman will yield further, my conversations were entirely with people of that character.

I understand the chairman of the appropriate committee in the other body, who was certainly very much involved in all of this compromise, was in contact with professionals at NIH. But I was not. I was talking to political appointees for the administration.

Mr. MICHEL. Then when the time came for the President to make a determination as to whether he signed or vetoed this legislation, might I inquire of the distinguished gentleman whether he was contacted as to his views on what position the administration ought to take, of course, in view of the overwhelming vote in support of it in this body?

Mr. MADIGAN. No, sir; I was not.

Mr. MICHEL. Then the gentleman from Illinois must conclude from that that notwithstanding every effort being made on the part of the distinguished members of the committee to accommodate the administration, and in full light of day to the degree that they felt those objections were being met, it seems very odd that then there should be a recommendation for a veto. I gather that that veto communication came from some individual or group of individuals advising the President on this.

How can the gentleman from Illinois enlighten this gentleman from Illinois on that subject?

Mr. MADIGAN. If the gentleman will yield further, following the adoption of the conference report by both bodies, following that by a period of some days, I communicated with by telephone, and subsequently visited in my office with a gentleman from the Office of Management and Budget who had not previously been involved in the compromise or the negotiations in any way. I had been given to understand, indirectly, that that gentleman was very influential in causing the bill to be vetoed. Although not on budgetary grounds, because there is no issue of the budget being raised. The issues being raised are these micromanagement issues which I have attempted to address.

Mr. MICHEL. Did the gentleman from Illinois advise that inquirer of what conditions prevailed here in the Congress on both sides of the Capitol and among both parties of what is doable and what is not doable by way of the Members' feelings, strong feelings?

Mr. MADIGAN. If the gentleman will yield, I did discuss that with him. With regard to the specific item that the gentleman wanted to discuss with me, which was the Center for Nursing Research, I advised the gentleman that I did not originate that. I am not the father of that child. The chairman of the appropriate committee in the other body is the father of that child, and I understood that was something the gentleman from the other body had discussed with administration representatives.

Mr. MICHEL. I thank the gentleman. I simply want to make the observation that there is a general impression that the President himself, while sending up a veto message with the explanation that we received, is not all that engrossed in this piece of legislation. Notwithstanding that, the gentleman has to take this position.

I have been a pretty good supporter of the President over the course of years as his leader here, but I find it very difficult to bring myself around to sustaining a position that I know was made by someone other than those really responsible for trying to make this whole system work around here. And while I may very well vote to sustain, I certainly do not have my heart in it, and I doubt very much whether there are going to be too many of the other Members having that same feeling.

I guess maybe just as a word of caution, of all of those measures that I have seen come down the pike here that would be candidates for a veto, this probably would be a least likely candidate. So I thank the gentleman for laying it all out on the record here today.

In my judgment, Members are going to be pretty free to vote as their conscience dictates to them. As for this Member, yes; I will support the President's veto and vote to sustain. But as I said, it is quite obvious the gentleman does not have his heart in it.

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

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

Mr. Speaker, we tried the best we could to fashion a compromise that was brought together by both Democrats and Republicans, Members of this body and the other body, and that has passed overwhelmingly. We now have the constitutional prerogative of making this law, notwithstanding the veto of the President, and I urge my colleagues to vote with me and my colleague from Illinois to pass this legislation again.

Mr. FRENZEL. Mr. Speaker, I have been waiting a long time to sustain a veto in the hopes that such action would help enforce a little fiscal discipline on a profligate Congress.

Today we have an opportunity to sustain a veto, but, unfortunately, it is not a fiscal veto. This House, at least in part because it believed the administration had no objection, approved the bill, a NIH authorization, by a vote of 395 to 10.

Most members, including myself, have been given insufficient reason to change their votes, and will vote to override. I'm still patiently waiting for that first fiscal veto.

Mr. DINGELL. Mr. Speaker, I rise today to support, in the strongest possible way, H.R. 2409, the Health Research Extension Act of 1985.

It can justifiably be claimed that the research of the National Institutes of Health drives world biomedical research, and this bill is aimed at preserving and extending America's preeminence in this area. This bill addresses directly the major health problems which confront every American today:

It enables the continuing fight against cancer to be waged on all fronts, and to exploit the many recent breakthroughs made in this area;

It places a new emphasis on research into arthritis and diabetes;

It authorizes new funding for research into Alzheimer's disease.

This is a fiscally responsible piece of legislation:

It demands that all intramural NIH research by subject to peer review; and

It limits expenditures for NIH administration costs to 5.5 percent.

H.R. 2409 also contains provisions which address many of the moral and ethical considerations which surround biomedical research:

There are strengthened provisions for the care and treatment of research animals;

These are provisions to limit the circumstances under which research on fetuses can be conducted; and

It provides for the establishment of a Biomedical Ethics Advisory Board.

I ask my colleagues to join with me in overridding this veto and in demonstrating to the President the commitment of the Congress to the health and welfare of the people of this country.

Mr. WAXMAN. Mr. Speaker, I yield back the balance of my time, and I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, this vote must be determined by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 380, nays 32, not voting 22, as follows:

[Roll No. 400]

YEAS—380

Ackerman	Boxer	Courter
Akaka	Brooks	Coyne
Alexander	Broomfield	Craig
Anderson	Brown (CA)	Crockett
Andrews	Broyhill	Daniel
Annunzio	Bruce	Darden
Anthony	Bryant	Daub
Applegate	Burton (CA)	Davis
Aspin	Burton (IN)	de la Garza
Atkins	Bustamante	Dellums
AuCoin	Byron	Derrick
Barnard	Callahan	DeWine
Barnes	Campbell	Dickinson
Bateman	Carney	Dicks
Bates	Carper	Dingell
Bedell	Carr	DioGuardi
Beilenson	Chapman	Dixon
Bennett	Chappell	Donnelly
Bentley	Clay	Dorgan (ND)
Bereuter	Clinger	Dornan (CA)
Berman	Coats	Dowdy
Bevill	Cobey	Downey
Biaggi	Coble	Dreier
Bilirakis	Coelho	Duncan
Billey	Coleman (MO)	Durbin
Boehlert	Coleman (TX)	Dwyer
Boggs	Collins	Dymally
Boner (TN)	Combest	Dyson
Bonior (MI)	Conte	Early
Borski	Conyers	Eckart (OH)
Boucher	Cooper	Edwards (CA)
Boulter	Coughlin	Edwards (OK)

Emerson
English
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Fiedler
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Franklin
Frenzel
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gephardt
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Gray (PA)
Green
Gregg
Grotberg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hatcher
Hawkins
Hayes
Hefner
Heftel
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Huckaby
Hughes
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Loeffler
Long
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McCurdy
McDade
McGrath
McHugh
McKernan
McMillan
Meyers
Mikulski
Miller (CA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Monson
Montgomery
Moody
Moore
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Oxley
Packard
Panetta
Parris
Pease
Penny
Pepper
Perkins
Pickle
Porter
Price
Pursell
Quillen
Rahall
Rangel
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Savage
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Seiberling
Sharp
Shaw
Shelby
Shuster
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Spence
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Strang
Stratton
Studds
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weaver
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams
Wilson
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)
Zschau

NAYS—32

Archer
Armey
Badham
Bartlett
Barton
Brown (CO)
Cheney
Crane
Dannemeyer
DeLay
Eckert (NY)
Evans (IA)
Fawell
Gekas
Hubbard
Latta
Lewis (CA)
Lott
McEwen
Michel
Miller (OH)
Miller (WA)
Moorhead
Petri
Ray
Sensenbrenner
Shumway
Smith, Denny (OR)
Snyder
Solomon
Stump
Tauke

NOT VOTING—22

Addabbo
Boland
Bonker
Bosco
Breaux
Chandler
Chappie
Daschle
Edgar
Fowler
Gibbons
Gray (IL)
Hartnett
Hunter
Kindness
McKinney
Mica
O'Brien
Pashayan
Roth
Stangeland
Torricelli

□ 1620

Mr. DELAY and Mr. ARCHER changed their votes from "yea" to "nay."

Messrs. GROTBERG, MURPHY, and SILJANDER changed their votes from "nay" to "yea."

So, two-thirds having voted in favor thereof, the bill was passed, the objections of the President to the contrary notwithstanding.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The Clerk will notify the Senate of the action of the House.

FURTHER CONTINUING APPROPRIATIONS, 1986

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I called up House Resolution 312 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 312

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 441) making further continuing appropriations for the fiscal year 1986, and the first reading of the joint resolution shall be dispensed with. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, the joint resolution shall be considered as having been read for amendment under the five minute rule. No amendment to the joint resolution shall be in order except the amendment printed in the Congressional Record of November 8, 1985 by, and if offered by, Representative Foley of Washington or his designee, and said amendment shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole but shall be debatable for not to exceed one hour, to be equally divided and controlled by Representative Foley and a Member opposed thereto. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Mississippi [Mr. LOTT] for purposes of debate only, and pending that, I yield myself such time as I may require.

Mr. MOAKLEY. Mr. Speaker, House Resolution 312 is the rule providing for the consideration of House Joint Resolution 441, making available further continuing appropriations for fiscal year 1986. The rule provides for 1 hour of general debate to be equally divided between the chairman and ranking minority member of the Committee on Appropriations.

House Resolution 312 makes in order an amendment printed in the CONGRESSIONAL RECORD of November 8, 1985, by Representative FOLEY. This amendment shall be debatable for 1 hour, the amendment is not amendable and is not subject to a demand for a division of the question. Finally, the rule provides for one motion to recommit.

Mr. Speaker, House Joint Resolution 441 would extend the existing continuing resolution, due to expire on November 14, 1985, through December 5, 1985. It is intended to provide for the necessary expenses of the U.S. Government and to prevent any disruptions to the Federal Government on November 14, when the present continuing resolution expires.

Mr. Speaker, in order to achieve the savings necessary to reduce the estimated Federal deficit to $161 billion for fiscal year 1986, the Foley amendment would make spending reductions of 3.8 percent. These cuts would be for the duration of this continuing resolution and would be made in a manner consistent with the Balanced Budget and Emergency Defict Control Act of 1985, which was adopted by the House on November 1.

If we were in a position to pass an agreement on Gramm-Rudman today, this amendment would not be necessary. So it has to be understood that the Foley amendment is a realistic proposal with respect to what we can do about spending now. In addition to programs exempt under the House amendment to Gramm-Rudman, the Foley amendment exempts Medicare and indexed programs. it would be disruptive to make changes in these activities during the short term of this continuing resolution, and these matters are better handled in the conference on the debt limit bill.

The amendment would also carry certain restrictions contained in section 254 of the House amendment to Gramm-Rudman with respect to the manner in which spending reductions are applied.

Mr. Speaker, I urge adoption of the resolution.

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

Mr. LOTT. Mr. Speaker, House Resolution 312 makes in order the consideration of House Joint Resolution 441, which extends the continuing appropriations for fiscal year 1986 from November 14, 1985, through December 5, 1985. This is a modified closed rule, providing 1 hour of general debate divided between the chairman and ranking Republican on the Appropriations Committee.

The rule makes in order one amendment to be offered in the Committee of the Whole—an amendment by the gentleman from Washington [Mr. FOLEY] printed in last Friday's RECORD. The amendment is debatable for 1 hour divided between Congressman FOLEY and a Member opposed, and is not subject to amendment or a division of the question in the House or in the Committee of the Whole. Finally, the rule provides for one motion to recommit.

The chairman of the Appropriations Committee, has requested this extension at the behest of the leadership on his side to permit us to enact as many of the regular appropriations as possible before we adjourn sometime in early December.

Mr. Speaker, I support this short-term extension of the continuing resolution because I do think we should encourage the completion of work on as many appropiations bills as we can yet this year. To date only 1 of the 13 regular appropriations bills has been enacted, and 2 others have been sent to the President, though the House has now passed 12 of the 13, and the other body has passed 10. So we are within reach of that goal.

Mr. Speaker, during the Rules Committee consideration of this rule, the distinguished Republican leader, the gentleman from Illinois [Mr. MICHEL], asked that he be permitted to offer an amendment to the continuing resolution that would reduce all the controllable expenditures under that act by 8.2 percent.

He explained that, based on a CBO estimate, the House-passed Rostenkowski substitute for Gramm-Rudman would require precisely such a reduction in those controllable items not exempted by it. You will recall that the Democrat alternative had a deficit of $161 billion this year, but exempted several low-income programs from reductions.

Our Republican leader reasoned, and rightly so, I think, that if this House is really serious about that much deficit reduction this year, it should be aware of the consequences now and be willing to vote for those results in real program cuts now. If we aren't really serious, then we should agree on a more reasonable deficit level and get on with it.

Mr. Speaker, shortly after our Republican leader laid his proposal on the table in the Rules Committee last Wednesday, the chairman adjourned the committee pending a meeting with the Democratic leadership. The results were made known on Thursday when the distinguished majority whip, the gentleman from Washington [Mr. FOLEY] appeared before our committee.

He asked that he be permitted to offer an amendment that would bring spending down to a level consistent with the Rostenkowski alternative to Gramm-Rudman. He went on to explain that a more recent CBO calculation would make that a cut of around 5 percent, instead of the 8.2 percent initially estimated by CBO. The following day, last Friday, when Mr. FOLEY actually put his amendment in the RECORD. as required by the rule, that percentage cut had shrunk even more—this time to 3.8 percent of controllables.

Mr. Speakers, keep in mind that this is the same CBO in which the Rostenkowski plan would vest exclusive authority for determining the percentage reductions. And yet, in just 3 short days, between November 5 and 8, CBO revised downward its estimated reductions from 8.2 percent to 5 percent to 3.8 percent—a 53-percent change. In CBO-doggy dollars, that's about a $21-billion difference. That in itself should be enough to convince you that we need joint CBO-OMB estimates of deficits and reductions under Gramm-Rudman-Rostenkowski.

Now, it could well be that Mr. FOLEY asked CBO to make different assumptions than the current-law snapshot required by the Gramm-Rudman and Rostenkowski amendments. If so, he's asking that we use the Rostenkowski deficit, but not the Rostenkowski baseline for calcuating that deficit.

But the fact remains, our Democratic colleagues agree that if they are to be taken seriously about their $161-billion deficit figure for this fiscal year, they should be willing now to make the necessary reductions in our appropriations bills. The Foley amendment to the continuing resolution represents a symbolic start in that direction.

I say symbolic because this continuing resolution only runs for some 3 weeks, until December 5. But, presumably, the Democratic leadership is committing itself to making this deficit figure stick in real money cuts if it is retained in the final version of Gramm-Rudman.

Mr. Speaker, I intend to reserve final judgment on the Foley amendment pending an explanation from him as to how this will affect major defense and nondefense categories. I will point out, however, that I opposed the $161 billion deficit figure put forward by House Democrats in the Gramm-Rudman conference. It was my belief then, as it is now, that we're trying to do too much too soon with this new process, and that if we try to cut another $13 billion or so for the last 9 months of this fiscal year, after we're already gone through the budget, appropriations, and reconciliation cycle we'll be straining this process beyond the breaking point.

Now I know that's what some are hoping—that either we send something to the President he can't sign, or that is thrown out by the courts, or that sinks under its own weight in the first year. But I'm frankly interested in something that is reasonable and workable.

The key to the success of this process in not Presidential sequestering across-the-board, but the threat of it that will force Congress to set its own spending priorities and meet these deficit goals during the regular budget process, not after it is completed.

Mr. Speaker, I urge support of this rule because we do need a further continuing resolution while we complete action on our regular appropriations bills. But I would caution my colleagues to give careful consideration to the full ramifications of the Foley amendment before they embrace it. Let's make sure the author gives us a complete rundown on what impact this will have on our various domestic and defense programs before we adopt that amendment. Yes, we need a deficit reduction program. But if it is not well-reasoned and reasonable, we may wind-up losing ground on the road to a balanced budget.

□ 1635

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

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

Mr. WALKER. I have a question. Do I understand correctly that the minority leader requested the chance to offer an amendment that would cut the amount of money in the bill by 8.2 percent?

Mr. LOTT. That is correct.

Mr. WALKER. That that was not granted by the Rules Committee?

Mr. LOTT. That is correct.

Mr. WALKER. Even though there is a comprehensive CBO study which does show a need for that kind of cut in order to arrive at the House-passed Rostenkowski plan?

Mr. LOTT. That is correct.

Mr. WALKER. And yet what the Rules Committee did do in this rule is

grant an opportunity to the gentleman from Washington [Mr. FOLEY] to come to the floor with a 3.8-percent reduction that is based upon some figures that they evidently jimmied up at the last minute?

Mr. LOTT. Well, those figures are questionable because we do have three different sets of figures now, and I guess it was all prompted by the Republican leader's request to do what we said we were going to do on the floor at the $161 billion figure, but CBO kept giving different numbers.

I have to assume maybe what happened was that the Foley amendment does take into consideration reconciliation, which we have not completed, and completed action on things like the agriculture bill, but that should not be included in the baseline as was passed in the Rostenkowski bill.

Mr. WALKER. If the gentleman will yield, in both reconciliation and the agriculture bill, though, there is add-on spending in both of those. Has the gentleman included the add-on spending?

Mr. LOTT. We do not know for sure. CBO has not given us all that backup information. So I am sure when we get to general debate on the substance of this continuing resolution and the Foley amendment, that is information we need to get, because we just do not know.

Mr. WALKER. I thank the gentleman. I am disappointed in the fact that, really, we lose about 5 percent here. There was an attempt on the floor the other day on a bill that was out here from the Committee on Public Works to get the full 8.2 percent reduction. What we found there was the Democratic leadership rose rather than have a vote on that particular matter, so they obviously are taking the tack here that there is no way they are going to touch the 8.2-percent figure. And now they come back today with a new 3.8-percent figure that, so far as I know, no one knows precisely where it came from.

Mr. LOTT. That is exactly right, and we want to see how the membership will vote on that.

I would urge the Members to vote against the Foley amendment and to pass the continuing resolution to December 5 without these encumbrances on it.

Mr. WALKER. I thank the gentleman.

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

Mr. MOAKLEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO OFFER AMENDMENT TO HOUSE JOINT RESOLUTION 441

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that, notwithstanding the provisions of House Resolution 312, I be allowed to offer an amendment to House Joint Resolution 441 which, on lines 5 and 6, would strike "December 5, 1985" and insert in lieu thereof "December 12, 1985".

Mr. Speaker, may I say that that is in line with the suggestion of the President, so I am advised in writing.

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

Mr. WALKER. Mr. Speaker, reserving the right to object, just so I understand what is going on, if I may ask the gentleman, all he is doing is changing the dates that are now in the resolution from the 5th to the 12th, and it has no other impact other than that?

Mr. WHITTEN. If the gentleman will yield, that is right. That is at the request of the President.

Mr. WALKER. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

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

Ms. FIEDLER. Reserving the right to object, Mr. Speaker, I shall not object but I would just simply like to ask the gentleman from Mississippi [Mr. WHITTEN] to again please repeat what he just said to the gentleman from Pennsylvania [Mr. WALKER] regarding the dates.

Mr. WHITTEN. If the gentlewoman will yield, may I say that, in the first place, the resolution which I had introduced some days ago merely extended the date from November 21 to December 5. The President has announced that he would prefer that it be December 12 and that it be limited to just a mere change in the date and a continuation of the existing continuing resolution. It is on that basis that I ask unanimous consent to offer the amendment to make it December 12.

Ms. FIEDLER. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 312 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the joint resolution, H.J. Res. 441.

□ 1643

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 441) making further continuing appropriations for the fiscal year 1986.

The SPEAKER pro tempore. The Chair designates the gentleman from Minnesota [Mr. OBERSTAR] as Chairman of the Committee of the Whole and requests the gentleman from Michigan [Mr. BONIOR] to assume the chair temporarily.

The Clerk read the title of the joint resolution.

The CHAIRMAN pro tempore. Pursuant to the rule, the first reading of the joint resolution is dispensed with.

Under the rule, the gentleman from Mississippi [Mr. WHITTEN] will be recognized for 30 minutes and the gentleman from Massachusetts [Mr. CONTE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. WHITTEN].

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

Mr. Chairman, House Joint Resolution 441, which I introduced on November 5, 1985, provides for a simple, temporary extension of the existing continuing resolution—Public Law 99-103—which expires November 14. The new resolution would be in effect through December 5, 1985, which I will amend to December 12, 1985.

It is necessary and essential that this resolution be passed in order to provide continued funding of the government in an orderly way.

During the period of November 14 through December 12, the Committee on Appropriations will continue its work on the regular appropriations bills. The resolution before us provides that whenever a regular appropriations bill is enacted into law it automatically drops out of the continuing resolution.

As far as the House is concerned our record this year on the regular appropriations bills is a good one. Indeed, I consider it an excellent one.

House record on appropriations bills:

Twelve of the thirteen regular appropriations bills have passed the House.

Conference reports have been agreed by the House and Senate on three bills, with one bill signed into law and the other two at the White House awaiting signature.

Only the foreign operations bill has not been considered by the House. Funding levels of House-passed bills: $11.6 billion below the 1985 appropriations; $26.4 billion below 1985 when the 1985 supplementals are included; $19 billion below the President's request in budget authority; $11.6 billion below request in outlays; $26.6 billion below the 302A allocation to the committee; and $2.5 billion below 302 allocation in outlays.

Mr. Chairman, when you look at this record, you quickly realize that the

House and the Committee on Appropriations have done their job.

We have passed our bills.

We have reduced spending.

Mr. Chairman, this is not a one-time phenomenon. The Committee on Appropriations throughout the past has done its job.

The problem with the deficit lies elsewhere. In fact even our friend, former budget Director David Stockman acknowledged this when he stated in testimony before the committee:

I don't think I have ever said, certainly not in recent times, that this committee (the Appropriations Committee), with its responsibility over appropriated defense programs and discretionary domestic programs, is the source of the deficit problem.

In the fiscal year that just ended, fiscal year 1985, total appropriations measures for the year were some $11.2 billion below the request of the President.

And for 39 out of the past 43 years, measures recommended by the Committee on Appropriations and passed by the House have been below the requests of the President—in total by some $196.9 billion.

Mr. Chairman, the Appropriations Committee, in matters directly under its jurisdiction, has done its job. It is entitlements and repeal of the windfall profits tax permitting the sale of tax credits in 1981 that have largely caused the problem.

Mr. Chairman, this resolution is essential to the operation of the Government. It must be passed and agreed upon by the Senate and signed by the President by this Thursday night.

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

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

Mr. WALKER. Could the gentleman tell me how much, with the new date in it, this bill is worth? How much are we spending, pursuant to this particular bill now, with the December 12 date in it?

Mr. WHITTEN. I would not know, in that if they are permitted to go at the rate of the House-passed bill in the Appropriation Act of the present year, or the Senate, whichever is the lowest. And the amendment of December 12 will require new calculations.

Mr. WALKER. I understand the formula, but I am just wondering if we know how much we are actually spending by passing this bill.

Mr. WHITTEN. Well, I do not know. It is my recollection that for the next several weeks, if we pass this, we save a considerable amount of money, in that foreign aid is $2 billion or $3 billion lower than what it was last year because of the supplemental, defense is about $10 billion to $15 billion below what it was last year, so it would be at a reduced rate, but I have not figured it up.

Mr. WALKER. If the gentleman will yield, I just personally, I guess, would like to know, if I am being asked to vote on a resolution, how much it is going to cost for the resolution. Do we have any figures on the floor that somebody could work up here and tell me before I am asked to vote on it?

Mr. WHITTEN. If this is adopted, for the period from now until December 12, if my amendment is adopted, it will be at a rate annually of a reduction of about $15 billion to $16 billion below what you are doing now, in that we are operating under this resolution, we would go along at the reduced rate. I believe that is right.

Mr. WALKER. Well, again, I thank the gentleman for telling me the formula, but I would still appreciate knowing. I do not have the figures here in front of me. I am assuming someone does. I would appreciate knowing how much this particular bill is worth. We have just changed the dates from December 12, which I assume costs us additional money for an additional week extending.

Mr. WHITTEN. May I correct my remarks, because I want to be completely factual with my friend. The numbers I was discussing are what we have done in the fiscal year 1986 bills, in the Committee on Appropriations, and what the House has approved. So last year's level will continue for the remainder of this period, until December 12. And how much that will be, I could not tell the gentleman.

□ 1650

Mr. WALKER. But at this point the chairman cannot tell me how much this particular bill is worth?

Mr. WHITTEN. No, I cannot, because involved in it is the period from now until December 12, and I have not figured it.

Mr. WALKER. I thank the chairman.

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

Mr. CONTE. Mr. Chairman, the joint resolution before the House would extend the current continuing resolution from November 14 through December 12.

The continuing resolution as extended would cover projects and activities in 11 appropriation bills, not including energy and water development, which has been signed, and legislative, which will be.

Appropriations for projects and activities would be continued until December 12, 1985, or until an appropriation is enacted, whichever first occurs.

The rates for the 11 bills are as follows: 4 bills are continued at the current rate and under the current terms and conditions: Defense, Foreign Assistance, Labor-HHS-Education, and Military Construction. Six bills are continued at the current rate or the House rate, whichever is lower, and under the more restrictive authority: Agriculture, Commerce-Justice-State-Judiciary, District of Columbia, Housing and Urban Development, Interior, and Transportation.

One bill is at the House or the Senate rate, whichever is lower, and under the more restrictive authority: Treasury-Postal Service.

Mr. Chairman, I support the joint resolution.

An extension through December 12 will give us an opportunity to complete action on the remaining appropriations bills, and to pass a final continuing resolution for the remainder of the year which would cover those bills not enacted by that time.

Mr. Chairman, at this point I include in the RECORD a more complete description of the individual provisions of the current continuing resolution.

RATES DETERMINED BY THE STATUS OF THE BILL

Section 101(a) continues appropriations for projects and activities which were included in nine appropriation acts for fiscal 1986.

Rates for these bills were based on the status of the bill as of October 1, 1985. Energy and water development has been signed, and legislative will be. The rates for the remaining seven bills covered by section 101(a) are as follows:

Six bills had passed the House as of October 1: Agriculture, Commerce-Justice-State-Judiciary, District of Columbia, Housing and Urban Development, Interior, and Transportation.

Projects and activities in these bills are continued at the House rate or the current rate, whichever is lower, and under the current authority and conditions.

One bill had passed the House and the Senate as of October 1: Treasury-Postal Service.

Projects and activities in this bill are continued at the lower of the House or Senate amount, and under the more restrictive authority.

A project or activity included in only the House or the Senate Act is continued at the rate provided in that act or the current rate, whichever is lower, and under the current terms and conditions.

No new general provision shall take effect unless it is included in identical form in the House and Senate acts.

NO NEW STARTS

Appropriations made available under section 101(a) shall not be used to initiate or resume any project or activity not funded in fiscal 1985.

BILLS AT THE CURRENT RATE

Section 101(b) continues appropriations at the current rate, and under the current terms and conditions for projects and activities which were conducted in fiscal 1985, and for which provision was made in three appropriation acts for fiscal 1985: Foreign Assistance, Labor-HHS-Education, and

Military Construction. The Labor-HHS rate also includes the following activities for which provision was made in section 101(k) of the continuing resolution for fiscal 1985: Activities under the Public Health Service Act; refugee and entrant assistance activities; foster care and adoption assistance activities; emergency immigrant education activities; and activities under the Follow Through Act.

NO NEW STARTS

Appropriations made available under section 101(b) shall not be used to initiate or resume any project or activity not funded in fiscal 1985.

Section 101(c) continues appropriations at the current rate, and under the current terms and conditions, for projects and activities which were conducted in fiscal 1985, and for which provision was made in the Defense Appropriation Act for fiscal 1985.

Funds for procurement of MX missiles shall be subject to all of the limitations, restrictions, and conditions set forth in the 1986 defense authorization conference agreement and conference report as filed in the House.

GENERAL PROVISION

No provision in any 1986 act referred to in section 101 which makes an appropriation therein contingent upon the enactment of authorizing or other legislation shall be effective during the period covered by the resolution.

AGRICULTURE, RURAL DEVELOPMENT AND RELATED AGENCIES

The fiscal year 1986 appropriation bill for the Department of Agriculture, rural development and related agencies, H.R. 3037, passed the House on July 24, and passed the Senate with 102 amendments on October 16. Conferees have not yet met to resolve the differences between the two versions.

In light of this situation, our committee is recommending that the Department of Agriculture and Related Agencies receive funding through December 5, 1985 in accordance with section 101(a)(4) of Public Law 99-103. This subsection provides levels of funding and authority at the current fiscal year 1985 rate, or at the rate provided for in levels contained within the fiscal year 1986 House-passed bill, whichever is lower or more restrictive.

Although we are some $5 billion below fiscal year 1985-enacted levels overall in the fiscal year 1986 House-passed bill, in most accounts we are at or slightly over fiscal year 1985 levels. And so, in general, USDA and its related agencies will receive continued funding at the current, fiscal year 1985 rates.

I join the distinguished chairman of our committee in expressing my hope that we will see final action on the regular fiscal year 1986 appropriation bill before this joint resolution expires on December 5.

COMMERCE, JUSTICE, STATE, JUDICIARY

The House and Senate have passed the fiscal year 1986 bill, H.R. 2965. Conference is scheduled for tomorrow.

Programs are funded at the House-passed level or the current rate, whichever is lower, and under the fiscal year 1985 conditions.

No new programs or new general provisions are allowed.

The House-passed ban on participation in abortion litigation by the Legal Services Corporation is not included.

All current restrictions on the Legal Services Corporation and the Federal Trade Commission would be continued. The Corporation restrictions include bans on assistance to illegal aliens, participation in class action suits, and lobbying. The resolution would continue 1980 FTC authorization act provisions dealing with agricultural cooperatives and marketing orders and trademarks.

HOUSE JOINT RESOLUTION 441 CONTINUING RESOLUTION, FISCAL YEAR 1986: DISTRICT SECTION

The District of Columbia appropriations bill passed the House on July 30, 1985 and was adopted with amendments by the Senate on November 7, 1985. Since the bill passed the Senate after October 1, 1985, the funding rates and conditions are the same as provided in House Joint Resolution 388.

This continuing resolution mandates that programs and activities in the District appropriations bill will be funded at the fiscal year 1985-enacted level or at the House-passed level; whichever amount is lower.

As far as funding levels in this bill, this continuing resolution is fairly straightforward as it relates to the District bill.

However, two fairly controversial provisions adopted by the House are not included in the continuing resolution. Since the general provisions for the District bill from fiscal year 1985 apply in this situation, the new abortion language and the Regula amendment concerning competitive contracting are not included in this resolution. Both of these provisions were modified by the Senate and will be considered during conference on H.R. 3067.

ENERGY AND WATER DEVELOPMENT

When we adopted the first continuing resolution for fiscal year 1986, it provided for the funding of energy and water development programs at the lower of the House-passed or Senate-passed bill.

I am pleased to report that since that time, the Energy and Water Development Appropriations Act for fiscal year 1986 has been signed into law, and has been designated as Public Law 99-141. The extension of the continuing resolution that we are considering today is therefore inapplicable to our energy and water development programs.

FOREIGN OPERATIONS

Neither House has passed the fiscal year 1986 bill.

Programs included in the fiscal year 1985 Foreign Assistance Act are continued at the current rate and under the current terms and conditions.

No new programs or projects are allowed.

Israel has already received the fiscal year 1986 appropriation of $1.2 billion in economic support funds, which were obligated under the first continuing resolution at the end of October under the terms of Public Law 99-83, the International Security and Development Cooperation Act of 1985. Foreign military credit sales in the amount of $1.4 billion for Israel would continue to be apportioned according to the duration of this continuing resolution. Two billion dollars in economic and military assistance to Egypt would also continue to be apportioned.

Current restrictions on population programs and abortion are continued, including restrictions in the Supplemental Appropriations Act, Public Law 99-98. These include bans on aid to programs involving coercive abortion or involuntry sterilization.

All country restrictions are continued, including bans on aid to Angola, Cambodia, Cuba, Iraq, Libya, Laos, Vietnam, South Yemen, and Syria.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT-INDEPENDENT AGENCIES

The fiscal year 1986 appropriation bill for the Department of Housing and Urban Development and 16 independent agencies, H.R. 3038, passed the House on July 25, and passed the Senate with 94 amendments on October 18. On Thursday, November 7, conferees met to resolve the differences between the two versions. I am hopeful that we will consider the conference report this week and soon see final action on the regular fiscal year 1986 appropriations bill, so that the funding provision for these important agencies will disengage from this second continuing resolution before it expires on December 5.

Our committee has taken every possible and responsible action to ensure that the essential programs, projects, and activities at the Department of Housing and Urban Development, the Environmental Protection Agency, the National Aeronautics and Space Administration, the National Science Foundation, the Federal Emergency Management Agency, the Veterans' Administration, and each of the independent agencies continue at reasonable and operable rates until such time as we have reached agreement with the other body and have a separate fiscal year 1986 bill signed into law by the President.

In the event that a conference agreement is not adopted and enacted into law between now and December 5, our

committee recommends that HUD and the 16 independent agencies receive funding and authority at the current fiscal year 1985 rate, or at the rate provided for in the fiscal year 1986 House-passed bill, whichever is lower or more restrictive.

HOUSE JOINT RESOLUTION 441 CONTINUING RESOLUTION, FISCAL YEAR 1986: INTERIOR SECTION

The Interior appropriations bill passed the House on July 31, 1985. To date, the Senate Appropriations Committee has reported H.R. 3011, and the Senate began consideration of the bill on October 31, 1985. However, there has been no action in the other body since that time.

This continuing resolution provides that programs and activities in the Interior bill will be funded during this period at the fiscal year 1985-enacted level or at the House-passed level; whichever amount is lower, and under the more restrictive authority.

As far as funding programs in the Interior bill, this continuing resolution is fairly straightforward. However, there is one general provision carried forward in this continuing resolution that may be of concern to several Members. As provided in the fiscal year 1985 continuing resolution, the ban on leasing in the Outer Continental Shelf off the California coast and Georges Bank in the North Atlantic is continued in force. Based on a preliminary agreement, the House-passed Interior bill did not include the OCS leasing plan. Since the Interior Department has no plans for leasing during this period, there is no practical effect for this provision.

LABOR, HEALTH AND HUMAN SERVICES AND EDUCATION

The first continuing resolution, which expires on November 14, funded all programs usually funded in the approprition bill for the Departments of Labor, Health and Human Services and Education and related agencies, at the fiscal year 1985 rate. The extension of the expiration date which we are considering today, as brought to the floor, would therefore simply provide for continued funding for these programs at the fiscal year 1985 rate, through December 4, 1985.

In addition, this bill, to extend the expiration date of the first continuing resolution, would also extend the applicability of all general provisions and limitations that were included in the fiscal year 1985 Labor/HHS appropritions bill (Public Law 98-619).

LEGISLATIVE

The conference report on H.R. 2942, fiscal year 1986 Appropriations Act for the legislative branch, passed the House and the Senate on October 29. The President is expected to sign the act in the next few days, thus removing the act from the provisions of the new continuing resolution.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

As with the first continuing resolution for fiscal year 1986, this extension would continue programs and activities for the Department of Transportation and related agencies at the lower of the House-passed or current rate, and under such conditions and restrictions as were in effect during fiscal year 1985.

HOUSE JOINT RESOLUTION 441 CONTINUING RESOLUTION, FISCAL YEAR 1986: TREASURY SECTION

Although the conference report for the Treasury-Postal Service appropriations bill for fiscal year 1986 has been adopted by both Houses, this continuing resolution provides for the programs and activities in this bill to be funded at the House or Senate rate, whichever is lower and under the more restrictive authority.

Under this resolution, the funding levels are the same current rate provided by House Joint Resolution 388. Since the ban on OPM "pay-for-performance" and RIF regulations expired on July 1, 1985, as provided in the fiscal year 1985 continuing resolution, the prohibition will not be carried forward in this resolution. H.R. 3036 did reimpose the ban in the House-passed version, but the Senate removed the provision. In the conference report just adopted, the ban was modified to extend only until May 15, 1986 and to allow OPM to revise the regulations in the interim.

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

Mr. CONTE. I yield to my good friend, the gentleman from California.

Mr. LUNGREN. I thank the gentleman.

Mr. Chairman, perhaps the distinguished ranking member of this committee might be able to give us some idea of the amount involved in this particular bill. We have had a recitation of the formulae by both the chairman and by the distinguished gentleman from Massachusetts, but I wonder if he might be able to tell us what we are talking about in terms of dollars and cents.

Mr. CONTE. That is a good question. You would have to put into the computer what the figures are on all of these bills with the different formulas, and you would come out with a rough figure of what the entire continuing resolution would be.

You have about $275 billion in defense in the current year, and you have over $100 billion in HHS.

Mr. LUNGREN. If the gentleman would yield further, the gentleman and I have discussed on previous occasions how unfortunate it is that we come to the floor and have to do business by a continuing resolution. In fact, it unfortunately seems to be the rule rather than the exception and this denies us, and I know it denies the gentleman's committee, the opportunity to deal with specific bills in smaller chunks. Let us say, several hundred billions of dollars in one vote instead of all this which may add up to multiples of that.

We oftentimes are here talking about increasing the debt ceiling because our bills have come due. On those occasions we know the amount when the bills come due. Now it seems like we are signing blank checks so that we can spend from now until December 12, and we know that the bill is going to come due sometime down the line.

I just wonder if the gentleman has those same concerns he has expressed before about this process.

Mr. CONTE. The gentleman is right on target. He and I have had colloquies on this in the past. Only one bill has been signed; the Energy and the Public Works bill. It looks like the legislative bill is going to get signed.

This is a hell of a way to run a railroad, to say the least. If I were not on the Appropriations Committee, I would be leading the revolt here. All of these bills are in here and you are going to vote them up or down. You are not going to have the right to dissect a bill as it should be dissected, one program at a time.

But I will say that in the House we have passed every bill except the foreign aid bill.

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

Mr. CONTE. I yield to the gentleman.

Mr. LUNGREN. I thank the gentleman.

Does the gentleman have any feeling at this point as to whether we might be able to leave here sometime before Christmas having finished our business in the appropriate way, that is, with separate appropriation bills? Or does the gentleman believe that we will be here singing Christmas carols and unfortunately having to pass a continuing resolution to carry us into next year?

Mr. CONTE. If I were a betting man, I would tell you to go out and put your order in for your Christmas tree right now.

Mr. LUNGREN. On the east coast?

Mr. CONTE. You may take your pick too, because the last continuing resolution will be a Christmas tree.

I think we are going to get some vetoes because a lot of people complain the President does not veto anything. That is unfortunate because a lot of these bills that are going through have had a lot of hard work, and I think they should be signed.

Mr. LUNGREN. If the gentleman will yield further, to summarize, the gentleman is saying that this is to take us from now to December 12. That it is funding virtually all of the programs.

That it is a blank check. We do not know how much it is, but it is the gentleman's best estimate that it is at least in excess of $100 billion?

Mr. CONTE. Oh, my goodness, way, way in excess of that.

Mr. LUNGREN. I just wanted to make sure what we are doing here.

Mr. CONTE. Hundreds and hundreds of billions.

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

Mr. CONTE. I yield to the gentleman.

Mr. WALKER. Just doing some rough calculations here, it appears as though this one bill might be something on the order of $75 to $83 billion for the period of time from today until November 14, until December 12, would be something on the order of $75 to $83 billion.

Mr. CONTE. It could well be, because if I correctly remember the defense bill that passed here was $269 billion. So, you would have to pro rate that for that period of time. The HHS bill is over $100 billion; you would have to pro rate it for that period of time.

Mr. WALKER. If the gentleman will yield further, that is what I was trying to do here. Just trying to roughly calculate it and it appears as though that comes out to somewhere between $75 and $83 billion. Does that sound approximately right to the gentleman?

Mr. CONTE. It could be. I think you would have to be an Einstein to figure that one out.

Mr. WALKER. But the gentleman thinks that that is in the ball park?

Mr. CONTE. I think that is in the ball park; by all means.

Mr. WALKER. I thank the gentleman.

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

Mr. Chairman, may I thank my friend from Massachusetts. He and I have discussed this resolution before it was introduced, and we had agreed to have a clean resolution. I hope it will continue that way, and I want to thank him for his cooperation, not only here but many times.

Mr. CONTE. If the gentleman will yield, I will say I am pleased to hear that. The gentleman from Mississippi and I do work as a team. I hope the Senate does not tack anything onto this resolution because we were successful in the last one because it was clean. We will be successful in this one because it is clean.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may consume to the majority leader, the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. I thank the distinguished chairman for yielding to me.

Mr. Chairman, I take this time simply to read to the House a statement on the White House stationery of the Executive Office of the President, headed, "A Statement of Administration Policy," and this is the administration's official policy with respect to what we are doing here today.

The administration supports H.J. Res. 441 and strongly opposes any amendment other than to change the expiration date to December 12.

The resolution provides a short-term extension of the current continuing resolution allowing the Congress to continue to work on regular 1986 appropriation bills.

□ 1700

Now it is my understanding that with respect to today's business both sides—the Democratic side and the Republican side—if the distinguished gentleman from Washington would care to address himself to that, have agreed that there would be no amendments offered by either side. Is that correct?

Mr. FOLEY. Mr. Chairman, will the distinguished leader, the gentleman from Texas [Mr. WRIGHT] yield to me?

Mr. WRIGHT. Of course I yield to the gentleman from Washington.

Mr. FOLEY. Mr. Chairman, in view of the statement issued by the administration that they would like to have the House and Senate adopt a clean extension of the debt ceiling, with only the amendment already adopted and offered by the distinguished chairman to extend the date until the 12th of December, I will not exercise the opportunity offered by the rule to call up the amendment authorized by the rule.

Mr. WRIGHT. Mr. Chairman, I thank the gentleman, and I trust that our friends on the minority side would be cooperative as well in order that we might carry out the wish of the administration in this regard and save the Nation from this pending brink on which it totters so that sane heads in good time can work together to hammer out a mutual agreement on which we can find accommodation for the long term.

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

Mr. FRENZEL. Mr. Chairman, this continuing resolution, whether or not it is amended by the distinguished majority whip, Mr. FOLEY, contains spending at levels well above the House budget resolution, and well above the Democrat's deficit reduction alternative of last week.

This House Joint Resolution 441 proves once again that the House majority will vote for any proposal that mentions deficit reductions, but none that actually reduce spending.

The resolution is the usual free-spending, log-rolling catch-all that is always presented at this time of year. No report of the CBO of OMB accompanies it.

There are only two certainties. The first is that there is too much spending here. The second is that I will vote against it.

Mr. WHITTEN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I appreciate the statement by our distinguished leader and by our distinguished whip, and I offer an amendment at this time.

The CHAIRMAN pro tempore. The Chair advises the gentleman from Mississippi that the amendment is only in order after the general debate has been concluded.

Do the gentlemen on both sides desire to yield back their time so we can proceed to the amendment process?

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

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

The CHAIRMAN pro tempore. Pursuant to the rule, the joint resolution is considered as having been read for amendment under the 5-minute rule. No amendments are in order except the amendment printed in the CONGRESSIONAL RECORD of November 8, 1985, by, and if offered by, Representative FOLEY or his designee, which shall not be subject to amendment or to a demand for a division of the question but shall be debatable for 1 hour, to be equally divided and controlled by Representative FOLEY and a Member opposed thereto; and an amendment to be offered by the gentleman from Mississippi [Mr. WHITTEN] changing the date from December 5 to December 12.

The text of the joint resolution is as follows:

H.J. RES. 441

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102(c) of the joint resolution of September 30, 1985 (Public Law 99-103) is hereby amended by striking out "November 14, 1985" and inserting in lieu thereof "December 5, 1985".

AMENDMENT OFFERED BY MR. WHITTEN

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

The Clerk read as follows:

Amendment offered by Mr. WHITTEN: On page 1, lines 5 and 6, strike "December 5, 1985" and insert in lieu thereof "December 12, 1985".

Mr. WHITTEN. Mr. Chairman, I have explained this amendment fully, as has my colleague, the gentleman from Massachusetts. I ask for a vote on the amendment.

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

The amendment was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. FOLEY] having assumed the chair, Mr. BONIOR of Michigan, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee,

having had under consideration the joint resolution (H.J. Res. 441) making further continuing appropriations for the fiscal year 1986, pursuant to House Resolution 312, he reported the joint resolution back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. CONTE. 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 259, nays 151, answered not voting 24, as follows:

[Roll No. 401]

YEAS—259

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
Barnard
Barnes
Bateman
Bedell
Beilenson
Bennett
Berman
Bevill
Biaggi
Bliley
Boggs
Boner (TN)
Bonior (MI)
Borski
Boucher
Boxer
Brooks
Bryant
Burton (CA)
Bustamante
Byron
Carper
Carr
Chapman
Chappell
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conte
Conyers
Coyne
Crockett
Daniel
Darden
de la Garza
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Eckert (NY)
Edwards (CA)
Emerson
Erdreich
Evans (IL)
Fascell
Fazio
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gephardt
Gilman
Gonzalez
Gordon
Gradison
Gray (PA)
Green
Guarini
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hatcher
Hawkins
Hayes
Hefner
Heftel
Hillis
Horton
Howard
Hoyer
Huckaby
Hutto
Jeffords
Jenkins
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kastenmeier
Kemp
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lipinski
Livingston
Lloyd
Long
Lott
Lowery (CA)
Lowry (WA)
Luken
Lundine
MacKay
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McGrath
McHugh
Michel
Mikulski
Miller (CA)
Miller (WA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Montgomery
Moody
Moore
Morrison (CT)
Murphy
Murtha
Myers
Natcher
Nelson
Nichols
Nowak
Oakar
Oberstar
Olin
Ortiz
Owens
Panetta
Parris
Pease
Pepper
Perkins
Pickle
Price
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Rinaldo
Robinson
Rodino
Roe
Rogers
Rose
Rostenkowski
Roukema
Rowland (GA)
Roybal
Rudd
Sabo
Savage
Scheuer
Schneider
Schumer
Seiberling
Sharp
Shelby
Sisisky
Skeen
Skelton
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Stratton
Studds
Sundquist
Swift
Synar
Tallon
Tauzin
Taylor
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitehurst
Whitley
Whitten
Williams
Wilson
Wise
Wolf
Wortley
Wright
Yates
Yatron
Young (FL)
Young (MO)

NAYS—151

Archer
Armey
AuCoin
Badham
Bartlett
Barton
Bates
Bentley
Bereuter
Bilirakis
Boehlert
Boulter
Broomfield
Brown (CO)
Broyhill
Bruce
Burton (IN)
Callahan
Campbell
Carney
Coats
Cobey
Coble
Coleman (MO)
Combest
Coughlin
Courter
Craig
Crane
Dannemeyer
Daub
Davis
DeLay
DeWine
Dickinson
DioGuardi
Dorgan (ND)
Dornan (CA)
Dreier
Edwards (OK)
English
Evans (IA)
Fawell
Feighan
Fiedler
Fields
Franklin
Frenzel
Gekas
Gingrich
Glickman
Goodling
Gregg
Grotberg
Gunderson
Hansen
Hendon
Henry
Hertel
Hiler
Holt
Hopkins
Hubbard
Hughes
Hyde
Ireland
Jacobs
Johnson
Kaptur
Kasich
Kolbe
Kramer
Lagomarsino
Latta
Leach (IA)
Lewis (FL)
Lightfoot
Loeffler
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
McCain
McCandless
McCollum
McEwen
McKernan
McMillan
Meyers
Miller (OH)
Monson
Moorhead
Morrison (WA)
Mrazek
Neal
Nielson
Obey
Oxley
Packard
Penny
Petri
Porter
Pursell
Ridge
Ritter
Roberts
Roemer
Rowland (CT)
Russo
Saxton
Schaefer
Schroeder
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Sikorski
Siljander
Slattery
Slaughter
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Snyder
Solomon
Spence
Stangeland
Stenholm
Strang
Stump
Sweeney
Swindall
Tauke
Thomas (CA)
Vander Jagt
Vucanovich
Walker
Weaver
Weber
Whittaker
Wirth
Wolpe
Wyden
Wylie
Young (AK)
Zschau

NOT VOTING—24

Addabbo
Boland
Bonker
Bosco
Breaux
Brown (CA)
Chandler
Chappie
Cheney
Cooper
Daschle
Edgar
Fowler
Gibbons
Gray (IL)
Hartnett
Hunter
Kindness
McKinney
Mica
O'Brien
Pashayan
Roth
Torricelli

□ 1725

The Clerk announced the following pairs:

On this vote:

Mr. O'Brien for, with Mr. Hartnett against.

Mr. McKinney for, with Mr. Cheney against.

Messrs. LOEFFLER, OXLEY, STENHOLM, KASICH, McMILLAN, BATES, BOEHLERT, DAVIS, EDWARDS of Oklahoma, WOLPE, and GLICKMAN changed their votes from "yea" to "nay."

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 441, and that the gentleman from Mississippi [Mr. WHITTEN] and I may include tabular and extraneous matter.

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

There was no objection.

MAKING IN ORDER ON WEDNESDAY, NOVEMBER 13, 1985, OR ANY DAY THEREAFTER, CONSIDERATION OF CONFERENCE REPORT ON H.R. 3038, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT-INDEPENDENT AGENCIES APPROPRIATION ACT, 1986

Mr. TRAXLER. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, November 13, 1985, or any day thereafter, to consider the conference report and any amendments in disagreement on the bill (H.R. 3038) making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1986, and for other purposes.

Mr. Speaker, I might add that this has the consent and approval of the distinguished gentleman from New York [Mr. GREEN], the ranking minority member of the subcommittee.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 1616, LABOR-MANAGEMENT NOTIFICATION AND CONSULTATION ACT OF 1985

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 313 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 313

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1616) to require employers to notify and consult with employees before ordering a plant closing or permanent layoff, and the first reading of the bill shall be dispensed with. All points of order against the consideration of the bill for failure to comply with the provisions of section 402(a) of the Congressional Budget Act of 1974 (Public Law 93-344) are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the committee amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and each section of said substitute shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Members may demand a separate vote in the House on any amendments adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Ohio [Mr. LATTA], for purposes of debate only, and pending that I yield myself such time as I may use.

Mr. Speaker, House Resolution 313 is the rule providing for consideration of the bill, H.R. 1616, the Labor Management Notification and Consultation Act of 1985.

This is an open rule that provides for 1 hour of general debate, to be equally divided and controlled between the chairman and ranking minority member of the Committee on Education and Labor.

The rule waives points of order against the bill under section 402(a) provides that it shall not be in order to consider any bill which of the Congressional Budget Act. Section 402(a) authorizes any new budget authority for a fiscal year, unless that bill has been reported on or before May 15, preceding the beginning of such fiscal year.

Mr. Speaker, H.R. 1616 authorizes appropriations effective in fiscal year 1986 to establish a national commission on plant closings and worker dislocation. Since the bill was not reported by May 15, 1985, a waiver of section 402(a) is required in order to provide for the consideration of this bill.

Mr. Speaker, House Resolution 313 makes in order an amendment in the nature of a substitute which is recommended by the Committee on Education and Labor and is now printed in the bill. This amendment in the nature of a substitute shall be considered as original text for the purpose of amendment, and is to be considered by sections, with each section to be considered as having been read. Finally Mr. Speaker, the rule provides one motion to recommit with or without instruction.

Mr. Speaker H.R. 1616, the Labor-Management Notification and Consultation Act of 1985, is a bill that is long overdue. This bill, which is sometimes referred to as the plant closing bill, would require an employer to give at least 90 days notice of a proposed plant closing or a mass layoff that affects 50 or more employees. H.R. 1616 would also create a 15-member bipartisan commission on plant closings and worker dislocation that would investigate plant closings, and recommend any legislative or administrative responses considered necessary to help alleviate the impact of plant closings in general.

Mr. Speaker, H.R. 1616 is the product of 11 years of studies and hearings held by the Committee on Education and Labor, and other congressional committees. The bill does not attempt to solve all the problems caused by plant closings and mass layoffs. Rather, the bill seeks to accomplish a process that will help prevent dislocations that are unnecessary, and to make possible an orderly process of adjustment, when closings or mass layoffs are unavoidable.

I urge my colleagues to vote for the adoption of House Resolution 313, and for the passage of the bill H.R. 1616.

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

Mr. Speaker, at the outset let me make it clear that we all share the same goal, that is more jobs for Americans. However, while the supporters of this bill are probably well-intentioned, the result of this legislation in many cases will be the loss of jobs which otherwise might be saved.

Mr. Speaker, some of the supporters of this bill have given the impression that it does nothing more than require employers to give workers 90 days notice before closing a plant. Mr. Speaker, this is not an accurate description of all the burdensome requirements which will be imposed on a struggling business by this bill. Let me mention a few of the specific requirements which a business will be required to meet. And bear in mind, Mr. Speaker, a business will be required to bear all these additional burdens at a time when, in many cases, it is already gasping for breath.

First, Mr. Speaker, while the record to support this bill has consistently referred to actual plant closings, the provisions of the bill are triggered by an employment loss of 50 or more employees within 30 days, regardless of whether the number of employees at the facility is 50 or 5,000. In fact, Mr. Speaker, this bill would apply even if the "employment loss" involved was a mere reduction in hours. Thus, Mr. Speaker, the provisions of this bill could be triggered by a business relocating or subcontracting a portion of the work, consolidating operations, or discontinuing of a product line.

In all of these cases the bill imposes an automatic 3-month delay, with notice and consultation requirements, except under ill-defined "unavoidable business circumstances." Mr. Speaker, the use of a vague term such as "unavoidable business circumstances" will result in endless litigation, which is great for lawyers, but just puts another burden on the employer.

Mr. Speaker, an additional requirement imposed by this bill is in section 4, entitled "Consultation Required Before Plant Closings and Mass Layoffs." This section provides in part that:

An employer shall not order a plant closing or mass layoff unless the employer has—

(1) met at reasonable times with the representative for representatives (if any) of the affected employees with respect to a proposal to order a plant closing or mass layoff; and

(2) consulted in good faith with such representative for the purpose of agreeing to a mutually satisfactory alternative to or modification of such proposal.

Mr. Speaker, this requirement for consulting in good faith is another lawyers dream come true. The courts may spend years trying to decide what

constitutes good-faith consultation. And an employer failing to comply with this requirement would be faced with a full range of potential sanctions, including an injunction extending the consultation period beyond the original 3 months.

Mr. Speaker, the requirement for good-faith consultation only applies where there is union representation of the workers. Yet, according to the dissenting views, under current law an employer is already required to engage in good-faith bargaining with the union where labor costs are a factor in a decision resulting in layoffs. This bill would extend the consultation requirement to decisions which are unrelated to labor costs.

Mr. Speaker, the dissenting views include a relevant quote from the case of *First National Maintenance Corp.* v. *NLRB* (1981), which sums up the problem, as follows:

> If labor costs are an important factor in a failing operation and the decision to close, management will have an incentive to confer voluntarily with the union to seek concessions that they make continuing the business profitable.
>
> * * * At other times, management may have great need for speed, flexibility, and secrecy in meeting business opportunities and exigencies. It may face significant tax or securities consequences that hinge on confidentiality, the timing of a closing, or a reorganization of the corporate structure. The publicity incident to the normal process of bargaining may injure the possibility of a successful transition or increase the economic damage to the business. The employer also may have no feasible alternative to the closing, and even good-faith bargaining over it may be both futile and cause the employer additional loss.

So Mr. Speaker, this is why the good-faith consultation requirement in this bill has the potential to do more harm than good.

Mr. Speaker, another provision in this bill which may do more harm than good is section 5 entitled "Duty to Disclose Information During Consultation." Section 5 provides that:

> An employer shall be held to have failed to consult in good faith under section 4 if the employer has not provided the representative of the affected employees with such relevant information as is necessary for the thorough evaluation of the proposal to order a plant closing or mass layoff or for the thorough evaluation of any alternatives or modifications suggested to such proposal.

Mr. Speaker, it is clear that the bill contemplates that "relevant information" would include trade secrets and other competitive information because it specifically provides for protective orders to be issued by the Secretary of Labor in such instances. However, an employer's fear of disclosing such information to anyone, regardless of the bill's so-called protections could be so significant as to inhibit decisions necessary to keep the plant operating in the long run.

But now, Mr. Speaker, let me tell you what happens if after trying to comply with all these requirements, there is a complaint that an employer has violated the requirements of this act. First, within 10 days the Secretary investigates the allegation and makes a determination thereon. If the Secretary determines there is reasonable cause to believe the allegation is true, the Secretary is directed to take the employer to court.

The court may grant orders which may include, but shall not be limited to: First, giving required notice; second, extending the consultation period and requiring the employer to consult in good faith during the period as extended; and third, requiring reinstatement with backpay and related benefits.

In addition, section 7(b) of this bill provides for civil actions against employers. It provides in part that:

> Any employer who orders a plant closing or mass layoff in violation of this act or of a court order under subsection (A) shall be liable to each employee who suffers an employment loss as a result of such closing or layoff for reinstatement or damages or both.

Damages are to include backpay and related benefits, and may include general or punitive damages or both. The court may in addition to any judgment awarded to the plaintiff allow a reasonable attorney's fee to be paid by the defendant. Together with the costs of the action.

And then, just for good measure, Mr. Speaker, section 8 of the bill provides that:

> The rights and remedies provided to employees by this Act are in addition to, and not in lieu of, any other contractual, statutory, or other legal rights and remedies of the employees.

Mr. Speaker, this bill should be labeled the Lawyer's Relief Act of 1985. They will be the prime beneficiaries. However, the bill will quite likely succeed in closing down plants, which otherwise might have been saved. In many cases it will end up hurting those workers that it is supposed to help.

Mr. Speaker, the rule which provides for consideration of this plant closing bill is an open rule, providing for 1 hour of general debate. Unfortunately, like so many other rules reported in recent years. This one contains a waiver of the Budget Act. In this case it is a waiver of section 402(a) which requires authorization bills to be reported before May 15.

In conclusion, Mr. Speaker, the rule provides another waiver of the Budget Act, and the bill will do more harm than good in many areas. I can't see very much to recommend either one.

□ 1735

Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I can understand the frustration by which this bill and this rule has found its way to the floor. Every Member of this body has plants that are closing and has to be quite concerned about the closing of those plants and the economy in their local communities.

But Mr. Speaker, ultimately, the issue of this plant closing legislation is jobs, something that all of us here are concerned about. The fault of this bill does not lie in its intent but in its content: It focuses on joblessness, the consequence, rather than job creation, the solution.

H.R. 1616 attempts to artificially resuscitate jobs which already have been lost by impeding employers' ability to make necessary management decisions. Such action is hardly a remedy; it's an exacerbation of a problem.

If plant closing legislation were to be effective, it must concentrate on job creation. And that would mean affording management the most flexibility and least regulation possible for the survival of that business.

Let me show you an example that should be enough to vote against this rule and put this bill to bed.

A simple comparison of employment statistics between Western Europe and the United States illuminates the need, or lack thereof, for plant closing legislation.

Between 1965 and 1984, America's work-age population increased by 38 percent. But jobs during that period grew by 45 percent, from 71 million to 103 million, despite oil shocks, recessions, and the decline of some traditional industries. Western Europe, on the other hand, has experienced job shrinkage, with 3 million fewer jobs than that there were 10 years ago.

A factor to be considered in this comparison are the respective environments in which job creation or shrinkage occurred. We have examples by which we can plainly see what would happen if this legislation passes. In Western Europe, plant closing legislation similar to this is common—it has passed in France, West Germany, England, and Ireland. Consequently, increased unemployment plagues that part of the continent where the economic environment has been strangled by the grip of government regulation.

Contrast that with the U.S. economy which now has about 10 million more jobs than even optimists predicted 15 years ago. Job creation is a direct product of a profitable business, just as unemployment directly results from business failures. By preserving an economic environment that facilitates growth, expansion, and relocation of individual businesses, we promote job creation.

I, for one, do not want to follow the example of Western Europe when we here in the United States are an exam-

ple ourselves. Let's not institute a system that has been the albatross around our European counterparts' necks.

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

□ 1750

Mrs. ROUKEMA. Mr. Speaker, I rise in opposition to the rule and I am against consideration of the bill. It is not that I have any problem with the rule per se, I think it is an eminently fair rule that has been brought forward, but I strongly oppose the bill and I strongly believe that we are not ready to address this issue.

The issue, despite the energetic and sincere efforts of our colleagues Mr. CONTE, Mr. CLAY, and Mr. FORD, who have worked on the legislation, is too controversial and polarizing because it is based on too little information.

It is for that reason, Mr. Speaker, that I oppose bringing it to the floor at this time. It is also for that reason that Congressman JEFFORDS, the distinguished ranking member on the Committee on Education and Labor and myself approached Secretary of Labor Bill Brock and asked him, because of the importance of the issues of plant closings, economic dislocations, and the psychological problems attendant to those issues, if he would appoint a task force to address the issues.

The Secretary did that. He has appointed a high-level task force of academics, of business people, and of labor leaders who all have experience in the field. I think it is those people to whom we should be looking for their expertise and understanding of the problems, so that we can have not a divisive program that will divide labor versus management, north versus south, and community versus community; but rather bring us together with a relevant, coherent, and prudent plan to solve the problems.

We are talking here about symptoms, not the underlying problems, and we would be well advised to avoid this legislation now and come back with a comprehensive and well-thought-out program.

Mr. LATTA. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, this rule ought to be defeated. We have heard a lot of talk during recent months about voodoo economics; well, we have here the first example of cuckoo economics, because this propounds the economic theory that you can solve the problems of a transitional economy by creating more bureaucracy and hiring more lawyers.

I think that we ought to be moving away from that kind of concept rather than toward it. What we have before you here, though, is a rule that suggests it is a part of that whole movement that what we ought to do now is waive the Budget Act as well.

So here we are with one more Budget Act waiver before us, after already considering at least 10 since the beginning of this year. How much longer are we going to go along with this idea that somehow we are not at fault for what is happening in the budget process when we go ahead and waive the Budget Act at every conceivable opportunity? That is what we are doing here again.

All we are told is that this is just a minor waiver; that it involves the reporting date. Well, the gentleman from Massachusetts said in his remarks: Here is a bill that has been around for 11 years. We have been working on this idea for 11 years, and yet we could not meet the reporting date.

Why is the reporting date there? Because what we are attempting to do is establish some pattern that assures us that the authorization process will follow what we have done in the Budget Act.

We are not doing that here; we are just saying that once again we are going to waive the reporting date, waive the authorization process, go ahead and spend the money.

I suggest we ought to vote against this rule for several reasons, one of which certainly is the fact that it is a rule to bring forth a bad bill; but, second, I think anybody that is concerned about the budget process ought to vote against one more waiver of the Budget Act.

Mr. LATTA. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado [Mr. BROWN].

Mr. BROWN of Colorado. Mr. Speaker, the gentleman from Ohio referred to this bill as one that should be called the Lawyer's Relief Act. I want to take issue with my friend from Ohio.

It should not be called the Lawyer's Relief Act, although there is some reason to look at it that way. Any thoughtful analysis of this bill would mandate it being called the Economic Illiteracy Act of 1985. It reflects a level of misunderstanding of the basic economic of this country that is staggering.

Take a look at what this measure will require. It will not discourage the closing of plants, it will encourage them. Anyone who has been involved in the closing of a plant I invite to come to the floor and debate this issue.

Second, it will discourage the locating new plants in this country. For any operation that has a choice as to where they locate a plant, this is one more factor that will discourage them from locating a productive enterprise in the United States.

It will encourage the closing of plants; it will discourage the locating of new plants in this country, and, third it will reallocate resources. It will take resources that can be used to pay the working men and women of this Nation and reallocate them to be spent for attorney's fees and paperwork. Any plant that has problems is going to hire special labor law attorneys to advise them.

It will take resources and divert them to attorneys' fees, redtape, paperwork, and increased bureaucracy.

If there is any doubt as to whether or not your plant is going to shut down, under this law you will be advised to give notice; and you will give notice before you are ready to shut down.

What does that do? If you are a supplier and you hear 90 days in advance they may shut down, you are more likely to cut off credit. If you are a banker and face any decisions about whether to continue a line of credit to a plant and you hear they are planning to shut down, you will be less likely to continue their line of credit.

If you are a customer buying products from a plant that may be shut down, and you have 90 days' notice, you are less likely to buy those products.

I suggest to the Members that any thoughtful analysis of this bill cannot help but lead to the conclusion that this bill will require many plants to shut down and many people to lose their jobs when it may not be necessary.

The existence of this law will discourage new plants from coming into an area. If the Members want to discourage new jobs in this country, pass this bill, because this will do it.

The bill provides a new basis for lawsuits. Does anyone here suggest that there are not enough bases for lawsuits in this country now?

It provides new redtape and rules and regulations. Can anyone seriously claim we need more of those? It calls for increased attorneys' fees. Those fees will take away from resources that could be provided for workers pay. Is there anyone who says a major need of this country is more attorneys' fees?

Then what about increased bureaucracy? Does anyone believe this bill will help the workers of this country? I suggest it will not. This bill is the personification of economic illiteracy. It deserves to be beaten and beaten soundly. It provides for losing jobs in America; it provides for discouraging new employment, and it provides for a transfer of our resources to pay for redtape and bureaucracy.

I would hope that we would not only turn down this bill, but would come forth with a new resolve to make this country competitive again.

51-059 O-87-41 (Pt. 22)

Mr. LATTA. Mr. Speaker, I have no further requests for time.

Mr. MOAKLEY. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR of Michigan. Mr. Speaker, I rise in support of House Resolution 313, the resolution making in order H.R. 1616, the Labor-Management Notification and Consultation Act of 1985. House Resolution 313 provides for an open rule and 1 hour of general debate on H.R. 1616. There is nothing controversial about the terms of the rule.

As a cosponsor of H.R. 1616, I submit that there should likewise be no controversy about H.R. 1616. H.R. 1616 addresses a problem that Congress has ignored too long—the financial and emotional suffering endured by hundreds of thousands of American families each year when their breadwinner is thrown into unemployment without warning because of a sudden plant closing or mass layoff. Studies by the Bureau of Labor Statistics, academic researchers in Maine and Utah, and a review of major union contracts all confirm that most dislocated workers receive little or no warning of their layoff and have no opportunity to adjust their family budget and spending or to look for work or retraining programs before they lose their job.

This state of affairs is not just cruel and needlessly unfair to the dislocated workers, it is also wasteful and expensive for the taxpayer. Every additional week the Nation's dislocated workers are jobless and drawing unemployment compensation costs the taxpayers hundreds of millions of dollars. It makes good sense to require employers—when possible—to let their employees know well in advance that their jobs will be eliminated. Experience and careful research show that advance notice of plant closures dramatically reduces the resulting unemployment. H.R. 1616 can reduce unemployment without government expenditures and without burdening responsible employers.

I believe that most employers can give 90 days' notice of permanent mass layoff and plant closures affecting 50 or more employees without any problems. But the bill does not ask for the impossible. Section 3(b) provides that if because of "unavoidable business circumstances"—circumstances beyond the employer's control which make the need for layoffs unforeseeable 90 days in advance—the employer must close or cut back its operations without giving 90 days' notice to its employees, it may do so without penalty and without asking for the permission of any union or Government agency.

H.R. 1616 is modest, sensible, and flexible legislation that will help dislocated workers without burdening responsible employers. I urge my colleagues to support House Resolution 313 and to support prompt consideration of H.R. 1616.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Speaker, I rise in support of House Resolution 313, which makes in order the consideration of H.R. 1616, the Labor-Management Notification and Consultation Act. There should be no objection to the terms of the rule provided for by House Resolution 313—it is an open rule providing for an hour of general debate, a rule that guarantees that all sides on this issue can be heard.

There are, however, a number of Members who would like to see no debate at all on this legislation, who argue that consideration of H.R. 1616 is somehow premature. After working on this legislation and similar bills for 11 years, after more than 20 congressional committee hearings on the need for plant closing and prenotification legislation, I find any talk about prematurity incredible. Since I first introduced a plant closing bill in February 1974, 20 million Americans have lost their jobs in plant closures. This bill is not premature.

The gentlelady from New Jersey [Mrs. ROUKEMA] and others have argued that we should not legislate until a task force on plant closings that Secretary Brock will establish has studied all of the issues for a year and are its recommendations.

Mr. Speaker, this argument is nothing but a smokescreen. Where did the idea for Secretary Brock's task force come from? What is its history? The gentlelady from New Jersey claims credit for the idea of a task force, but in fact, Mr. CONTE, Mr. CLAY, and I proposed the establishment of a very similar Commission in H.R. 1616. The gentlelady from New Jersey has served on the Education and Labor Committee for more than 4 years, but she never proposed the creation of a task force to study plant closings until it became evident that H.R. 1616 would be favorably reported from the committee this year. It is no coincidence that Secretary Brock first announced his intention to appoint a task force in June, on the day two subcommittees marked up H.R. 1616.

It is also coincidence that the task force, which originally was to report in July 1986, has not yet met or that Secretary Brock delayed the announcement of appointments to the task force until it became clear that H.R. 1616 would be considered by the House in November. The main purpose of the Roukema-Brock task force is to derail H.R. 1616 and any companion bill in the Senate.

The Roukema-Brock task force is no substitute for H.R. 1616. The Deputy Under Secretary for Congressional Affairs has assured business groups that the task force will not lead to plant closing legislation. The chairman chosen for the task force opposes H.R. 1616, and the Secretary, himself, has declared that he hopes the task force will help prevent the passage of H.R. 1616.

Mr. Speaker, the Roukema-Brock task force is not the unbiased, bipartisan, blue-ribbon Commission on plant closings and worker dislocation that Mr. CONTE, Mr. CLAY, and I envisioned in H.R. 1616. Unlike the Commission in H.R. 1616, whose membership would have been selected by agreement between the Senate majority leader and yourself—or your successor as Speaker of the House—the Roukema-Brock task force's members were chosen unilaterally by the Secretary of Labor, who is opposed to H.R. 1616, who seeks to eliminate the Trade Adjustment Assistance Program, who sought and received a cut of more than 50 percent in the already insufficient JTPA Dislocated Workers Program.

The task force is a smokescreen designed to obscure the urgent need for H.R. 1616. I hope my colleagues will see through it and support House Resolution 313.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

Mr. WALKER. 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 233, nays 176, not voting 25, as follows:

[Roll No. 402]

YEAS—233

Ackerman	Conyers	Gekas
Akaka	Cooper	Gephardt
Alexander	Courter	Gilman
Anderson	Coyne	Glickman
Andrews	Crockett	Gonzalez
Annunzio	Daschle	Gordon
Applegate	Davis	Green
Aspin	de la Garza	Guarini
Atkins	Dellums	Hall (OH)
Barnes	Dicks	Hamilton
Bates	Dingell	Hatcher
Bedell	Dixon	Hawkins
Bellenson	Donnelly	Hayes
Bennett	Dorgan (ND)	Heftel
Bentley	Downey	Hertel
Berman	Durbin	Horton
Bevill	Dwyer	Howard
Biaggi	Dymally	Hoyer
Boehlert	Dyson	Hubbard
Boggs	Early	Hughes
Boner (TN)	Eckart (OH)	Jacobs
Bonior (MI)	Edwards (CA)	Jones (NC)
Borski	Erdreich	Jones (OK)
Boucher	Evans (IL)	Jones (TN)
Boxer	Fascell	Kanjorski
Brooks	Fazio	Kaptur
Bruce	Feighan	Kastenmeier
Bryant	Fish	Kennelly
Burton (CA)	Flippo	Kildee
Bustamante	Florio	Kleczka
Byron	Foglietta	Kolter
Carper	Foley	Kostmayer
Carr	Ford (MI)	LaFalce
Chapman	Ford (TN)	Lantos
Chappell	Frank	Leach (IA)
Clay	Frost	Lehman (CA)
Coelho	Fuqua	Lehman (FL)
Coleman (TX)	Garcia	Leland
Collins	Gaydos	Levin (MI)
Conte	Gejdenson	Levine (CA)

Lipinski
Lloyd
Long
Lowry (WA)
Luken
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McDade
McHugh
Mikulski
Miller (CA)
Miller (OH)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Moody
Morrison (CT)
Mrazek
Murphy
Murtha
Natcher
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Panetta
Pease
Penny
Pepper
Perkins
Petri
Pickle
Price
Pursell
Rahall
Rangel
Reid
Richardson
Ridge
Rinaldo
Ritter
Robinson
Rodino
Roe
Rose
Rostenkowski
Rowland (GA)
Roybal
Russo
Sabo
Savage
Scheuer
Schneider
Schumer
Seiberling
Sharp
Sikorski
Sisisky
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Stratton
Studds
Swift
Synar
Tallon
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Waxman
Weaver
Weiss
Wheat
Whitley
Williams
Wilson
Wirth
Wise
Wolpe
Wortley
Wright
Yates
Yatron
Young (AK)
Young (MO)

NAYS—176

Anthony
Archer
Armey
Badham
Barnard
Bartlett
Barton
Bateman
Bereuter
Biliraki
Bliley
Boulter
Broomfield
Brown (CO)
Broyhill
Burton (IN)
Callahan
Campbell
Carney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Coughlin
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
DeLay
Derrick
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dowdy
Dreier
Duncan
Eckert (NY)
Edwards (OK)
Emerson
English
Evans (IA)
Fawell
Fiedler
Fields
Franklin
Frenzel
Gallo
Gingrich
Goodling
Gradison
Gregg
Grotberg
Gunderson
Hall, Ralph
Hammerschmidt
Hansen
Hefner
Hendon
Henry
Hiler
Hillis
Holt
Hopkins
Huckaby
Hunter
Hutto
Hyde
Ireland
Jeffords
Jenkins
Johnson
Kasich
Kemp
Kolbe
Kramer
Lagomarsino
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Loeffler
Lott
Lowery (CA)
Lujan
Lundine
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCain
McCandless
McCollum
McCurdy
McEwen
McGrath
McKernan
McMillan
Meyers
Michel
Miller (WA)
Monson
Montgomery
Moore
Moorhead
Morrison (WA)
Myers
Neal
Nichols
Nielson
Oxley
Packard
Parris
Porter
Ray
Regula
Roberts
Roemer
Rogers
Roukema
Rowland (CT)
Rudd
Saxton
Schaefer
Schroeder
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Siljander
Skeen
Slaughter
Smith (NE)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snyder
Solomon
Spence
Stangeland
Stenholm
Strang
Stump
Sundquist
Sweeney
Swindall
Tauke
Tauzin
Taylor
Thomas (CA)
Valentine
Vander Jagt
Vucanovich
Walker
Watkins
Weber
Whitehurst
Whittaker
Whitten
Wolf
Wyden
Wylie
Young (FL)
Zschau

NOT VOTING—25

Addabbo
AuCoin
Boland
Bonker
Bosco
Breaux
Brown (CA)
Chandler
Chappie
Cheney
Edgar
Fowler
Gibbons
Gray (IL)
Gray (PA)
Hartnett
Kindness
McKinney
Mica
Nelson
O'Brien
Pashayan
Quillen
Roth
Torricelli

□ 1815

The Clerk announced the following pair:

On this vote:

Mr. Torricelli for, with Mr. Nelson of Florida against.

Mrs. BENTLEY and Mr. MOLINARI changed their votes from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR SUBCOMMITTEE ON INTERGOVERNMENTAL RELATIONS AND HUMAN RESOURCES OF COMMITTEE ON GOVERNMENT OPERATIONS TO SIT TOMORROW DURING 5-MINUTE RULE

Mr. WEISS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Intergovernmental Relations and Human Resources of the Committee on Government Operations be permitted to meet tomorrow during the 5-minute rule for hearings only.

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

There was no objection.

LABOR-MANAGEMENT NOTIFICATION AND CONSULTATION ACT OF 1985

The SPEAKER pro tempore. Pursuant to House Resolution 313 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1616.

□ 1819

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1616) to require employers to notify and consult with employees before ordering a plant closing or permanent layoff, with Mr. OBERSTAR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Missouri [Mr. CLAY] will be recognized for 30 minutes and the gentlewoman from New Jersey [Mrs. ROUKEMA] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Chairman, I rise in support of H.R. 1616.

Since I first began working on this legislation in December 1973, more than 20 million Americans have lost their jobs in plant closings. We have held hearings in Alabama, Oregon, Montana, Michigan, Ohio, California, Pennsylvania, New Jersey, and Washington, DC. Everywhere we have gone, everywhere you look in the United States—from Maine and Texas, to North Carolina and Missouri—plant closings and worker dislocation are terrible problems for American families and communities.

Some people claim that after 11 years and more than 20 hearings we don't know enough about this issue to legislate. Mr. Speaker, let me assure you, we know a great deal.

We know that plant closings often destroy the financial security of workers and families crushing hopes for an adequate pension, wiping out health insurance coverage, leading to extended periods of unemployment and downward mobility. Sixty-five percent of the disclocated workers surveyed by the Bureau of Labor Statistics in 1984 were jobless or earning less than they had in their previous job.

We know that dislocated workers develop serious health problems from the stress of losing their job, including ulcers, hypertension, increased uric acid and cholesterol levels, and a higher incidence of alocholism. The mortality rate of dislocated workers in one study was 16 times higher than for other men their age.

We know that the mental health problems of dislocated workers and their families are equally serious. They have higher divorce rates, are more likely to engage in child and spouse abuse, and have appalling suicide rates. We heard testimony about plant closings where as many as 10 workers committed suicide.

We know that a single plant closing or mass layoff can devastate a small town it the plant is an important enough employer. We have seen it happen in textile mill towns, shoe factory towns, and mining communities. Even in larger towns and cities, a plant closing or a series of closings can have a terrible ripple effect, leading to layoffs at other businesses, lost tax revenues, decreased public services, and

more layoffs. When the shutdown occurs without advance notice, the community has no time to prepare for its effects, adjust its budget and services, or seek alternatives to the closure. It is no wonder that the National League of Cities strongly supports H.R. 1616.

We know that the Government isn't doing enough to help the millions of dislocated workers who need help. Only one unemployed American in four receives unemployment compensation. JTPA Title III, the Dislocated Workers Program, serves less than 5 percent of the Nation's dislocated workers, and its budget has just been cut more than 50 percent.

But we also know that there are low-cost or no-cost ways of helping dislocated workers, and that is what we propose in H.R. 1616. It doesn't take a genius to realize that prenotification of job loss will allow dislocated workers to find new jobs faster. President Reagan's own Council on Industrial Competitiveness recognized this simple fact in its report earlier this year. The Council recommended:

> Where possible, early identification of the worker to be displaced should be encouraged. Delay in identifying these individuals directly contributes to prolonging the adjustment process—a process already made difficult by the individual's denial of the problem, lack of job search skills, and absence of alternative job or occupation at a comparable wage. Employers should be urged to provide early notification of plant closings, and joint public-private efforts providing prelayoff assistance (such as those authorized by JTPA), should be emphasized.

The usefulness of advance notice is not just common sense, however. Studies have shown that advance notice significantly reduces the amount and duration of unemployment resulting from plant closings. As little as 1 month's notice reduced the resulting unemployment by 20 percent. With 3 month's notice, as H.R. 1616 would require, the effect on unemployment would be even greater. Nationwide, unemployment compensation costs could be reduced by hundreds of millions of dollars.

The American people recognize the benefits of advance notice legislation. A Business Week/Harris poll found that 68 percent of Americans favor a law requiring 1 year's prenotification of plant closings.

Even the Labor Department recognizes some of the potential benefits of advance notice. A recent Labor Department report concludes that "assistance for unemployed workers should begin before layoffs occur," a result that is impossible without advance notice.

The other key feature of this bill is the duty it imposes on employers of 50 or more employees to consult with their employees' union about alternatives to a closure or cutbacks during the 90-day notice period. This is an easy requirement with which to comply, one that will have negligible costs for employers, but enormous potential benefits.

We know from our hearings that, when given the opportunity and sufficient information, employees and their unions can sometimes develop productivity improvements and millions of dollars of cost savings that management has overlooked. We know that the National Labor Relations Act as currently interpreted does not provide a forum for effective employee and union involvement because of its excessively narrow scope of bargaining. If we are to compete internationally we cannot afford to ignore the brains and ideas of the average American worker because of outdated, irrelevant notions about management rights. Nothing in H.R. 1616 diminishes management's right to make management decisions. The bill provides only that before eliminating large numbers of jobs, the employer must meet with the affected employees' union, provide information about the decision, and discuss any alternatives the union might propose in good faith. Nothing in H.R. 1616 allows a union or anyone else to veto a plant closing decision or force an employer to alter its decision to close or lay off employees.

We have seen that businesses are sometimes unaware of alternatives to decisions to shut down or relocate. When given adequate advance notice, cities have been able to change such business decisions for the benefit of everyone concerned by providing new facilities, changing zoning laws, providing low interest loans, or helping to establish an employee stock ownership plan.

None of these fortuitous results is possible without advance notice and information—and that is all that H.R. 1616 requires.

Mr. Chairman, H.R. 1616 is well-balanced, bipartisan, compromise legislation. It is not comprehensive plant closing legislation, but the American people cannot wait for the consensus that would make comprehensive legislation possible. They want and deserve advance notice of plant closings and mass layoffs and an opportunity to influence decisions about the elimination of their jobs. H.R. 1616 will at least give them that. I urge my colleagues to support this bill.

Mrs. ROUKEMA. Mr. Chairman, I yield 4½ minutes to the gentleman from Vermont [Mr. JEFFORDS], the distinguished ranking minority member of the committee.

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

Mr. JEFFORDS. I yield to the gentleman from New York.

Mr. GILMAN. I thank the gentleman for yielding.

Mr. Chairman, I am pleased to rise in support of H.R. 1616, the Labor-Management Notification and Consultation Act of 1985 and to urge its immediate adoption. I know I speak on behalf of thousands of employees and employers in my district when I express my appreciation to the gentleman from Michigan [Mr. FORD], the gentleman from Missouri [Mr. CLAY], and the gentleman from Massachusetts [Mr. CONTE], for working so diligently to bring this vital labor-management legislation before the House today.

Mr. Chairman, very few Members of this body have not experienced the closing of a major business or plant in their district; watching as scores or maybe hundreds of their constituents went from the assembly line to the unemployment line within a matter of weeks. The severe economic impact on those displaced workers, on that town, on that region, and on any and all of the associated businesses is devastating.

I am proud to represent the 22d Congressional District of New York, a portion of which borders northern New Jersey. Several years ago, without adequate notice, the Ford Co. made the decision to close their assembly plant in Mahwah, NJ. That plant employed close to 5,000 workers; over 40 percent of whom resided in my district. Hundreds of my constituents suddenly found themselves out of work without sufficient time to retrain, let alone make alternate plans as to how they were going to satisfy their prior financial commitments. As we consider H.R. 1616, please bear in mind, the individuals affected by this legislation are people who carry mortgages, who work hard to save so that they may send their children to college—we are talking about people who are devoted to their families, their communities and to their jobs. These are workers who care about the job they perform and feel a sense of loyalty to their employer. Indeed the one thing that struck me most whenever I spoke with those workers who had been laid-off at the Ford plant was that they felt they had been betrayed and that their employer had not lived up it its responsibility, neither as an employer nor as a member of the community, when it chose to shut down the Mahwah operation without adequate consultation or advance notification.

H.R. 1616 contains three major provisions to ameliorate the effects of plant closings and represents years of hearings and discussions between the Congress, labor, and management. H.R. 1616 requires any employer who intends over any 3-month period to lay off permanently 50 or more employees or reduce by 50 percent the hours of 50 or more employees, to provide written notice to the affected employees and the Federal Mediation and Conciliation Service [FMCS] 90 days prior to implementing that decision. If a union represents the affected employees, H.R. 1616 requires the employer to meet and consult with the union throughout the notification period in an effort to reach a mutually acceptable alternative to, or modification of, the closing/layoff decision. In a nonunion

shop the employer is encouraged but not required to engage in good-faith consultation with the affected employees. If at the end of the notification and consultation period an alternative has not been reached, the employer is free to implement the closing/layoff decision. H.R. 1616 specifically states that an employer who is faced with unavoidable business circumstances that require him to immediately close his operations need not comply with the notification and consultation requirements.

Enforcement of these provisions is within the jurisdiction of the Department of Labor which when notified by an employer or union that a violation has occurred, can seek injunctive relief in district court. If injunctive relief is unavailable an employer who violates these provisions shall be liable for civil damages which are capped at 90 days back pay and related benefits for each affected employee; in other words the total of what each employee would have received had he or she been notified of the lay-off or closing in accordance with the act.

In addition to the notification and enforcement provisions, H.R. 1616 establishes a National Commission on Plant Closings and Worker Dislocation to study the causes and impacts of plant closings and permanent layoffs. The Commission will be appointed jointly by the Speaker of the House and the majority leader of the Senate and shall include labor representatives, business leaders; Federal, State, and local government officials and academicians. The Commission is required to make its report and any recommendations it deems appropriate 12 months after its formation.

Throughout the towns and cities across this Nation, employers of more than 50 persons can and do have a substantial impact on that region's economy. I feel strongly that these employers have a responsibility to their community, a responsibility that extends to giving that community adequate notice of an impending plant closing or reduction in workforce. Workers and their families must be afforded ample opportunity to make plans; to retrain and or look for alternate employment. While many employers already practice these notification requirements, many more do not. Accordingly, I urge my colleagues to adopt H.R. 1616 the Labor-Management Notification and Consultation Act of 1985.

Mr. JEFFORDS. Mr. Chairman, I rise in reluctant opposition to H.R. 1616, the Labor-Management Notification and Consultation Act of 1985. My reluctance stems both from the tremendous respect I have for the authors of this legislation, and from the sympathy I have for their intent.

I fully support requiring employers to provide advance notice of plant closings whenever and wherever it is feasible. Like perhaps every Member of Congress, sudden plant closings have had a devastating impact on people and communities in my State. My support of notice, however, does not lead me to support the provisions of H.R. 1616, which I believe are flawed in a number of respects. I intend to offer a substitute proposal which attempts to address some of these flaws, and which, I believe, has a greater chance of being enacted into law.

The notice and other provisions of H.R. 1616 are triggered by any employment loss for 50 or more employees, regardless of how large the plant might be. I should note parenthetically that I use the word plant for illustration only. The bill would cover any business enterprise of 50 or more employees. The loss of 50 jobs in a town of 500 would indeed by devastating. But it does not make sense to put into motion the machinery of this bill for the layoff of 50 employees at a mill employing 5,000 people.

More troublesome than the notice requirements of H.R. 1616 are the so-called consultation provisions. It is the intent of the bill's sponsors that employers be required to consult with their employees before closing a plant in order to find a means by which to prevent that closing.

I certainly have no objection to that intent, however, I am afraid that the language of H.R. 1616 goes well beyond that intent. More than just a consultation process, the bill establishes a broader duty to bargain than under current law, and even, it can be argued, a duty to agree.

I would hope that every employer in this country could involve his or her employees in business decisions on an ongoing basis so that this sort of consultation would be routine. Yet there are any number of reasons why a business teetering on the brink might not want to advertise that fact.

If an employer, after giving the matter a great deal of thought, decides to close a plant or lay off some workers in a product line. I think yes, decency requires some notice be given. But mandating good faith bargaining by law just does not seem possible or workable. The employer is in a nonwin situation. If the employer decides to close the plant and then provides notice, he or she is probably guilty of bargaining in bad faith, since the decision had already been made.

It is important to remember that current law already requires bargaining when a decision to close and relocate hinges on labor costs. If that requirement is not being honored, then we should look at that discrete problem rather than this sweeping expansion of an employer's duty to bargain on a decision to close a plant.

The sponsors of H.R. 1616 argue that their bill will not prevent the closure of any business. That may be true, but I think it may prevent the opening of a number of businesses. If a company is deciding were to locate a new facility, this bill provides one more reason to go to Mexico, Korea, or Taiwan.

Moreover, the bill creates a series of potential legal obstacles that would at least delay, and might very well prevent, a closing or layoff. I mentioned earlier the duty to bargain in good faith, a duty which might be impossible to meet. Beyond that, there are several hurdles an employer must overcome. First, notice must be given 90 days in advance. This period may be shortened due to an unavoidable business circumstance which will probably, and perhaps inevitably, be litigated.

Second, once notice is given, the employer must provide all relevant information to the union. Sensitive information could be held back only with a protective order from the Department of Labor. Good faith consultation would probably not commence until all information had been supplied, which means that the process of closing or laying off might take much longer than 90 days.

Failure to give notice or consult in good faith would be remedied through injunctive relief sought by the Department of Labor, or through an individual employees' private or class action. An employer found responsible for an unauthorized plant closing or layoff would be liable for back pay and benefits, general and punitive damages, and attorneys' fees.

Finally, H.R. 1616 authorizes a commission to study plant closings and make recommendations. I frankly don't understand why we should legislate without the benefits of the findings of such a commission. For that reason, along with my colleagues MARGE ROUKEMA and STEVE GUNDERSON, I asked Secretary Brock to create such a commission. He has now done so, and I don't think anyone can fault the caliber of individuals who have agreed to serve on the Brock task force. Creating a second commission simply makes no sense.

Given my objections to the bill before us, I intend to offer a substitute at the appropriate time. In brief, it will require notice only, will be triggered in a somewhat more sensitive fashion, and will sanction the Brock task force. My substitute does not attempt to prejudge the findings of that task force, as it becomes effective 6 months after the task force reports those findings. At the same time it allays the fears of those who are concerned that the task force process will drag on indefinitely by fixing a date certain for enactment. It will not require consultation. But I think it will stand a better chance of someday being considered by the other body and the President.

Mr. Chairman, I urge my colleagues to oppose the bill before them and to support my substitute.

Mr. CLAY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in very strong support of this bill.

Mr. CLAY. Mr. Chairman, I yield 6 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mrs. ROUKEMA. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. I want to thank my good friend and chairman of the subcommittee, the gentleman form Missouri [Mr. CLAY] and my dear friend, the gentlewoman from New Jersey [Mrs. ROUKEMA], for yielding time to me.

Mr. Chairman, as a sponsor of this legislation, I urge my colleagues to support its passage.

Plant closing legislation has been before Congress since 1974. Hearings have been held, studies begun and finished surveys conducted—but still no bill. In just the last 5 years of that stalemated debate, the Bureau of Labor Statistics reports that 11.5 million Americans lost their jobs. No area of the country was exempt. In my home State of Massachusetts, a survey of plants with over 50 employees revealed that between January 1982 and December 1983, 67 plants closed and 12,368 jobs were lost.

The study also showed that in the 8 months between January to August of 1983, 11,696 people from 72 companies were laid off permanently or indefinitely. This from a State enjoying a period of relative economic prosperity.

Some of these closings and layoffs were handled responsibly, but it is clear that many were not. BLS reports that of the 11.5 million Americans who lost their jobs between 1979 and 1984, almost one-half received no notice whatsoever of their layoff.

For those "doubting Thomases' who still think a bill is premature, go ask my people in North Adams. Ask the 230 employees of X-Tyal Corp., which liquidated in July with no notice—despite the fact that it had several Government contracts outstanding. Ask the hundreds who have been laid off from Sprague Electric. Sprague started out in a garage as a family-owned business. It was built into a major company on the strength of the family's dreams and the hard work of the people of North Adams. But in 1972, Penn Central bought out the business, and has been moving it out of town every since. Hundreds of workers have lost their jobs, and little notice has been provided in specific instances. The union is never consulted about possible improvements that might save jobs as the community's lifeblood is drained away.

The sad reality is that the Penn Centrals of the world simply don't care about local communities, or the blood and sweat that local people have invested in the company. But North Adams isn't unique. Whether it's Atari in California, United Technologies in Texas, or X-Tyal and Sprague in North Adams, the hardship and suffering outlined by my friend from Michigan [Mr. FORD], is all the same.

Stress, depression, alcoholism, family abuse, crime, and even suicide—these are the casualties of worker dislocation. Plant closings and layoffs are inevitible in a modern, industrial society. But with so much at stake for our communities and working people, I think we all agree it is absolutely essential that they be handled as responsibly and humanely as possible.

In January, BILL FORD, BILL CLAY and I met believing that it was time for a new approach to the plant closing dilemma—a moderate, bipartisan approach that could generate broad-based support. We agreed that a bill radically different from past legislation was needed if it were to have any hopes of passing. H.R. 1616 is the product of those efforts. It requires only what we consider to be the minimum, immediate protection that must be provided to our working people and communities—90 days notice and consultation. Sensitive to the criticism that past plant closing bills applied across-the-board, we built in an escape clause. Under H.R. 1616, employers may reduce or eliminate the notification period if unforeseen business circumstances require swift implementation of the closing or layoff.

Mr. Chairman, this bill is a far cry from past plant closing legislation. Past bills required 1-year mandatory prenotification. H.R. 1616 requires 90 days. Past bills applied to virtually all businesses with no escape clause. H.R. 1616 applies only to businesses of 50 or more employees and contains an escape clause. Unlike past bills, H.R. 1616 does not require severance pay.

It does not establish transfer rights. It does not mandate companies to make up tax losses to communities. It makes no changes in pension rights. It creates no new government or employer programs to provide job training and relocation assistance. In fact, Mr. Chairman, as I said before the Rules Committee, this bill is so watered down that it reminds me of the soup I had during the Depression. It's so watered down you can barely taste the substance!

Many have urged this bill isn't enough, that more comprehensive relief is necessary. The debate of the last 10 years has shown, however, how difficult it will be to generate a consensus on a more comprehensive bill. Accordingly, H.R. 1616 would commend to a 1-year, bipartisan National Commission on Plant Closings and Worker Dislocation the task of fashioning more comprehensive recommendations, if such are deemed necessary. Given the controversial nature of this issue, I believe a truly bipartisan commission, much like the Social Security Commission, is the only way broad-based recommendations can be developed to address this crucial issue. But in the meantime, we know what minimum relief we can and must provide.

Mr. Chairman, we hear a lot around here about people seeking to take the "high ground" on this and the "high ground" on that. Well, we didn't seek the high ground on this issue. We sought the middle ground—and I think we've achieved it. H.R. 1616 has 174 cosponsors representing a broad cross section of Members from both sides of the aisle. That's more than double the number who have cosponsored any plant closing bill in the past. The AFL-CIO, the Full Employment Action Council, the National League of Cities, the Lutheran Council, the United States Catholic Conference, and a host of others endorse this bill. H.R. 1616 will not prevent plant closings or layoffs. But it recognizes that dislocation is often an inevitable byproduct of economic change, and that we need to cushion that as much as possible. Economic change, yes—but economic change with a human face.

I know this is a difficult issue for Members. But it's a difficult issue for the breadwinner of a family of five who goes to work in the morning and confronts for the first time the cruel reality of a closed plant. I think the following passage from the latest draft of the Catholic bishops' pastoral letter on the economy makes the case for our bill in a powerful and direct way:

> At a minimum, workers have a right to be informed in advance when closings or layoffs are under consideration, and a right to negotiate with management about possible alternatives. . . . Also, the local communities in which these companies are located have often invested heavily in them through public services, tax benefits, public education, and a host of other community resources. They too have a right to expect management to respect their investment.

It's time to stand up and be counted. I urge my colleagues to support this responsible approach to the profound problem of worker dislocation, and vote against any attempts to weaken it.

□ 1830

Mrs. ROUKEMA. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. I thank the gentlewoman for yielding time to me.

Mr. Chairman, I rise in support of the Jeffords alternative, and I rise in opposition to the measure before us and urge my colleagues to look closely at the Jeffords alternative. The substitute is the best compromise possible between the legitimate interests of business and the legitimate interests of working men and women.

I'm in an unusual position here—I cosponsored H.R. 1616 when it was introduced because I felt and still feel a Federal response is necessary to the devastation being felt in so many industrial areas. In my own district in central New York, at least 1,500 of my constituents were laid off during the first 6 months of 1985, and let me say this, unless we have the guts to get our fiscal house back in order, things aren't going to get better very soon. I don't like telling my constituents the overall economic picture is rosy when so many of them have lost their jobs, and I'm sure I'm not the only Member here with that same problem.

Our working men and women deserve a response, especially one that inproves their chances of making a smooth transition from one job to another. I've been working with my colleagues to develop new systems of worker retraining and reemployment, and I support the basic thrust of H.R. 1616, which is to give employees enough notice to make a smooth job transition. I think we can all agree on that objective.

But I had anticipated that some compromises would be made on the way from the committee to the floor. Can we all agree that businesses should be able to forecast any and all slowdowns or layoffs 90 days in advance? Some? Certainly. Many? Perhaps. All? Of course not. Is it responsible to radically empower unions or employees to delay essential business actions indefinitely? Again, of course not. Will the remedy outlined in H.R. 1616 make it easier for laidoff workers to find new jobs with a minimum of dispute and disruption to our economy? No, no, and no.

Let's be realistic here. As it stands, this bill provides one more incentive for businesses to locate or do their transactions abroad, eliminating jobs for the American worker and worsening our trade deficit.

In this past Sunday's New York Times, an op-ed piece made the valuable point that restrictions on plant closings can also be restrictions on plant openings, new investments, or debt refinancing—all of which can save a company and its employees from going under, or even provide new jobs and opportunities.

The Jeffords substitute does include early notice provisions, but without the unrealistic, burdensome, and counter-productive negotiation requirements found in H.R. 1616. Also, it recognizes Secretary Brock's welcome initiative to review the issues involved and make a stronger recommendation. I talked just this afternoon with the Secretary and he assured me of his commitment to follow through.

Mr. Chairman, Americans don't want an intrusive Federal Government making decisions that are better left to the free marketplace. If my colleagues are truly concerned about helping their displaced workers—and God and my constituents know I am—they will vote against this overly reactive, though well-intended bill, and in favor of the Jeffords substitute.

Mrs. ROUKEMA. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, we are talking here about legislation on which we all agree in terms of our sensitivity to the problem. Indeed, many of us have had plants close in our districts. In my district I have had an automotive plant close, I have had a machine tool plant close, and I know that Members have had textile plants, steel foundries, and an assortment of others.

But this legislation would not have prevented one of those closings, nor would this legislation have made them more competitive or more compelling. I want to talk now about a real opportunity we have before us. Right now, we have Secretary Brock agreeing to put forward a task force. That task force has already been appointed. It is composed of the highest level people in management, industry, and academia as well as leading economists in the field.

These people are not speaking out of theory nor are they speaking out of a desire to protect any vested interests. They are going to be studying this issue from the point of view of protecting America, protecting American competitiveness, and protecting American jobs.

□ 1840

And that is where I think this legislation has gone so wrong. We have not recognized the unique opportunity that we have now before us to work in a bipartisan way with the Secretary, with the administration, and with the Democratic majority in this House toward resolving this problem in a prudent and a coherent manner.

Now, to get to the point of why we think this legislation is so dangerous, it is not because we are hard-hearted or insensitve or do not understand the problem. We understand it all too well. The reason we oppose this legislation is that, although my dear colleagues present it as a watered-down, stripped-down innocuous, ineffective piece of legislation—if it is so bad, I do not know why they are fighting to bring it to the floor—but anyway, in their own words, that is what they are doing, it is not innocuous, it is not simply a humane notification program, it is not simply a way of providing a waiver in places where it might provide a little problem. It is a bill of danger to labor, business competitiveness, and the community.

Why? Because the language that refers to the waiver under unavoidable business circumstances will lead us right to the lawyers, the Department of Labor, and the courts. There is no real waiver for unavoidable business circumstances.

What about the consultation requirement? This is a lawyer's paradise. The language on consultation requirements. Good-faith bargaining. What, pray tell, is good-faith bargaining in the context of this law? I will tell you what the results will be. The results will be endless litigation. And what happens to the small business that is on the brink of bankruptcy, that is trying to coordinate the problems between its creditors, or is contemplating the possibility of a merger with a more viable company? The idea of notification followed by good-faith consultation under the terms and conditions of this law will throw that business into bankruptcy.

What about the large corporation that may have thousands of workers? That corporation will be equally injured by this, because if they have to lay off 50 people or 100 people in order to save 1,000 or 10,000 jobs, they will be tied up in knots under this legislation.

So I say to my friends this is not the humane or the intelligent way to deal with economic dislocations, this is an important issue that must be discovered and discussed in depth by the task force that the Secretary has just appointed.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, this Nation has undergone significant economic change throughout its history, and during these past 5 years that change has been particularly swift and hard. Understanding the inevitability of economic change in an economy as vibrant as ours, the Federal Government has moved to insulate industry against the effects of unnecessary dislocation. We have tax laws that provide incentives, writeoffs, and deductions and exemptions; we have loan guarantees for industry; we have tariffs and quotas. And for communities and workers our response to economic dislocation has been to provide income maintenance efforts such as unemployment insurance and trade adjustment assistance, and to a lesser extent, vocational retraining and jobs programs.

While these efforts are extremely important, all of them, whether they be our attempts to help industry or our attempts to cushion the effects on workers and communities, all of those efforts have depended heavily on the expenditure of tax dollars, and a lot of tax dollars.

In light of the growth of the deficit, particularly during these past 5 years, is it not incumbent upon us now to try to develop other innovative means of mitigating the hardships associated with economic dislocation. I think this bill does that. By providing for consultation, H.R. 1616 might prevent some closures and layoffs from occurring. By providing for notification of impending closing or layoffs, this legislation might better enable workers to provide for themselves more than they do now, more than they are able to

now in those circumstances where the closing or the layoff does occur.

This bill may well reduce the need for reliance on the Federal Treasury to cushion against the shocks of industrial abandonment.

I think we ought to give it a try. In my district, which encompasses western Montana, we have had layoffs in the railroad business, the copper business, and the timber business unprecedented in the past 50 years, and the amount of Federal money going into that district to both industry and communities and workers is really great. This bill might mitigate against the need for that much Federal assistance in the future. It is innovative. It is an attempt to get communities, workers, and industry to sit and reason together, and I think it is worth a try.

I thank the gentleman for yielding me this time.

Mrs. ROUKEMA. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Chairman, one of the great frustrations about being a Member of Congress is that so often when we try to deal with issues, we try one extreme or the other. It seems we either try to suggest there is no problem, and if we ignore it, it will go away, or else that we ought to come down with some major massive Government rules, regulations, paperwork, and penalties. I think that is the temptation that people in this body are facing in this particular issue, that either we are going to come out with H.R. 1616, with all its paper work and penalties, or else we ought to do nothing at all.

Let us understand that there is a social responsibility for large industry and large companies to provide some kind of notification not only to their employees but also I would suggest, to the community in which they reside and from which they derive much of their business and certainly their work force.

But the question above and beyond that is, how far do you go? H.R. 1616 goes very, very far. It requires a notice for any 50 employees up to 90 days ahead of time. It requires consultation, it mandates consultation, and it requires that all relevant information must be disclosed. And get this: If the company wants to prevent that from being made public, they have got to petition the Secretary of Labor and get him to decide not to make it public.

It talks about injunctive relief where for the first time in the history of this country the Secretary of Labor is going to go to court to decide whether companies can make legitimate economic and business decisions in this country. And then it describes and calls for, as everyone in this town I guess appreciates and supports, the need for a task force to discuss this issue, to look into it, and decide exactly where we ought to go.

I would suggest that if we need a task force—and I believe we do, and I commend the Secretary of Labor for appointing one, then we ought not claim to have all the answers today. That is why, when we get beyond general debate and in the 5-minute rule of this bill, the gentleman from Vermont [Mr. JEFFORDS] and I will be offering a substitute. It is a compromise between his substitute and the one I offered in the full committee. What it does is, it tries to deal with this issue in a proper middle-ground way by saying that while the task force is studying the issue and determining what the proper Government policy will be, during that time we still have at least a minimum obligation to let that community and its employees know when a plant closing is going to occur.

We are talking here about a voluntary plant closing, shutting down a plant and moving elsewhere. We are not talking about those unforeseen, unpredictable economic decisions and financial closures, things of that sort. What we are talking about here is a 60-day notice requirement.

We exempt seasonal workers, and we continue the task force. But what we would do in this country is what a number of States have already done, my own State being one of them; we would put into law a minimum standard of moral conduct in behalf of the business and industrial community in this country.

Mr. Chairman, I encourage all the Members to take a good look at that substitute when it is offered.

□ 1850

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

Mr. CLAY. Mr. Chairman, over the past 5 years, 5½ million workers lost their jobs without warning. They woke up 1 day and found themselves without a means of earning a living. What makes this situation more chilling is the mounting evidence that workers, communities, employers, and even taxpayers can realize significant benefits by a few months advance notice of an impending layoff. We cannot afford to continue ignoring the plight of those afflicted by no advance notice of large layoffs.

Prior warning of a layoff gives workers time to adjust. But another increasingly obvious benefit is seen in the growing number of cases where layoffs have been averted through adequate notice to workers and affected communities. When given a chance, employees working together with the community and management have found ways to save their jobs. These jobs have been saved not by forcing management to do anything, but by labor, management, and communities cooperating together. This is what H.R. 1616 seeks to promote. Nothing in the bill can force an employer to keep a plant open. Rather the notice and consultation is intended to encourage the kind of cooperation we hear repeatedly that is necessary to compete in the modern world economy.

When a layoff cannot be averted, prenotification has been shown to reduce the duration of the resulting unemployment. A study of plant closings in Maine showed that giving as little as 1 month's notice, reduced the length of unemployment by about 20 percent. Billions of dollars in unemployment compensation, food stamps, welfare, lost taxes, and lost economic activity could be saved by reducing the period of unemployment for the victims of plant closings.

Traditionally we have dealt with the fallout of worker dislocation by providing training, unemployment insurance, trade adjustment assistance, and other forms of Government-sponsored income maintenance programs. Each of these programs is important, but given the deficit, we must find ways to address these problems that do not require the expenditure of tax dollars. H.R. 1616 provides such an alternative. It encourages the private sector to work out problems of dislocation without Government interference. It does so without spending a single taxpayer dollar.

Because justification for prenotification and consultation is hard to refute, much of the opposition has focused on extraneous issues. We have heard a littany of imaginary horribles of what this bill is about. We have heard it is somehow intended to force employers to keep plants open. This is simply not true. H.R. 1616 requires notice and consultation when possible and nothing more. The provisions in the bill that allow a court to award equitable relief for violations of the bill have been so distorted and misconstrued that we intend to accept a clarifying amendment to the bill which makes backpay the exclusive remedy. There would be no way that H.R. 1616 could force an employer to keep a plant open for even 1 extra day.

We have also heard that consultation would allow employees to force a plant to remain open. Again it is not true. Consultation requires only that a unionized employer sit down and talk with the union when a large layoff appears possible. As stated clearly in the committee report, there is no duty on the part of the employer to reach an agreement, only that the employer have an open mind. This is what consultation requires and no more.

Another argument we have heard is that notice might cause a plant to close. The reasoning is that notice will scare off creditors and suppliers making the layoff inevitable. This

simply does not make sense. Notice is no more than an employer informing its work force that if things do not change, layoffs might be necessary. In nearly every instance, such information is not new to the creditors and suppliers. But even if it was, they would see it to be in their interest that workers be informed so that appropriate adjustments might be made. Notice helps anyone concerned with keeping an employer in business and this includes creditors and suppliers.

We have heard that H.R. 1616 would impose an impossible burden on employers since some times employers are forced into sudden layoffs through no fault of their own. There is a provision in the bill which deals explicitly with this problem. Employers must give notice only when they are aware that a layoff is imminent. Notice is not required when an employer has no knowledge that a layoff is coming.

We have been considering this legislation for years. There have been held dozens of hearings with a great many witnesses. We have made a special effort to address the concerns that have been raised. We have modified and refined the bill which is why 175 bipartisan members cosponsor this bill. The bill presents a simple choice.

If you believe an employer, when able, should give 90 days notice of a layoff of 50 or more people then you should vote for H.R. 1616. If you believe that when possible an employer should discuss the situation with the affected employees, then vote for H.R. 1616.

Mrs. ROUKEMA. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, I rise in strong opposition to this legislation.

With only 2 minutes and really no substantive debate on the floor because the rule shortchanged us on the amount of time, and waiting until the House is virtually gone for the day, I suppose the only good news that one could have about this bill before us, H.R. 1616, is that it is not a serious piece of legislation; it is a political piece of proposed legislation that should not be on the floor at all.

We have all heard it described strictly off the floor in political terms that it is only a political vote. It oversimplifies the very real problems that very real people face.

But worse than anything else, this legislation or the prospect of this bill on the House floor never to become law offers a false hope to people who are hurting, holding out that false promise that somehow this proposal might help them. In fact, this bill should be entitled, "The False Hope Law of 1985."

This legislation holds out the false promise or the false hope that somehow a Federal law could repeal the basic laws of economics.

Now, there are a lot of things wrong with the bill in the way it is drafted, but there is one reason that overrides everything else as to what is wrong with the bill and why the House should vote against it tomorrow, and that is that it costs workers their jobs. It is an antijobs bill. It is billed as a temporary job security bill for 90 days. The truth is it would cost workers their jobs and it would cost those workers in a way that they would otherwise keep them.

Let me cite the ways. First, employers faced with a mandatory notice of whether it is 60 days or 90 days or 120 days would obviously merely overcompensate and would back up the time beyond which they would plan for their closing and provide for the notification, and plants would close far sooner. Many plants in which management is trying their best to hold on would be forced to close their plants to try to get in with that notice.

Mr. CLAY. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. MARTINEZ].

Mr. MARTINEZ. Mr. Chairman, I rise in support of H.R. 1616, the Labor-Management Notification and Consultation Act of 1985.

My Subcommittee on Employment Opportunities held a joint hearing with the Labor-Management Relations Subcommittee on May 15, 1985 and heard from economists, labor officials, and employer organizations, who all agreed that plant shutdowns were a growing problem confronting our Nation. In the past 5 years, over 5 million Americans lost their jobs as a result of plant shutdowns, while an average of 18,000 plants closed annually, affecting every region of the country.

These plant shutdowns have had a devastating impact on our economy and resulted in massive unemployment among the workers of our country. Whole communities are eroded by plant shutdowns, while State and local governments not only lose their source of revenues, but are burdened by increased welfare and training expenditures.

Yet, the deeper tragedy is how productive human lives are being destroyed, often without forewarning from their employers. Studies have shown that advance notice of plant closings will help workers to make job transition adjustments and enable their families to prepare for the ensuing trials which they must endure.

In my own district in Los Angeles County, a Bethlehem Steel plant closing in 1982 displaced 1,500 workers at a loss of salary to workers and the community of three-quarters of a million dollars per week. According to estimates, only 50 percent of the workers had attained employment as of last year. In addition, the AT&T Co. is also about to lay off substantial portions of their labor force in the district.

The time has come to seriously move legislation to protect the workers of our Nation with a simple and nonburdensome provision for a 90-day advance notice of plant closings. The exchange of information and alternatives provided for in the bill during the shutdown period can only help the parties find solutions to their problems before the actual shutdown. In addition, a study will be a part of this bill to evaluate long-term relief for this major economic problem.

Mr. Chairman, I have heard criticism that this bill will create great burdens for employers who are about to go out of business, but I must emphasize that a 90-day notice period is cost-free and such notice period is waived when an employer cannot meet it due to "unavoidable business cicumstances." It does not compel employers to stay open. On the other hand, most businesses know well in advance of the 90 days that they are going to have to close. Therefore, the worker should have the benefit of that knowledge to protect them from the harsh results of sudden termination from their jobs.

Mr. Chairman, I urge my colleagues to support H.R. 1616 and to reject any amendment which will weaken this already streamlined plant-shutdown notice bill.

Mrs. ROUKEMA. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Chairman, whatever this bill is, I am convinced it is not a simple 90-day notice, that has been said several times, of plant closings. I have tried to zero in on just one provision, much as I suppose a lawyer would, because I think there are certainly will-intentioned people here who want to stop closings. They want to stop layoffs.

I am going to zero in on the layoffs because I think what we are doing here is making layoffs illegal.

I refer basically to the bill, to the definitions of plant closing or mass layoff. I will refer to the mass layoff, which is defined as being employment loss for 50 or more at any site during any 30-day period. That has been cited several times.

The bill goes on to point out that "employment loss" means termination without cause and layoffs over 6 months of an indefinite nature, or reduction of hours of work of more than 50 percent in any 6-month period.

Employment loss is also defined as employment loss for two or more groups, each of less than 50 employees, but which aggregate 50 or more employees. In other words, you could have at the beginning of a 3-month period, 40 people who are laid off and 5 the next month, 5 the next month, and then you have an aggregate of 50,

and as a result you have retroactive unlawful layoffs.

So now you have got to go back and give reinstatement and back pay, to all of the people who were laid off during each month of my hypothetical 3-month period even though not one of the layoffs involved more than 50 employees.

□ 1905

And, of course, it is not free of cost because during the subsequent 3-month period when you have to consult and meet and you have to disclose information to the union representative, the employer must reinstate the employees and pay their salary and related benefits. This is so except where there is no union, then you do not have to meet or negotiate with anyone or disclose information to anybody. That, I wonder about, because it seems to me to be pro-union and aganist the affected employees. If what you are doing is for the benefit of the employees, I don't understand why then the employer, when there is no union representative of the affected employees, isn't required to meet with these employees and consult with them and disclose information over a 90-day period as he is required to do if the employers are represented by a union. That may be a union preference of the authors of this legislation.

The point, however, I want to emphasize is that under the definitions of "employment loss" in H.R. 1616, layoffs of employees can be lawful when made, then later be retroactively determined as in violation of the provisions of H.R. 1616. Let me give an example. Assume that an employer finds it necessary on January 1 to reduce the hours of work—by more than 50 percent—of 50 of his employees. He takes this course of action to avoid terminating their employment entirely Under the provisions of H.R. 1616, such a reduction in hours worked constitutes inclusion in his business' "employment loss"—the same as a layoff—if it continues for 6 months.

Assume also that on February 1 the employer must indefinitely lay off 20 more employees, he lays off 5 more employees on March 1, and, finally 25 more on April 1. As of April 1, the "aggregate" of his layoffs would total 50 within a 90-day period. Under the provisions of H.R. 1616, the employer would have had a "mass layoff" of 50 as of April 1. He would then be obligated to give a 90-day notice to all of these 50 employees and their union representative, as well as go through 90 days of meetings, negotiations, and disclosures of information with the union representative before the layoffs would become lawful. He would also have to reinstate all of the laid off 50 employees and pay back wages and "related benefits." In addition, just about the time he is ending his 3 months of negotiating over the layoff of the 50 employees, he would find himself involved in yet another "mass layoff" because the aforesaid 50 employees who had their work hours reduced would have worked with such reduced hours for more than 6 months as of June 1. That latter fact would trigger another obligation for the employer to again send out another 90 day notice to the union representative and to the affected employees. He would again embark upon another 90 days of meetings, negotiations and disclosing of information to the union representative, presumably also paying for full-time back pay and reinstatement to full time for these employees. Under the provisions of H.R. 1616, in fact, no layoff would be free of potentially later becoming part of a "mass layoff" under the "aggregate" rule or under the rule which would alter the status of a worker working under a reduced work schedule to that of a "layed-off" worker after the expiration of 6 months.

As indicated, H.R. 1616 would not stop layoffs by making them unlawful, including retroactively unlawful. The bill would however, have a severe chilling effect upon any business' initiating new, and especially, "at risk", employment. It appears to me H.R. 1616 is a good example of the "law at its best" being terribly imperfect. Well motivated, but imperfect. New production, not fettering laws, allow businesses to build new jobs. Congress should know that.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN of Michigan. I thank the gentleman for yielding this time to me.

Mr. Chairman, there has been reference here to the vote on this bill being a political vote. Nothing could be further from the truth. This issue is a basic one in America. Five and a half million people have been laid off since 1979 without notice—5½ million.

What we are really doing is opening the debate on what we are going to do about industrial dislocation in this country, and the ailment is spreading. It is not a political vote. For those who think their districts are immune, it will not be long before the ailment affects them.

A recent headline in the newspaper, just yesterday, "Layoffs By High Technololgy Concerns Raising Fears In California Valley." Once invulnerable, the new horizon is now affected by industrial dislocation. It said here:

> While government action cannot change the laws of the market, it can provide that people have some notice so retraining can begin.

Is retraining dislocating the market? I read the letter from the Secretary of Labor and I very much respect him, and he says two things, among others that are so hard to piece together. He says:

> The bill injects the Federal Government into an area which should be dealt with and, indeed, has been dealt with through the collective bargaining process.

It sounds, therefore, as though everything is all right. But then he says we are setting up a commission. Those two things are hard to reconcile. If it can be handled through the collective bargaining process, why set up a commission? The fact of the matter is that these last-minute efforts by the administration to thwart this bill have a very hollow ring.

My staff reminded me of some testimony of mine before a subcommittee of this same committee over 10 years ago. I was a former State senator testifying after tremendous dislocation in the State of Michigan from the recession in the early 1970's. Here we are again, and the answer is, in part, set up another task force.

Mr. Chairman, the time for action is now. We will debate the details. It is not a political issue. It is a matter of necessity for this country.

Mrs. ROUKEMA. Mr. Chairman, I yield 2½ minutes to the gentleman from Michigan [Mr. HENRY].

Mr. HENRY. I thank the gentlewoman for yielding this time to me.

Mr. Chairman, while I am sympathetic with the concerns the legislation seeks to address, I believe that the measure is fundamentally flawed in several respects.

I rise in opposition to H.R. 1616, the so-called Labor-Management Notification and Consultation Act of 1985. While I am sympathetic with the concerns which the legislation seeks to address, I believe that the measure before us is fundamentally flawed.

First of all, this bill treats symptoms rather than causes of plant closure and worker layoffs. It does absolutely nothing to generate job creation for our unemployed workers. And it does absolutely nothing to insure job maintenance for those presently working. To the contrary, it establishes new requirements and conditions on job-creating capital investment which actually will serve to hinder new job opportunities for the American people.

Second, the notification provisions of the proposal are arbitrary. Whenever a layoff or reduction in hours takes place involving 50 or more employees, the act is triggered despite consideration as to the "proportionality" of the work force involved. If, for example, I have divided my job product into two separably organized corporations or work sites, each of which employs 100 persons, I can lay off 49 employees at each plant without triggering the act. On the other hand, should I consolidate my operations under one corporate umbrella at one plant location, the Act will be triggered if I layoff 50 individuals out of a work force of 200 employees.

Further, an employer who lays off 50 workers out of a work force of 2,000 is treated exactly the same as a plant of 75 workers which is closed entirely.

Third, this proposal will diminish prospects for new job formation by encouraging employers to increase overtime employment of the existing work

force during good economic times, rather than creating new jobs in the work force, in anticipation of avoiding the consequences of this Act. One of the constant concerns I hear from both management and labor is the fact that the overhead of Social Security, pension benefits, health benefits, et cetera, is such as to discourage new hires and encourage overtime work as an alternative. This bill will only exasperate that problem.

Fourth, the bill is clearly overdrawn in the case of seasonal employment. Will a retail operation have to consult with its employees after seasonal help has been retired following the Christmas holiday sales period? I suspect that this is not the intent of the act—but it is nonetheless a consequence of the act.

Fifth, the bill establishes two classes of working people in our Nation. One class is given consultation rights above and beyond the right to notification—the other class is not. If this legislation is needed as a matter of principle—as its advocates claim—then such rights ought to be granted to all, or not at all.

Finally, there are a host of other concerns which ought to be mentioned at least in passing. Does public disclosure of a company's financial inadequacies augment or diminish its abilities to secure refinancing and continuation? Do the notification and consultation requirements create a quagmire of problems relative to trade secrets and proprietary information critical to a plant's continued existence?

In closing, Mr. Chairman, let me say that as well-intended as this legislation may be, the consequences will be harmful to those workers it is most designed to protect. It reminds me of the old Elvis Presley song, "You Always Hurt the One You Love." Let's do it right Mr. Chairman, or not do it at all.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. ROEMER].

Mr. ROEMER. I thank my colleague for yielding because he knows that in its present form I cannot support the bill and I appreciate him yielding me time in spite of that, and will, for the rest of my stay in the House, return the favor at every opportunity.

Mr. Chairman, I do rise with some deep emotions on this subject. In my home district, we have had plant closings, and I know the agony of my neighbors and my friends.

There is a kernel of a good idea here that in America, in a society based on freedom and free choice, we owe to our employees, our fellow workers, some notice of major economic change. I wish we could legislate good management. Good management gives good workers fair notice and it pays off in the marketplace. Examples to the contrary always work against the company and certainly the workers.

There is a kernel of a good idea here. However, the bill as written disturbs that kernel in ways that it should not be allowed to grow. For example, the bill in sections 4 and 5, with its consultation provisions require in terms of the work force, as far as I am concerned, that the only jobs this bill will yield are to lawyers, not to workers. The consultation provisions in this bill ought to be removed and I look with favor on some of the substitutes that do that.

In addition, I think that by going to a 50-unit change or workplace we go too far down in the small business society that makes our society unique. Small business hires most people in America and they need the freedom and the speed of change and they do not have either the cash flow or the resources for long notice.

There is a kernel of a good idea here, and I hope that by removing the consultation provisions, expanding the 50 unit perhaps to 200, then we can say to all of our workers that we have made a step forward.

Mrs. ROUKEMA. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. PETRI].

Mr. CLAY. Mr. Chairman, I yield 2 additional minutes to the gentleman from Wisconsin [Mr. PETRI].

The CHAIRMAN. The gentleman from Wisconsin [Mr. PETRI] in recognized for 3 minutes.

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Mr. PETRI. Mr. Chairman, I thank the gentleman from Missouri [Mr. CLAY], as well as my colleague from New Jersey [Mrs. ROUKEMA] for their generosity.

Mr. Chairman, H.R. 1616 is a proper attempt to address a serious problem in the United States: inadequate notification of plant closings. There is no good reason why companies deciding to close plants shouldn't give substantial advance notice to workers and communities so that alternative plans can be made. Unfortunately, this bill ends up going too far by intruding into the economic decisionmaking processes of companies. The bill should be amended so as to improve the notification provisions, but to drop the requirements that companies consult with their employees about the decision of whether or not to close operations. In addition, the bill should be amended to require that joint labor-management committees be formed to facilitate and coordinate the readjustment and relocation of displaced workers.

The closing of a plant or large department in a company is usually enormously painful for the workers that lose their jobs and for the surrounding community. Plant and department closings are widespread and will continue to occur in large numbers throughout the country. The shutdown of a plant or department is the normal consequence of a dynamic, competitive marketplace at work, as resources are reallocated to more efficient uses. The number of closings may grow as American industry restructures itself to deal with international competition and rapidly changing technologies.

This restructuring process should not be stopped or impeded. It is a healthy process and a necessary part of building a new, stronger America. This same process went on especially widely in the State of Massachusetts in the 1960's and 1970's with the result that that State now has one of the strongest, most balanced economies with one of the lowest unemployment rates in the Nation.

Instead of trying to retard the process of reallocating productive resources, the Government should be concerned with trying to ease the pain resulting from the process and should try to facilitate the reallocation of resources. With this purpose in mind, at the appropriate time I plan to offer an amendment in the nature of a substitute to H.R. 1616.

The focus of the proposed substitute will be twofold: first, to guarantee that the employees and communities affected by a closing will have enough notice to mitigate the consequent pain and, second, to set up a participative process that facilitates the reallocation of productive resources. This substitute will strike provisions that interfere in the business decisionmaking process on whether or not to close an operation.

Specifically, this substitute will make four major changes.

First, the substitute will limit the definition of affected employees to those who are permanent employees working 20 or more hours per week. This change is necessary in order to address the increasingly common use of part time and temporary employees. Such employees are frequently used to supply manpower needs resulting from market vagaries and to maximize job security for a core work force. Inherent in the use of part time and temporary employees is the transient nature of the work. For the legislation not to recognize expressly this increasingly common form of employment relationship would seriously disrupt the labor market, and impede employers' efforts to provide stable, secure employment for most of their employees.

Second, the substitute will change the notification period from 90 days to 120 days. The purpose of this bill is to guarantee sufficient notice for the employer, the employees, their elected representatives, and the community to ease the pain resulting from the dislocation and to facilitate the reallocation of productive resources—the people, but also at times new owner-

ship for the plant; 90 days is inadequate time to fully and effectively organize readjustment, retraining, and job placement programs, and possibly the repurchase of the assets. The additional 30 days, 120 days total, is sufficient in most instances to organize effectively and search for alternative owners if appropriate. With the efficiencies that come from the assistance of the Department of Labor, as provided later in the substitute, 120 days should be adequate notice.

Balanced against this is the ability of employers to satisfy the 120-day requirement. Any moderately well-run company operates on business plans at least one quarter in advance. The 120-day requirement thus demands only that employers operate according to minimal reasonable business standards. The unavoidable business circumstances exception provides ample leeway.

The third major change the substitute will make is to drop from the bill its consultation requirements in sections 4 and 5. These sections are dropped because the Government should not be trying to interfere with competitive market forces. Sections 4 and 5 are effective tools for labor to use to try to delay the closing of an operation. The consequence of these weapons will be that employers will take fewer risks and make fewer new investments in job creating plant and equipment because of restrictions on their ability to cut their losses if the market turns against them. If employers do not believe they can easily get out of investments that have gone bad, they will not take as many chances on new investments. The stagnant economies in Europe are due in part to restraints on the free flow of capital resulting from employment security laws such as those in sections 4 and 5.

This legislation should not go beyond current requirements to negotiate under the National Labor Relations Act. If the decision to terminate an operation is due to labor costs, then under the National Labor Relations Act the employer must negotiate with labor over whether or not it can close the operation. If the reason for closing is not labor costs then the employer is not required to negotiate the decision with labor. Regardless of the cause of the closure, however, the employer is obliged to negotiate the impact of the decision, including such matters as termination pay, vacation pay, health care, and so on.

Finally, the substitute will add a section on worker readjustment and placement services. This section furthers the second objective for the bill, which is to facilitate the reallocation of productive resources. It requires employers giving notice of closings, to establish joint labor-management worker readjustment and placement committees to facilitate and coordinate the readjustment or relocation of the workers through retraining, counseling, placement, human resource, community, education, and other services. It also provides for Labor Department assistance to these committees.

The specifics in this section closely correspond to procedures that have been demonstrated repeatedly to be most effective in easing the pain from closures and to lead to the most productive results for all concerned parties in reallocating productive resources. Such procedures have been outlined in a valuable Labor Department pamphlet entitled "Plant Closing Checklist: A Guide to Best Practice."

This joint approach should be mandatory rather than discretionary. The cost to communities, individuals, and the taxpayers from plant closings is too great to allow the parties to be irresponsible and to do nothing. The demands of this section are not burdensome and in effect only require employers to be good corporate citizens. Substantial experience plainly demonstrates the benefits; every dollar and hour invested in this joint preclosure effort is paid back many times over in lower unemployment taxes and payments, stronger local economies, and healthier individuals and families. Unemployment is devasting to all those touched by it, and this joint approach has proved that it can reduce unemployment caused by plant closures.

Together, all these provisions of my substitute will redirect H.R. 1616 from trying to interfere with the dynamic, competitive marketplace, and will focus it on guaranteeing sufficient notice of plant closings to mitigate the consequent pain and on facilitating the reallocation of productive resources.

Mrs. ROUKEMA. Mr. Chairman, I yield 1½ minutes to the gentleman from Colorado [Mr. BROWN].

Mr. BROWN of Colorado. Mr. Chairman, occasionally the Members of this body legislate on matters that they are well informed on and knowledgeable about. I must say that this bill not reflect that background knowledge. I dare say, the very well-intentioned folks that have brought this bill to the floor simply do not understand basic economics.

If you have a small business and you give a notice of closing your plant, how do your suppliers respond? Many suppliers, reevaluate your credit. That is not a debatable point, that is what happens in the real world.

If we pass this bill, what we do is shut those operations down that do not necessarily need to shut down. If you give notice of closing of your plant, what happens to your customers? Ask yourself: Are you going to buy a product that is no longer produced 90 days from now? This bill will force the closing and the loss of jobs that would not necessarily need to be lost without it.

If you are a banker and you get notice that a borrower intends to close his plant, will you extend that credit line? Perhaps. But what this bill does is make it more difficult for a struggling operation to make it.

What we have here is a bill that requires someone to give notice of closing if there is any chance they are going to have to close. The penalties for not giving enough notice are enormous. Thus management may be forced into a premature decision to close. Do not impose this kind of perverse legislation on our country.

Mrs. ROUKEMA. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I thank the gentlewoman from New Jersey [Mrs. ROUKEMA] for her generosity. I realize we are about all out of time.

I rise to commend the subcommittee for an excellent job done.

I am from Detroit and we have been plagued with plant closings for more than 20 years now. This is a critical, vital measure, and I think it has been carefully worked out. I want to commend all of the parties involved.

We have to realize that a man's economic freedom means nothing if it is not tied to the right to work.

Mr. Chairman, I rise in support of H.R. 1616 to provide notification to communities prior to plant closings. Nearly 5 million workers have been disemployed since 1980. Many of these have had no time to adapt, to become retrained, to attempt to do something to save the plants from leaving their community. And as a result, many of these have suffered severe economic depression. Many have lost all health benefits and have been unable to provide them through some other method. Many have committed suicide.

In the same way that John Donne said that "no man is an island onto himself," I would say that no plant is an island onto itself. In the same way that workers depend on plants to derive their income, plants depend on workers to produce their products and, once produced, to supply the demand for the produced goods. Yet under the current situation, none of the 5 million who have been laid off were even given adequate notice or the arbitrary termination of this relationship, never mind participation in the decisionmaking process.

Britain, West Germany, France, Sweden, Japan and many other countries all have some form of plant closing laws. They all recognize that worker participation in the economic decisionmaking process is both moral and an economic necessity.

In World War II, almost a million Americans died or were wounded in fighting against facism and for the four freedoms: freedom of speech and religion, and freedom from fear and want.

Yet today, untold millions of Americans are enslaved and wounded by fear of continued unemployment and deprivation of dignity, of the the inability to provide for their families, and of another economic downturn which will surely worsen these conditions.

Millions upon millions, from the farm lands to the urban ghetto lands to the industrial heartlands, are enslaved and wounded by this fear.

The challenge to us today is to unleash freedom from these fears. To provide a framework for the people the Congress and the President to work together on behalf of true economic freedom.

Freedom to our forebearers represented escape from a monarch's tyranny, Freedom was then understood as a political concept to be secured through political rights, the right to vote, to assemble and speak freely, to think and worship according to ones conscience.

It was understood, however, that this freedom ultimately rested upon economic independence based on economic security. "A power over a man's subsistence amounts to a power over a mans will" said Alexander Hamilton.

Just what does freedom mean to the unemployed auto or steel worker today. The choice of another job with comparable opportunity? Maybe. But with millions of others jobless, and with no means to ensure that companies invest in communities where jobs are needed or that job training will be made available for the ever shrinking job opportunities, the choices are mighty narrow.

Today we might open a new chapter of freedom by asking what economic rights would establish the security our forebearers assumed to be the handmaiden of political democracy.

In 1825, James Madison remarked that the United States "had been useful in proving things before held impossible," specifically the capacity of human beings for self-government. What gave our Founding Fathers the courage to attempt the "impossible?" At base, it was a moral leap—a profound shift in the perception of what human beings are capable.

Today establishing economic rights seems no less impossible. Do we not need a comparable moral leap, one in which economic becomes as central to our concept of freedom as political rights? I think so. H.R. 1616 is surely a start.

Mrs. ROUKEMA. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. I thank the gentlewoman for yielding me this time.

We have already heard in a very, very short debate a litany of sad stories that have happened over this Nation, of plant closings and communities being severely impacted by the laying off of employees and the shutting down of plants. That is true, and it is a very, very sad thing.

But let us just think a moment, and let us talk about a very, very sad thing, too, of what would happen if this piece of legislation would go into effect, and what would happen to communities and unemployed people out there that are looking for jobs. Let me give you a perfect example.

In Houston, TX, right now, you may think we are full of money, but we are having a hard time. Oil and gas is not good. People are being laid off left and right in the electronics area. A plant just laid off 600 people in my area a few months ago, and we are desperately going out and looking for people to come in and build plants and facilities in my district.

What do you think, if we had this piece of legislation in America, what would happen if we went to a plant and asked them to expand their facilities into my district? The same thing would happen that happens in Germany, and in England, and in France, and in Ireland with this same sort of legislation. They would thumb their fingers at us. They would go to Mexico to build their plant, because they would not build a plant that they cannot close if things got bad.

You are talking about not being able to employ people. You are talking about not being able to revitalize communities. That is what you are talking about, because a man that has a lot of money, or a corporation that has a lot of money to invest and wants to expand their business looks at silliness like this and thumbs his nose at us, and goes to where it is cheaper to build his plant or store, and he is allowed to operate in more of a free atmosphere, in Taiwan, in Korea, in Singapore, and many other countries that welcome businesses.

You talk about trade here. What you are trying to do is destroy trade. We are not going to be able to compete with this kind of legislation. You are destroying America.

Mrs. ROUKEMA. Mr. Chairman, I yield myself what time remains.

The CHAIRMAN. The gentlewoman from New Jersey [Mrs. ROUKEMA] is recognized for 3 minutes.

Mrs. ROUKEMA. Mr. Chairman, while no one should dispute, ignore or be insensitive to the very real problems of economic and social dislocations associated with plant closings, I must oppose this bill. The impact of a plant closing on the affected workers and their community can be severe, as many of us have witnesses in our own districts. Indeed, I am no exception and have experienced the closing of a major automotive facility in my own district shortly before I was elected to Congress. This bill would not have kept that plant open. Nor will it help the small machine tool factory or the textile mill or the steel foundry in your district.

During the extensive hearings the committee conducted on this issue, the effects of plant closing—unemployment, psychological stress, martial problems, ripple effects in the community—have been well-documented. It is not my intention here today to contend that there is not a problem.

On the one hand, the problems are real and acknowledged, but a wide chasm extends between management, labor, and other experts in the field.

Where does this leave those of us in the middle of this dispute? I believe that we are left at a loss as far as legislating wisely is concerned. The gentleman from Michigan, Mr. FORD, has proposed his solutions to this problem and, while he and I are in total disagreement about this bill. I recognize his tireless efforts in bringing this issue to the attention of the Congress.

However, this bill deals with the symptoms, not the underlying economic forces behind the phenomenon of plant closings. If we pass this legislation, we will fail to recognize that since the ultimate resolution of this issue could have a serious impact upon the vital interests of all affected parties, the need to seek a consensus is essential.

Until now, the vehicle for obtaining that consensus has not existed. I am pleased to say that, at the request of myself and the gentleman from Vermont, JIM JEFFORDS, Secretary of Labor William Brock has recently appointed a task force on economic adjustment and worker dislocation to examine the issue of plant closings and evaluate programs and policies to deal with the problem.

The task force will examine the numerous questions relating to plant closing that have yet to be answered. What are the various reasons for management decisions leading to a plant closing or a layoff? To what extent do existing Federal and State programs and policies address plant closings and to what extent can they be improved? What has been the experience of foreign governments that have enacted plant closing laws? How would economic growth and the creation of new jobs be affected by the various legislative solutions that have been proposed? To what extent are plant closings being handled responsibly by companies and through the collective bargaining system and what incentives can be created to improve this record?

To underscore the concern of the business community about this issue, the Secretary received a flood of requests to serve from all sectors after he announced his intention to form the task force. With the best minds from the business community, labor, academia, and State and local governments, I am confident that this sensitive and complex subject will finally receive the objective analysis and creative attention which it deserves.

But, in the meantime, while we are awaiting the findings and conclusions of the task force, what would we ac-

complished with this legislation? I submit that we would unnecessarily create an atmosphere of suspicion and litigation which could ultimately undermine the positive steps achieved by the task force.

This statement may take some of my colleagues by surprise. They may be thinking that this is just a harmless bill which simply requires an employer to give advance notice before closing a plant and then sit down and hear what the unions have to say. If anyone thinks that that is all that this bill does, I suggest they sit down with the bill and the committee report and take a long hard look at it before casting their vote.

In the first place, the bill goes well beyond establishing protections for plant closings. While the record to support the bill has consistently referred to actual plant closings, the provisions of the bill are triggered by any employment loss of 50 or more within 30 days, regardless of whether the employment at the facility is 50, 500, or 5,000. Moreover, it would apply even if the employment loss involved was a mere reduction in hours.

Consequently, the bill's provisions would apply to a number of business decisions involving something considerably less than a closing, such as relocating or subcontracting a portion of the work, consolidation of operations, discontinuation of a product line or a replacement of machinery. While the amount of time between such decisions and their implementation varies considerably, the bill imposes an automatic 3-month delay with its notice and consultation requirements, except under ill-defined unavoidable business circumstances.

I ask the Members: Are these really the kinds of decisions by management that you want to regulate?

Well, you may say that that depends upon how we regulate them. Therefore, let's take a look at what happens when the bill's provisions are triggered.

First of all, the employer has to give at least three-month notice except where there are unavoidable business circumstances, which, according to the committee report, means they are: First, beyond the employer's control; second, could not be foreseen; and third, require swift implementation. Even if swift action is in the best economic interests of the employer, it must meet all three of these components.

What is unavoidable? Is a cancellation of a major contract by one of the business' larger customers unavoidable? What if that contract was canceled because the business would not agree to certain demands for changes in the product by the customer? That clearly would not be beyond the employer's control so, under the bill, he would have to give 3 months' notice and consult with the union first.

Once notice is provided, the employer is then required to consult in good faith with a union, if there is one, "for the purpose of agreeing to a mutually satisfactory alternative * * * or modification."

The situation that immediately comes to mind here is an employer who is burdened by excessively high labor costs which, because of the marketplace, have hurt his ability to remain competitive. He then wishes to do something about this by either moving the work to another location or subcontracting a portion of the work.

Most of us would say that he should have to consult with the union before doing this. Guess what? He already does. Under the National Labor Relations Act, if labor costs are the reason, the employer is required to bargain with the union before moving the work elsewhere. It is in those situations where bargaining with the union is most likely to be productive.

This bill extends this requirement to decisions which are unrelated to labor costs and which, in the words of the Supreme Court, are at the "core of entrepreneurial control." The Court in the First National Maintenance case made a crucial distinction between these decisions when it started:

> If labor costs are an important factor in the decision to close, management will have an incentive to confer voluntarily with the union to seek concessions that they make continuing the business profitable. * * * At other times, management may have great need for speed, flexibility and secrecy in meeting business opportunities and exigencies.

By not requiring bargaining with the unions in such situations, the law has assumed that the primary interest and expertise of the union lay in protecting the workers they represent. With this bill we are now assuming that they are also more knowledgeable than the employer himself about what is in the best interests of the business as well.

Don't misunderstand, I believe that unions should be a vital partner in guiding the course of a business. In recent years, we have seen some outstanding examples of corporate success resulting from the active involvement of the unions and the workers in the decisionmaking process.

However in this bill the effect would be one where the employer has already checked out all of his options and, decided on the basis of his best-informed business judgment that a change resulting in layoffs is his best alternative.

That may be true, but that isn't what this bill requires. Let me read from the committee report:

> Most of all, the employer must approach the consultative process with a good-faith willingness to explore alternatives . . . An employer does not discharge its obligations under this bill by going through the motions of consulting if the employer harbors an intransigent and unyielding attitude that makes consultation a meaningless exercise.

The report goes on to say that compliance with this requirement "presupposes a desire to reach ultimate agreement."

So now we have the employer in the ultimate catch-22. He has already decided that the union can't really contribute anything to influence his discision because he's just given notice to his employees that they are going to be laid off. We now ask him to go into a "Consultation" process where he has to be genuinely enthusiastic about what the union has to say.

At that point, before the employer makes any changes, the union can go to the Department of Labor and try to convince them that he has not consulted in good faith. If they make a convincing case, the Department can then seek an injunction extending the consultation period, which, in effect, delays the change which the employer had proposed.

There are no time limits here. So, until the employer either gives in to the union or improves his abilities as a thespian, the change of operations he wanted could be postponed indefinitely.

But let's get back to good faith consultation for a moment. Let's assume this employer was open-minded and was receptive to any good ideas the union might have. Unfortunately, that still isn't enough to ensure compliance.

The bill provides that good faith consultation includes providing to the union such relevant information as is necessary for the thorough evaluation of the proposal to order the plant closing or mass layoff for the thorough evaluation of any alternatives or modifications suggested to such proposal.

What does relevancy mean here? Surely, my colleagues recognize the inherent vagueness of this term. Moreover, the committee report states that it shall be given a liberal interpretation.

As is noted in the committee report, there are similar requirements to provide relevant information under the National Labor Relations Act in a variety of situations. What is not mentioned, however, is that there are reams of NLRB and court decisions regarding what is relevant. Ultimately, it is totally dependent upon the unique facts of the situation, which means that an employer confronted with this requirement will have no guidance whatsoever about what he has to provide, at the risk of an injunction against an action which he believes to be economically necessary. I would just add that this is totally different from the situation which arises under the National Labor Relations Act be-

cause, at least under the NLRA, the information being sought pertains to the employer-employee relationship. In this bill, there is no such limitation.

In addition, the bill clearly contemplates that relevant information would include trade secrets and other competitive information because it specifically provides for protective orders to be issued by the Secretary of Labor in such instances. Can the employer really be expected to have faith in such an order in the kinds of volatile situations governed by this bill?

In conclusion, I just ask my colleagues to do one thing: know what you are voting for in this bill. This is not just a simple notice requirement. It provides a union or an employee with the ability to delay a necessary plant modernization or employment change indefinitely and provide every incentive to use that ability. Nor is it a requirement that an employer merely listen to a union.

The bill constructs a series of vague requirements which an employer would have to tiptoe through to avoid costly litigation and delays in implementing necessary business actions. Meanwhile the lawyers would have a field day.

This legislation clearly takes the wrong approach. It will not provide effective protection for workers. It will not create the new jobs we need to stimulate the economy. On the contrary, this measure could be the kiss of death for that small business that finds itself teetering on the brink of bankruptcy. It could also be harmful to that large business attempting to modify its operation in the face of changing market pressures.

This legislation is clearly premature. I remind my colleagues that next year, Secretary Brock's task force will be returning with its comprehensive report on both the effects and the causes of plant closings. The blue ribbon commission will also study the experience of the foreign governments that have legislated in this area. And, finally, the task force will attempt to reach a consensus regarding the appropriate Federal role.

Again, no one will dispute the very real economic and social dislocations associated with plant closings. However, a similar consensus on the economic effects of this legislation, or even its need, does not exist.

Let us avoid legislating in an information vacuum. Let us wait for task force recommendations. I urge defeat of the bill.

The letter from Secretary Brock follows:

U.S. DEPARTMENT OF LABOR,
SECRETARY OF LABOR,
Washington, DC, November 8, 1985.

Hon. MARGE ROUKEMA,
House of Representatives
Washington, DC.

DEAR MARGE: The House will soon consider H.R. 1616, the "Labor-Management Notification and Consultation Act of 1985," which would impose restrictions upon employers prior to plant closings or other changes of operations resulting in layoffs. I am writing to inform you of the Administration's strong opposition to this bill or any substitute and to urge you to vote against this legislation.

The Administration is seriously concerned with plant closings and with their effects on employees and communities. H.R. 1616, however, would only delay and increase these problems, not solve them.

I believe H.R. 1616 or similar legislation would restrict the ability of employers to adapt to changing market conditions by imposing rigid procedures prior to plant closings. Such impediments could cause even large scale business failures and unemployment or jeopardize the capital mobility necessary to maintain a healthy business. Furthermore, the bill injects the Federal government into an area which should be dealt with, and indeed, has been dealt with through the collective bargaining process.

The Department of Labor has programs and resources available to help communities and families affected by plant closings. The Employment and Training Administration administers several programs which assist dislocated workers. These include the Unemployment Insurance program, the employment service, and the dislocated worker program authorized under Title III of the Job Training Partnership Act (JTPA). The Bureau of Labor-Management Relations and Cooperative Programs has extensive experience as a result of nationwide workshops it has sponsored at the State and local levels to assist companies, workers, and communities to adjust to economic changes. The Bureau of Labor Statistics has begun an information survey on plant closings. Further, many States have various mechanisms to deal with this issue, by policy, statute or incentives.

Clearly, the plant closing problem is complex and deserves careful attention and a thorough examination. To ensure such consideration, I am establishing a special 21-member task force. This Task Force on Economic Adjustment and Worker Dislocation will be composed of a diverse and highly qualified group of people representing business, labor, and the academic community, who will evaluate current programs at the local, State and Federal level, as well as the experience of the foreign nations. I anticipate that the Task Force's report will provide us with valuable assessments and recommendations relevant to the needs of dislocated workers. I have instructed the Task Force Chair to meet regularly with the appropriate members of Congress to receive their input and to brief them on the work of the Task Force.

Before we consider a legislative approach, we should look at what the appropriate Federal role should be in the context of our existing efforts and experience. I am confident the Task Force can provide us with that insight, and so I believe the enactment of any legislation in this area prior to the completion of their activities would be inadvisable.

H.R. 1616 is not a bill that preserves or increases jobs. Because of its adverse effect on employers and employees, the Administration strongly opposes it or any substitute.

The Office of Management and Budget has advised that enactment of H.R. 1616 would not be consistent with the Administration's objectives.

Very truly yours,

WILLIAM E. BROCK.

Mr. CLAY. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. HAYES].

The CHAIRMAN. The gentleman from Illinois [Mr. HAYES] is recognized for 2 minutes.

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

Mr. HAYES. Mr. Chairman, I rise obviously in support of H.R. 1616, which in my assessment is a narrowly focused bill. It does not attempt to solve all of the problems caused by plant closings or mass layoffs, and it does not prohibit plant closings or mass layoffs. This bill seeks to accomplish two main objectives.

First, to prevent unnecessarily sudden closings and cutbacks which take employees and their communities by surprise.

Second, to ensure that employees have an opportunity to present alternatives to their employer and to have them considered in good faith.

Being one who has a number of years of experience, certainly I think this is a modest approach to what is a problem of rising magnitude. I came from the meatpackers union, and through collective bargaining, we have negotiated contracts which provided for 6 months' notice on plant closings. This at least provided some protection for families who were uprooted as a result of plant closings, and at the same time gave an opportunity to some to work out alternatives, if possible, before the plant actually closed down.

H.R. 1616 provides for the development of a comprehensive, long-term policy on plant closings and worker dislocation to be determined by a bipartisan, blue ribbon panel of business and labor leaders, Government officials and academic experts.

This protection is not just to blue-collar workers, as some people might think, but white-collar workers as well, many of whom have been uprooted, and are the people who work in front offices of these companies. The 174 cosponsors of this measure represent a broad, bipartisan support for the idea of advance notice. I think it is worthwhile our giving some real consideration.

Where a plant closing cannot be prevented, responsible corporate action can blunt some of the impact on employees. Some corporations have made an awful lot of money out of plant closings and out of mergers, and I think the workers and their families are entitled at least to this break.

Mr. SHUMAY. Mr. Chairman, I am sympathetic to the problems of plant closings; however, the legislation before us today, H.R. 1616, is potentially harmful, and will only address the symptoms of plant closings, not the causes. If enacted, this bill, the Labor-Management Notifications and

Consultation Act of 1985, would hamper the free market system by restricting employers' ability to make vital business decisions.

The impact of plant closings and worker dislocations has been of particular concern to Congress over the last two decades. As economic circumstances we have worsened, so have the serious problems associated with plant closings. Congress has sought for remedies to ease the impact on workers who lose their jobs and benefits, sometimes with little notification, due to such closings.

One proposed solution is H.R. 1616. It is described as a simple "notice" bill—a compromise of Federal plant closing bills introduced during past Congresses. However, H.R. 1616 would in actuality subject an employer who plans to lay off or reduce by 50 percent the hours of 50 or more employees within 30 days to new Federal requirements. These far-reaching requirements include 90-day prenotification, consultation with union representatives regarding alternatives to closures, and disclosure of sensitive financial and business information relevant to the development of such alternatives.

H.R. 1616 would require employers to sacrifice the long-term economic vailability of plants for the short-term job security of their employees. Its effect would be detrimental to many businesses and industries, including those within my home State of California. Its enactment would be ill-advised, particularly before Congress evaluates the findings of Secretary Brock's Task Force on Economic Adjustment and Worker Dislocation, the purpose of which is to study the issue of plant closings. Thus, I urge Members of the House to oppose H.R. 1616.

Mr. FRENZEL. Mr. Chairman, H.R. 1616, the "Labor-Management Notification and Consultation Act of 1985" masquerades as a proworker jobs bill, intending to provide 90 days notice of impending plant closings. In fact, this bill is antiworker, antijobs, and has the intent of blocking plant closings altogether.

The provisions of H.R. 1616 would lock businesses into inefficient operations by restricting the employers' ability to adapt to changing demands of the marketplace. This would lead to the inability to compete effectively with other more efficient companies in the United States and abroad. As a result, the bill will not be preserving American jobs, but may encourage businesses to build more plants abroad than in the United States.

It is the responsibility of management, not the Government, and not the unions, to decide what measures to take in order to secure the economic stability of the company. This legislation totally revokes that responsibility and may lead to the loss of entire companies instead of inefficient plants. In effect, more workers and jobs will be endangered by this bill than are directly affected.

No only is H.R. 1616 counterproductive, it is also premature. Secretary of Labor Brock has created a task force on economic adjustment and worker dislocation to study the causes and effects of plant closings. Although I believe that the legislation before us is well-intentioned, it seems to me that the logical order of procedure is to examine the problem before implementing a make-shift solution that does more harm than good.

H.R. 1616 should be defeated and sent back to the drawing board. The problems of worker dislocation and job loss deserve more than short-term solutions which create long-term hardships. I urge my colleagues to join me in opposition to H.R. 1616.

Mr. TRAFICANT. Mr. Chairman, I want to express today my support of H.R. 1616, the Labor-Management Notification and Consultation Act.

For you to understand the stake I have in the problem of plant closings all you have to do is read one excerpt from the committee report:

> Some communities never recover from major plant closings. Youngstown, Ohio and its surrounding communities, despite an exodus of their young people and the withdrawal from the work force of many of the older workers who lost their jobs when United States Steel and LTV shut down, still suffer from double digit unemployment.

It almost seems that plant closings are becoming a way of life in this country. We talk about the abstract economic theory of trade deficits and trade imbalances, but what it all comes down to, in practical human terms, is more than just a theoretical shift in the macroeconomic factors of production. There are real human beings whose lives are being destroyed by these decisions. Lives ruined, homes lost, families torn apart; all this tragedy is occurring because of the economic decisions made in the boardrooms of American businesses.

Against this, I am hearing from businesses which claim that if H.R. 1616 becomes law it will mean the end of the free enterprise system as we know it. But what is the economic usefulness of arbitrary and sudden plant closings? Why is this the kind of activity that the Congress should protect—especially when weighed against the costs, both in terms of human suffering and welfare costs to the Government, which it imposes on society? Why should we protect any employer who would throw out onto the streets workers with many years of seniority, representing a lifetime of loyal service, without the decency of giving any warning?

These free enterprise arguments disturb me greatly because I do not consider myself an enemy of the American businessperson. Coming from the area of the country that I do, I cannot afford to be an enemy of business. My district is economically devastated. We need all the business we can get, and further, need to retain those businesses we now have. This is why I am so surprised that my support of H.R. 1616 has aroused such a reaction.

I consider my support of H.R. 1616 not a vote against free enterprise or the right of American businesspersons to run their business as they see fit. Rather, I support H.R. 1616 as a measure which would only attack those unscrupulous businesspersons who disregard the welfare of their employees or who wish to use the plant closings as a weapon against their employees.

There are several factors that I believe point out the reasonableness of this bill. First, it only applies to permanent layoffs of 50 or more. Plant closings for small employers, who may not be well equipped to give much advanced notice and whose businesses will typically be more sensitive to economic shifts, will not be subject to the notice provision.

Second, layoffs or plant closings can occur despite the fact that no notice is given if unavoidable business circumstances prevent compliance with the notification requirement.

Third, the employer can prevent the disclosure of potentially damaging private information in the notification process by requesting that the Department of Labor prohibit employee representatives from revealing this information. The employee representatives would be liable for damages if they disregard such an order.

However, beyond these points, I believe that the strongest case for H.R. 1616 is that it will encourage and require consultation between management and labor representatives prior to the plant closing. Such consultation raises the possibility that negotiations could result in measures being taken to save the plant and avert layoffs.

The notion that a plant can be saved is not a false hope. In its report on H.R. 1616, the Education and Labor Committee has documented several instances where prior consultation has resulted in necessary cost cuts and improved efficiencies which averted plant shutdowns. While 90 days is not much time to build a case to convince an employer that a plant can be saved, the fact that notice is given may be necessary impetus to stimulate changes. When combined with the disclosure and consultation requirements in the bill, I truly believe that many unnecessary and damaging plant closings can be avoided.

Further, there is persuasive evidence that providing 90 days notice will lessen the societal cost of the sudden displacement of a large number of workers. Workers can order their financial affairs, by conserving their funds and deferring any large purchases, to lessen the impact of a potential period of unemployment. The 90-day period will give workers additional time to search for another job, generally lessening the period that they must depend on unemployment and other welfare programs.

H.R. 1616 is a bill which will inject a measure of fairness into the plant closing process. I do not believe that it goes far enough in terms of protecting employees, but it is an important start which I support. Whenever we legislate it is difficult to predict the effect of the laws we enact. I hope my colleagues will agree with me and see the wisdom of taking this first step.

I have included, to be printed in the RECORD below my statement, a copy of an article written by UAW President Owen

Bieber which appeared in the New Times this Sunday. I believe he has eloquently stated the case for H.R. 1616. I hope my colleagues will read this article before voting.

WORKERS DESERVE AN EARLY WARNING

(By Owen Bieber)

All across our nation in the last several years, workers and their communities have been buffeted by recession, increasing numbers of imports, and technological and structural economic change. The pain may be most evident in industries such as autos, steel, shoes and textiles; but it has even hit Silicon Valley as computer chip makers close operations and head for low-wage nations abroad.

The number of workers who have been victims of plant closings and permanent layoffs is enormous—more than five million in the last five years, according to a government study.

People should be protected against the devastating consequences of corporate decisions. Many problems of economic dislocation can be alleviated by a coherent industrial policy that seeks a diversified, balanced, fully employed economy. One component of that industrial policy should be a requirement for advance notice of plant closings and economic dislocations.

We are the only advanced industrialized country in the world without such a requirement; it's about time we had one. A modest step in that direction is H.R. 1616: The Labor-Management Notification and Consultation Act.

Under H.R. 1616, the emotional impact of sudden plant closings and permanent layoffs would be lessened by a 90-day notice requirement. Workers then would have an opportunity for input into the decision since employers would be required to consult with the union or, in the absence of a union, with employees about alternatives to a closure or layoff. Where alternatives cannot be found, there would at least be some time in which workers and communities can adjust to the permanent job loss.

Industrial change is, of course, familiar. Just as our labor force shifted from agriculture to manufacturing in the first half of the century, it is now shifting from manufacturing to services. Since a rising standard of living accompanied the first shift, it is often assumed that it will also accompany the latest change. However, there is mounting evidence that the shifts now under way are not improving the lot of our citizens.

A recent study by a team at Boston College found that more than 112,000 Michigan auto workers experienced extended layoffs between 1979 and 1982. Of those recalled, the average length of layoff was 66 weeks. By the last month of layoff, the average weekly income had fallen 61 percent. Fifty-eight percent of those surveyed were without employer-paid medical coverage during layoff. Among those workers who had savings, 43 percent used up all of their savings.

Since 1979, according to the Government study, the burden of industrial change has fallen disproportionately on blue-collar workers. More than 55 percent of the five million displaced workers had been in blue-collar occupations, a proportion far larger than the 29 percent share these occupations represent among the employed. Almost half had worked in manufacturing, yet manufacturing accounts for only 20 percent of total employment.

As for H.R. 1616, we would prefer that the period of notice and required consultation be increased beyond three months. We know that most companies make their decisions to close a plant or eliminate jobs months or often years in advance. Alternatives to such decisions made so long in advance often cannot be developed within three months. Even if alternatives cannot be found, a longer period of notification would increase the chances that workers will be able to make a less painful adjustment.

The bill would also establish a 15-member commission to make recommendations on a plant-closings policy to the President and to Congress. If the commission does its job, the only credible outcome is a strong endorsement of comprehensive plant-closing legislation.

To fail to take the modest steps proposed by H.R. 1616 is inhumane and economically inefficient. In the recent draft pastoral letter issued by the U.S. Conference of Catholic Bishops, the bishops stressed giving all elements of society a meaningful voice in economic decisions:

"The capital at the disposal of management represents to a significant degree the investment of the labor of those who have toiled in the company over the years," the bishops wrote, adding, ". . . it is patently unjust to deny these workers any role in shaping the outcome of such difficult choices (as decisions to close or move a plant).

"At a minimum," the bishops continued, "workers have a right to be informed in advance when such decisions are under consideration, a right to negotiate with management about possible alternatives and a right to fair compensation and assistance with retraining and relocation expenses . . . Also, the local communities in which these companies are located have often invested heavily in them through public services, tax benefits, public education and a host of other community resources. They too have a right to expect management to respect their investment."

We in the union movement recognize that economic change is inevitable in a dynamic economy. But an evolving economy is not a goal in and of itself. Change should produce positive results for America and her people. The House bill is a step toward insuring that.

Mr. BONKER. Mr. Chairman, my district in southwest Washington, like many others around the country, has been hard hit by economic difficulty in recent years. Many longtime businesses, particularly in the wood products industry, have been forced to close their doors because of economic circumstances they were unable to predict or prevent. Unemployment has soared.

It is because of my concern for those unfortunate workers who suddenly found themselves without jobs, that I joined with 173 of my colleagues in cosponsoring Representative FORD'S bill, H.R. 1616. While many businesses already take far more extensive steps to cushion the blow of a plant closure, this legislation is designed to address those situations in which employers announce mass layoffs or shutdowns with minimum warning to those most affected—the workers and the communities. All too often, these people and localities suffer stresses and hardships that advance notice could prevent.

The legislation would require businesses that are in distress to provide notice to their employees, to the union, if one exists, and the Federal Mediation Council Service, 90 days in advance of a possible plant closure or long-term indefinite layoff. Failure to do so would entitle workers to back pay and benefits for each day under the 90-day notice period.

Over 10 years in the making, H.R. 1616 is based on evidence and recommendations from many sources including the President's Commission on Industrial Competitiveness. This evidence indicates that early notification shortens the length of time workers spend unemployed and allows other local businesses the opportunity to prepare for the economic slowdown which often accompanies widescale community unemployment.

Obviously, a plant does not have to close as a result of filing the notification and in fact, the intent of the 90-day warning period is to provide workers and management the opportunity to work together to prevent such a drastic step. While there are going to be cases when economic realities make rescue of the business unrealistic, it has been shown in many cases that management and labor have been able to take steps that enabled plants to return to profitable operation.

Mr. Chairman, I must point out that my support for this bill is not without some reservation. I believe that in our commitment to soften the blow to workers and communities of sudden unemployment, we also must guard against legislating protections that handcuff businesses and exacerbate the economic problems they face.

I am particularly concerned that businesses, including the commodity based businesses in my district, maintain the flexibility they need to adjust to rapidly changing market conditions. Industries like aluminum and wood products now compete in a fully international system. Abrupt shifts in the world market price of these commodities, or foreign government policies affecting their competitors, often spell the difference between shut-down or start-up for major plants in my district. One of the key provisions of this bill addresses exactly this concern by allowing the notice period to be reduced if the business demonstrates that "unavoidable business circumstances prevent the employer from withholding the closing or layoff." This provision is intended to protect businesses who in good faith must take drastic steps in response to unpredictable financial or market circumstances.

I also have noted the concern expressed by many in business, that the negotiating requirements during the 90-day notice period have the potential for being abused through the courts to delay management from making urgent, economically necessary changes in their workforce past the 90-day notice period. It is my understanding, however, that the requirements on businesses are merely that they show good faith in providing relevant information regarding the reasons for management's decision and in discussing employee proposals. If these proposals are good and would help

the business, it is difficult to foresee why management would be unwilling to implement them, but they are not bound in any way to do so. Businesses are bound only to show good faith in working with the employees and are free to go ahead with their original proposal at the end of the 90-day notice period.

Many businesses have also expressed apprehension about the definition of relevant information as it applies to the documentation they must provide to employees after 90 days notice is given. I recognize that there is some concern about confidentiality violations. Protections, however, do exist in the bill, similar to those which exist in the bankruptcy amendments of 1984 which authorize the Secretary of Labor to issue protective orders to prevent public disclosure of certain information. Furthermore, the standards governing what information is to be disclosed is comparable to the requirements that already exist under the Fair Labor Standards Act.

Again, Mr. Chairman, many businesses already have excellent notification policies and worker dislocation programs. If only their practices were more the norm and incidents of Friday afternoon layoffs fewer, we would have no need for legislation today. Unfortunately, H.R. 1616 is necessary to protect workers who might otherwise be victimized by capricious management decisions in less scrupulous firms that overlook human and community considerations in their management policies.

In closing, I would like to commend Secretary of Labor Bill Brock for acknowledging the seriousness of this problem and appointing a commission to study the problem. Unfortunately, I feel this step is long past due. Congress has been studying this problem for over 10 years and I am unconvinced that further delay is an appropriate response. I believe that H.R. 1616 responds to worker needs while preserving the flexibility essential to management. By addressing those needs and promoting labor-management cooperation, this legislation can help American industry make the changes necessary to stay competitive in the world's marketplace.

I urge my colleagues to support this balanced, much needed legislative solution to a serious problem in the American workplace.

Mr. HAWKINS. Mr. Chairman, I rise in very strong support of H.R. 1616, the Labor-Management Notification and Consultation Act of 1985. Enactment of "plant closing" legislation is long overdue and I commend my committee colleagues, Mr. CLAY, and Mr. MARTINEZ, for their fine efforts in reporting this legislation. I also want to thank Mr. CONTE for bringing a bipartisan perspective to this legislative effort, and in particular, I want to take note of the incredible effort of my colleague, Mr. FORD, for his diligence and patience in pursuing this effort for well over a decade. It is to their immense credit that we are here today having, at last, recognized that the human devastation and societal costs resulting from plant closings and layoffs deserve our immediate attention.

Mr. Chairman, in this short time I wish to make three rather simple points; first, that the problems associated with plant closings are not regional but, in fact, affect every region and area of this country; second, that there are severe public consequences to private sector disinvestment decisions, and third, that an orderly and fair process of adjustment to plant closings is needed.

There is little doubt that the twin problems of plant closings and the resulting unemployment have been with us in varying degrees throughout our industrial history. However, there is sufficient evidence that the contemporary process of industrial change and restructuring is unique, both as to its nature and as to its sheer pace and velocity. The market forces which traditionally have influenced employment and industrial location patterns are being intensified by the pressures of international competition. A study of my home State of California, by Philip Shapira, of the Institute of Urban and Regional Development, University of California, Berkeley, illustrates these significant differences. His findings show that:

* * * the growth and concentration of transnational corporations and the ability of these firms to shift capital have added a new global dimension to industrial change. Large firms now have an unprecedented capacity to coordinate and reorganize their production and investments not just across regions, but across national boundaries. Second, the introduction of new technologies in production, transportation, and communications allows new ways to organizing work, as well as increased levels of productivity, that were not possible in earlier periods.

The result of such a rapidly changing economic environment is a churning of employment that throws millions of Americans out of work each year.

These disruptions and dislocations are too often only seen as problems of the Northeast or Midwest smokestack industrial regions of this country. While it is clear that plant closures and job losses have most heavily affected workers in such basic industries as automobiles, steel, and rubber, the problem is not limited to any particular region of this country. Let me again refer to the study I quoted before and use my home State of California as an example. Mr. Shapira, found:

[I]n California, large-scale basic steel production was established during the Second World War, and had just about left by the 1980's * * * Similarly, in the automobile industry, the period of most rapid growth in California was during the 1950's and 1960's, when General Motors and Ford built major new assembly plants in the state and California rose to third place among the States in automobile output * * * Now, by the 1980's, California vehicle production (together with the associated production of glass, rubber, and other parts) has been drastically reduced * * * In short, California exemplifies the juxtaposition of production growth, change and decline.

California also illustrates that as this restructuring and realignment occurs, and no matter how strong its economy is generally, no region is spared the devastating after effects accompanying plant closures or major layoffs. One need only review the 1984 BLS Report on the number of displaced workers located in the three Far West States to measure the dimension of the problem we are discussing here today.

Mr. Chairman, private sector disinvestment decisions do have severe public consequences which are not limited to the Northeast and Midwest regions of this country but which, in fact, affect every part of this Nation, and every industry from smokestack to high technology, causing havoc not only to the worker and his or her family but to the community at large. Our committee has heard frightening testimony of the human despair suffered not only by the worker but by his or her family not only in terms of loss of financial security but of tension, anxiety, and depression, resulting in spouse and child abuse, desertion, and divorce as well as a very high suicide rate. If ever there was an issue of "family" this is it.

The surrounding community is also devastated when a plant closes or a large portion of the area's work force is layed off. It will lose its tax base at a time when its citizens are most in need of basic services. The societal costs are immense and readily apparent in increased health care costs, costs associated with the greater use of unemployment compensation, food stamps, and other social support programs. It is time not only to recognize the magnitude of these economic changes but to deal with the human repercussions. Sufficient evidence has been presented to show that with appropriate notice to the employee and to the community such devastating effects of a job loss can be minimized.

It is the intent of H.R. 1616, not to impede, halt or alter the economic development that has made this country great nor to infringe on a business decision of disinvestment, but rather to take cognizance of the very human and very public and very pervasive effects that unfortunately seem to go hand in hand with this new economic expansion and development, and to provide an orderly and fair process by which to lessen the burden of these consequences. H.R. 1616, is, in my view, only a start in the right direction. But it is a first step that we can no longer delay if we care at all about the people who provide the human capital for such economic development.

I am inserting at this point in the RECORD a letter from my friend and colleague JOHN DINGELL, chairman of the Committee on Energy and Commerce. That committee might, had it chosen to do so, have demanded sequential referral of H.R. 1616, but for the reasons indicated in his letter, has chosen not to do so. I concur fully with Mr. DINGELL's letter and I agree that his action in this matter does not constitute a waiver of jurisdiction and will not be a precedent for the future.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 8, 1985.

Hon. AUGUSTUS F. HAWKINS,
Chairman, Committee on Education and Labor, Washington, DC.

DEAR MR. CHAIRMAN: On October 25, 1985, the Committee on Education and Labor reported to the House H.R. 1616, the "Labor-Management Notification and Consultation Act of 1985." As reported, the bill establishes new notification and consultation requirements in the event of a plant closing or permanent layoff of employees. The bill applies to any business employing 50 or more employees, and, therefore, affects the nation's railroads and their employees. In addition, the bill establishes a specific notice requirement to an employee "representative" as determined under the Railway Labor Act (45 U.S.C. 151 et seq.).

Under the Rules of the House, matters related to railroads, including railroad labor, are within the jurisdiction of the Committee on Energy and Commerce. Over the years, the Committee has considered and passed a number of statutes to protect railway labor in instances of plant closings and permanent layoffs. My review of these statutes suggests that generally they would afford railroad labor with equal, if not greater, protection, as compared to H.R. 1616, should one of the nation's railroads be in the situation of a plant closing or permanent layoff. My review also suggests, however, that the protections established for employees under H.R. 1616 would not operate in a manner inconsistent with the procedures and protections established specifically for railroad labor. Accordingly, the Committee on Energy and Commerce did not request referral of the legislation, with the understanding that a waiver of jurisdiction over this will not be a precedent in the future.

I appreciate the opportunity to work cooperatively with you on this matter, and commend you and Chairman Ford for moving forward this important legislation.

Sincerely,

JOHN D. DINGELL,
Chairman.

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in strong opposition to H.R. 1616, the Labor-Management Notification and Consultation Act, because I believe this legislation would seriously restrict the ability of employers to make business decisions necessary to adapt to changing market conditions.

Although I am deeply concerned with the number of plant closings that are occurring not only in my home state of Arkansas, but across the Nation, and the effect of these closings on employees and communities, I do not believe that government involvement in these business decisions is the best remedy. H.R. 1616 would interfere with the ability of the employer to make the decisions necessary to keep the enterprise competitive, and could eventually lead to more unemployment and greater economic instability.

The proponents of this measure have called it a "simple notice" bill, designed to give employees adequate notice that they are to be laid off. However, the bill would require that during the 90-day notice of a plant closing, the employer must consult in good faith with the union to try to reach a mutually satisfactory alternative, and must give the union all relevant business information. Such restrictions could significantly delay a closure or other change in operation, and in business, the timing of such moves can sometimes be crucial.

The shortsighted provisions in this measure value temporary job security over long-term economic viability, and could ultimately damage economic stability and job security for workers. In addition, H.R. 1616 places government in an area which should be dealt with through the collective bargaining process.

In opposing this legislation, I am not dismissing the problem of plant closings as minor. To the contrary, the problem is extremely serious, and deserves a thorough examination. For that reason, the Department of Labor has recently established a 21-member Task Force on Economic Adjustment and Worker Dislocation, which will evaluate current programs at the local, State, and Federal level, and provide recommendations on what needs to be done, and whether legislation is the answer.

In closing, I believe the approach taken by H.R. 1616 is counterproductive to the free market system, and represents government encroachment in labor-management relations. The answer must be not to prevent economically distressed companies from closing or relocating, but rather to make economic conditions attractive for businesses to locate and remain in the community.

Mrs. BURTON of California. Mr. Chairman, I rise today in support of H.R. 1616, a modest measure, which provides equity in the workplace by providing a 90-day notice on a plant closing to those employees affected so that they can prepare for the economic dislocations that will occur.

This bill provides, in the best sense, a form of social insurance against the cruel realities of economic fate. It simply allows workers to have an opportunity to seek retraining or a new job when a business is forced to shut down or a layoff occurs. This is accomplished by a notification process, equitable in its length and designed to accomplish the purpose of providing advance notice to workers who are about to lose their jobs.

A notice provision will also mitigate the social costs connected with unemployment. Workers put on a 90-day notice may find alternative means of employment thus cutting the costs represented by food stamps, welfare, and unemployment compensation.

Of great importance is that this bill makes a symbolic as well as a substantive contribution to the climate of labor-management cooperation.

By requiring and encouraging employers to consult with their employees an opportunity to mutually explore alternatives to plant closings will be developed and nurtured.

The benefits of this bill are apparent. The impositions imposed are small.

Accordingly, I urge my colleagues to support H.R. 1616.

The CHAIRMAN. All time has expired.

Mr. CLAY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MCCLOSKEY] having assumed the chair, Mr. OBERSTAR, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1616) to require employers to notify and consult with employees before ordering a plant closing or permanent layoff, had come to no resolution thereof.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 1616.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3722, EXTENSION OF APPLICATION OF CERTAIN EXCISE TAXES AND PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE, MEDICARE REIMBURSEMENT, AND RAILROAD UNEMPLOYMENT BORROWING AUTHORITY

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 99-368) on the resolution (H. Res. 317) providing for the consideration of the bill (H.R. 3722) to extend until December 14, 1985, the application of certain tobacco excise taxes, trade adjustment assistance, certain medicare reimbursement provisions, and borrowing authority under the railroad unemployment insurance program, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3721, TEMPORARY PUBLIC DEBT LIMIT INCREASE AND RESTORATION OF INVESTMENTS OF CERTAIN TRUST FUNDS

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 99-369) on the resolution (H. Res. 318) providing for the consideration of the bill (H.R. 3721) to temporarily increase the limit on the public debt and to restore the investments of the Social Security trust funds and other trust funds, which was referred to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that all Members be permited 5 legislative days in which to extend their remarks, and to include therein extraneous material, on the bill, H.R. 2409, which was repassed by the House today.

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

There was no objection.

GRAMM-RUDMAN: FACT AND FANTASY

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

Mr. McHUGH. Mr. Speaker, given the probability of still more votes this week on the Gramm-Rudman amendment, I would like to call the attention of our colleagues to a recent editorial in the New York Times that strongly criticizes both the Senate and House versions of what it rightly calls "this loony budget bill."

While recognizing that the House version is "less bad," the Times points out that both are flawed instruments that deserve to be killed. The Times is absolutely right.

The best thing that can be said for these legislative gimmicks is that they might finally force the President and Congress to act responsibly on the budget. And why might we be forced to do so? Because if any one of these gimmicks goes into effect, irreparable damage will be imposed upon essential defense and domestic programs. To risk such damage is totally irresponsible, particularly since we have the power to act on the budget now.

Mr. Speaker, most of us know what should be done, and we've known it for some time. We should direct the Budget Committee to report an amended budget resolution which restrains spending across the board and calls for some additional revenue to help pay for our national requirements. Because we have a President who refuses to recognize these fiscal facts of life does not relieve us of responsibility, and does not justify either further delay or a resort to legislative gimmickry.

Let's put Gramm-Rudman in all its permutations to rest this week. "Then," in the words of the New York Times, "Congress can get down to the hard work of cutting the deficit, instead of the evasion of inflating appearances."

[From the New York Times, Nov. 8, 1985]

STILL PRETENDING TO BALANCE THE BUDGET

President Reagan, who has said yes, he favors the bizarre balanced-budget legislation making its way through Congress, now says yes, but. If it ends up looking too much like the House version, he may have to veto it. Good.

Though the House's bill is less bad than the Senate's, both embody the faulty concept that deficit reduction can be programmed precisely years in advance. That's a ridiculously rash promise—and bad policy too. A veto is just what it deserves.

Both bills claims to balance the budget, the Senate version by 1991 and the House version by 1990. The Senate would cut the deficit in equal steps each year. The House wants bigger cuts right away and is more sensibly flexible about future cuts, depending on the economy.

If Congress and the President miss a year's target, spending would be cut automatically, with exceptions. The Senate exempts Social Security and most long-term contracts. The House also exempts veterans' pensions and nine poverty programs, and gives the President less room to manipulate cuts.

Warren Rudman of New Hampshire, a Senate sponsor, admits it's "a bad idea whose time has come." Some of the President's most important colleagues have come to agree it's a bad idea. Secretary of State Shultz, Defense Secretary Weinberger and national security adviser McFarlane told their boss last week they didn't like it, and now chief of staff Donald Regan is said to be wavering too. All are concerned, correctly, that national security and foreign-policy objectives not be exposed to arbitrary mandatory cuts. Amen. The same goes for domestic programs.

All this gimmickry is attached to the bill raising the national debt ceiling to $2.1 trillion. But there's no necessary connection. The theoretical deadline for the debt-limit bill is seven days away. Then, the Treasury says, it will have absolutely, positively exhausted all possible tricks to keep the debt under its current $1.8 trillion ceiling. When that happens, the Government may shut down or stop paying its bills—or even go into default, which could damage its credit rating for years.

Whether the threat is as real as the Administration says, this loony budget bill is plenty false. The next step is yet another conference to resolve differences between the Senate and House plans. Ordinarily, reasonable citizens would favor a reasonable compromise. Not this time. The best outcome is either no bill at all or one the President would surely veto. Then Congress can get down to the hard work of cutting the deficit instead of the evasion of inflating appearances.

SALUTE TO GEN. ROBERT C. KINGSTON

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

Mr. SKELTON. Mr. Speaker, Gen. Robert C. Kingston will retire from the U.S. Army on November 27, 1985, after 37 years' service that started when he enlisted as a private in 1948.

Above all, he has been a warrior with a record few could match in the U.S. Military Establishment or abroad for at least the last four decades. He is a paratrooper and Ranger, awarded the Distinguished Service Cross, two Silver Stars, and numerous lesser decorations for valor, both foreign and domestic, after 16 campaigns during more than 5 years of combat—two tours in Korea, three in Vietnam. Purple Hearts are conspicuously absent, because Kingston led a charmed life; a bullet-creased helmet was the closest he came to a wound. Napoleon, who preferred lucky generals to those who were merely competent, would have found him exemplary.

Twelve years of command time included a rifle platoon, three rifle companies, an infantry battalion, two brigades, the 3d Special Forces Group, the JFK Center for Special Warfare and, at the four-star level, U.S. Central Command, which encompasses 19 countries from the Horn of Africa to Pakistan in its area of responsibility. Almost half of his command tenure was in combat.

Vital statistics, however, tell only part of the Kingston story:

Second Lieutenant Kingston steered a tiny task force to the frozen Yalu River on November 28, 1950, when massive Chinese armies already were streaming south from Manchuria. One major, three captains, and several first lieutenants were officially under his command, a nearly unique lashup that reflected the great faith and confidence senior officers already placed in his leadership abilities.

Major Kingston, as the 82d Airborne Division exchange officer with the British 16th Parachute Brigade, commanded a rifle company in the United Kingdom, with extensive excursions to Germany, Libya, Cyprus, Aden, and Malaya. Enduring ties with that formation and the British Special Air Service, an elite force, remain.

Colonel Kingston commanded two brigades during combat in Vietnam, although the competition was so intense that most rivals felt fortunate if they received one such assignment. One of his brigades spearheaded a sweep through Communist sanctuaries in Cambodia during the 1970 U.S. cross-border incursion, an operation that helped buy time for Vietnamization to replace Americanization of that conflict.

Major General Kingston, whose clandestine, covert, and other special operations experience started in Korean combat 33 years ago, was the father of Delta Force, the Pentagon's primary counterterror instrument. The Army Chief of Staff sold his concept to the Joint Chiefs and Secretary of Defense.

Full General Kingston has been America's senior uniformed representative in the Middle East since July 1981, a sensitive assignment that demands statesmanship, as well as military acumen. Plaudits from chiefs of state and armed forces in that area confirm that he was the perfect choice.

One final factor merits special mention. General Kingston refused to compromise high professional standards. Peers—even superiors—who fell short got short shrift. Subordinates unwilling or unable to conform fell by the wayside. Other associates, regardless of rank, would follow him anywhere. Gen. Edward C. "Shy" Meyer, speaking as Army Chief of Staff, paid tribute when he pinned on Bob's third star: "If I ever go to war again," he said, "I want this man on my flank." A former sergeant, who served with Kingston's battalion in Vietnam, described him as the bravest and best. Kingston, he wrote, "cared about the men who were in each of his companies * * *. He was a born leader," who "got us every kind of support we needed. And there is no doubt he saved a lot of our lives * * *."

Congress and the American people should salute Gen. Robert C. Kingston as he leaves active service. He is a patriot, soldier, and selfless public servant who will be missed in many ways.

MEMBERS URGED TO SIGN DISCHARGE PETITION 4 TO BRING UP FIREARMS OWNERS PROTECTION ACT

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

Mr. VOLKMER. Mr. Speaker, for years I have sponsored legislation that would unshackle the law-abiding firearm owners of America. And for years this body, suffering under dictator-style action, has not been allowed to discuss the merits of such legislation.

A number of you are being persuaded by some law enforcement organizations to refrain from signing Discharge Petition No. 4 enabling this legislation to be brought forth for discussion. But let me share with you a letter I have received from one of the most respected law enforcement organizations in this country—the National Association of Chiefs of Police.

The letter, in part, reads: "When we make citizens into criminals by laws that prevent them from owning a firearm for self-defense or sport, we are not serving society."

The letter goes on to say "We would hope that the Firearms Owners Protection Act would be judged on its merit, and the rights guaranteed to all men, by the Constitution of the United States." I am submitting this letter for the RECORD and urge my colleagues to read it, then sign Discharge Petition No. 4.

NATIONAL ASSOCIATION OF CHIEFS OF POLICE,
Washington, DC, November 8, 1985.

Representative HAROLD VOLKMER,
House of Representatives, Congress of the United States, Washington, DC.

DEAR CONGRESSMAN VOLKMER: A few days ago I saw a political cartoon depicting the National Rifle Association "dollars" being traced to the hand of a drug addict and that pistol being used to kill a police officer. It was vicious and typical of how the media distorts the role of the National Rifle Association and the Police when it fits their mood. The NRA is much admired by many police officers who are aware of its true nature.

Our association reaches out to command law enforcement officers on all levels. There are some 21,000 police agencies in the nation and about 500,000 full time police. Those I have talked with, and those we have polled, feel that decent law abiding citizens should have the right to own a firearm. Some for sport, and those who feel the need for self-protection.

The City of Washington, D.C., bans firearms ownership. It has more police officers per thousand population than any city in America, but these laws that ban firearms, dis-arm law abiding persons. They invite criminals to enter this city with immunity. It is a perfect example of a bad law.

Study after study has proven that strict enforcement of present laws, of persons using firearms in a criminal act, is the best way to reduce crime.

When we make citizens into criminals by laws that prevent them from owning a firearm for self-defense or sport, (or both), we are not serving society. Citizens living in fear are forced to disobey laws which make them defenseless.

Back in 1968, a "Gun Control Act" was passed that was an emotional outcry of a period of difficult times. The law appears after all these years of testing, to be ineffective. In fact, there have been documented abuses that draws unwarranted spotlight on police who bear the brunt of bad laws.

While on one can speak for every lawman, I can tell you that we need a more reasonable law that is fair and enforceable.

Last July, the "Firearms Owners Protection Act of 1985" was passed in the Senate by a vote of 79-15. The people spoke out and the Congress acted to right a series of wrongs.

In the face of such a majority vote, we note that Peter Rodino, Chairman of the Judiciary Committee, has decided by his single vote and position, to "kill the bill".

There was a cry for public hearings and only a few weeks ago, October 28th, New York City was selected as a site. Law enforcement officers who might have favored the bill were not invited. Those who did testify were selected, or better described as, "casted" as to what would be heard.

Yes, there are victims of mis-used firearms. There are groups dedicated to ban all firearms. They have a right to be heard. But I can tell you that I spent nine months recovering from being struck by a drunk driver when I was a traffic officer! He was fined $50. I use that as an example to note that I feel groups like "Mothers Against Drunk Drivers" have a valid point. Get the drunk driver off the road!

Not the car.

There are about three officers killed each week. Almost a third are killed in auto related accidents.

We know that criminals fear homes where owners are armed! We feel that our nations national defense and civil defense is stronger because of a history of citizens who are armed and to defend themselves.

We would like this letter read into the records of Congress. We would hope that the "Firearms Owners Protection Act" would be judged on its merit, and the Rights guaranteed to all men, by the Constitution of the United States.

Sincerely,

GERALD S. ARENBERG,
Executive Director.

LACK OF EXPERIENCE PROBLEM WITH THE NATION'S AIR TRAFFIC CONTROLLER FORCE

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

Mr. MOLINARI. Mr. Speaker, I am deeply concerned with the very serious problems that face the flying public that are caused by the lack of experience of a large percentage of our air traffic controller force.

Most of my colleagues are aware that the existing controller staff levels are substantially less than the levels prior to the 1981 controller strike. Few Members, however, may be aware of the extremely large percentage of present-day controllers who are not fully qualified, or if technically qualified fall short of the experience that is needed to efficiently operate the system.

As a result of the strike, 11,700 controllers were lost; 9,200 of them qualified at the full performance level. The system was left with only 4,000 controllers; 3,400 of them at the full performance level.

As serious as these numbers are, the problem will become even more critical as large numbers of existing controllers will shortly reach retirement age. Indications are that the great majority of them will opt to retire, thus depleting experience levels even more.

Few can dispute what a critical factor experience is in the system's ability to handle aviation traffic, particularly in peak periods or during adverse weather conditions. I have analyzed this problem in depth, and I have had conversations with scores of controllers, supervisors and pilots from across the country.

It is clear to me that we must move effectively and expeditiously to fill the experience void that now exists. There is only one source to achieve this, and that is from the pool of former controllers that were fired in 1981. In a limited period of time, these individuals can be retrained and take their place in the system.

This is not a question of being prounion or being antiunion. It is a question of safety; and that must and should be our first priority. That point cannot be overemphasized.

Secretary Dole recently announced her Department's intention to hire 1,000 new controllers over the above that previously planned. If these controllers are hired over the next 2 years without any prior experience, it could take as long as 5 years before they might reach full-performance level.

In my judgment, we cannot wait that long. These 1,000 new controller positions should be filled with individuals with prior experience and proven performance records.

To each of my colleagues, I have sent a copy of a proposed letter to the President asking him to consider rehiring the former controllers. I strongly urge my colleagues to join me and over 70 other Members in signing this letter to the President. It is my belief that if enough Members sign this letter, the President will give serious consideration to this request.

Some Members who have signed the letter did not support the President's action in 1981. Others, including myself, did. Yet, that is not the pressing concern at stake today.

I implore my colleagues to seriously look at the current state of our air traffic control system. Visit a facility in your district, talk to the working controllers, talk to the pilots, talk to the supervisors. I believe you will hear from them the same story I have heard, time and time again: "We need help, we need it badly, and we need it now."

Let me stress that Congress shares in the responsibility for ensuring aviation safety. We have a very definite role to play and an obligation to fulfill. This responsibility does not lie solely with the administration or with the FAA; it is partly ours as well.

It should not take tragedies or loss of lives for corrective action to be taken. There are enough warning signals today in the system to show that the system is in deep trouble.

□ 1940

We must act now to address the critical problem of controller experience, and I believe the appeal to the President would be a very important step in this direction.

I thank the Speaker.

PERSONAL EXPLANATION

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

Mr. NELSON of Florida. Mr. Speaker, due to official business, I was unable to be present and voting on November 7 for rollcall vote No. 398. Had I been present, I would have voted "aye" to agree to the conference report on H.R. 3036, Treasury/Postal appropriations.

THE 67TH ANIVERSARY OF POLISH INDEPENDENCE

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

Mr. ANNUNZIO. Mr. Speaker, on November 11, 1918, the courageous people of Poland, determined to obtain and preserve a free and united nation, declared their independence, and reasserted their right to live in freedom after more than a century of foreign domination.

Prior to 1918, the people of Poland were faced with both triumphs and disappointments. A successful attempt to establish a constitutional government in the late 1700's demonstrated the Polish desire to become a self-governing nation. Unfortunately, however, the powerful Russian army crushed Polish aspirations after only 1 year, and soon divided this small country with Prussia.

Poland, a nation that took great and justifiable pride in its long and illustrious history, disappeared from the map of Europe, and it was not to become free again for almost a century and a quarter, in spite of many brave and determined uprisings to rid the country of its foreign despotic rulers.

After World War I, however, the signing of the Treaty of Versailles enabled the Poles to reassert their own national destiny, and to freely develop their national, religious, and cultural institutions without foreign interference. Sadly, this glorious revival of freedom lasted only for one generation. For in 1939, Poland became a victim of Nazi aggression, and her people were subjected not only to another foreign occupation, but also to most extreme savagery, racial persecution, and brutal enslavement. Although 1945 marked the end of this Nazi oppression, the Polish people were forced to submit to a new tyranny in the form of the communism imposed with force by the Red Army.

Today, the Communists continue in their ruthless attempts to destroy the culture and religious heritage of the Polish people. Nevertheless, the struggle to achieve self-determination continues, as men and women fight against overwhelming odds to achieve liberty and human dignity. All freedom-loving peoples throughout the world are inspired by the continuing insistence by the Polish people for fundamental rights, and it is most appropriate that we in the United States acknowledge the steadfast attempts to attain liberty on the part of the Polish people during this anniversary of Poland's Independence Day.

Mr. Speaker, I am privileged to join with Americans of Polish descent in the 11th Congressional District of Illinois which I am honored to represent, and Polish-Americans throughout the Nation, as they commemorate the 67th anniversary of the independence of Poland, and pray for the success of the Polish people in their dangerous and delicate struggle with their Communist oppressors.

DRUG VIOLENCE AGAIN HITS MEXICO

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

Mr. RANGEL. Mr. Speaker, I rise to denounce in harshest terms the brutal murder of 22 Mexican policemen by marijuana growers in southeastern Mexico on Friday, November 1, 1985.

According to press reports, the 22 policemen were ambushed and killed by about 30 heavily armed men, all of them residents of a remote farming community 15 miles south of the Gulf of Mexico port city of Coarzacalcos. All of the victims were shot in the head. The Mexican police had surprised a band of marijuana smugglers who were transferring about six tons of marijuana from trucks to a launch on the Rio Coachapa.

I know all of my colleagues express their deep sympathy to the families of the slain policemen, the Government and the people of Mexico for another sad chapter in the fight against illicit narcotics trafficking. These members of the Federal Judicial Police, the Federal Security Directorate, the Veracruz State Public Security Directorate and the Veracruz State Judicial Police have become martyrs in the struggle to rid this world of the unscrupulous who produce and traffic in drugs, destroying the lives of our young people and threatening the welfare of our nations.

As chairman of the Select Committee on Narcotics Abuse and Control, I recently led a study mission to the drug producing and trafficking nations of South America. In the narcotics producing areas in many of the nations to the South, the narco-terrorists are well-organized, well-financed, and well-armed. They control vast areas of these nations and exercise great influence through violence and terrorism. The Dangers faced by law enforcement personnel in assisting to dismantle vast narco-empires cannot be underestimated. This recent episode in Mexico, the brutal killing of our Drug Enforcement Agent Enrique Camarena earlier this year, and the assault upon the Colombian Ministry of Justice and the killing of 11 judges by terrorists in Bogota last week, bear this stark truth.

We must not, however, let this tragic moment daunt our narcotics contol efforts. We must send a strong message to the drug terrorists of the world that every lawful means will be used to bring them to justice. In this vein, I am pleased to note that 16 suspects have already been arrested by the Mexican authorities and are being interrogated in an effort to identify the organizers of the attack and of the marijuana growing operation that the assailants were protecting.

Further, this incident should strengthen our resolve to work with the nations of the world to initiate effective international drug control policies. Through the United Nations, and in our bilateral relations with drug source countries, we must elevate narcotics control to a high priority, and lend

to it the support and resources a problem of this magnitude requires.

In conclusion we again offer our deepest sympathy to Mexico, and once again learn that our fight against drug terrorism requires constant vigilance.

[From the Washington Post, Nov. 6, 1985]

MEXICO SEEKS KILLERS OF POLICE

(By William A. Orme, Jr.)

MEXICO CITY. November 5.—About 30 marijuana growers participated in what is being called "The Day of the Dead Massacre" of 22 policemen in Mexico's southeastern swamplands, the federal attorney general's office here said today.

The killings took place on the eve of the day Mexicans commemorate their dead. It was the largest loss of life from a single clash in Mexico's drug wars and has prompted a massive manhunt. About 100 state and federal police and 500 troops from an Army narcotics eradication squad patrolled southeastern Veracruz State looking for the killers of the Mexican police officers, whose bound and bruised bodies were discovered Saturday.

The 22 policemen were captured and killed by about 30 heavily armed men, "every one of them" a resident of a remote farming community about 15 miles south of the Gulf of Mexico port city of Coarzacaicos, said Federal Judicial Police Cmdr. Florentino Ventura.

Sixteen arrests have been made so far, and information from the suspects "will soon lead us to those responsible," Ventura said in a telephone interview.

The 16 suspects now being interrograted will be able to identify the organizers of the attack and of the marijuana growing operation "that the assailants were protecting," Ventura said.

The victims shot through the backs of their heads were members of the Federal Judicial Police, the Federal Security Directorate, the Veracruz State Public Security Directorate and the Veracruz State Judicial Police, Ventura said.

"This is the price Mexico is paying for confronting these faceless criminals." Mexican Attorney General Sergio Garcia Ramirez, in Veracruz supervising the investigation, said by telephone last night.

The ambush took place in Hidalgotitian, an isolated municipality of cattle ranchers and grain farmers in the sparsely settled Tenuantepec Isthmus lowlands. Larger than the state of Delaware, with vast tracts of marsh and rain forest separating stretches of fertile savannan, the region has few roads but is "full of landing strips, many of them clandestine." Francisco Fonseca chief spokesman of the attorney general's office, said here.

Marijuana cultivation is widespread in the zone and patches of opitum poppies were discovered recently, Fonseca said.

"The problem is economic, and the peasants are the last people we should blame," he said. "It is a depressed area, and the traffickers are able to pay them $20 for a little crop of marijuana when they would earn maybe $2 for the same amount of corn."

Army troops dispatched to the area to search for the killers had been conducting a sweep of the neighboring state of Oaxaca, now believed to be Mexico's largest narcotics production area, Fonseca said.

Mexico is said by U.S. authorities to be the source of one-third of the heroin and perhaps one-fifth of the marijuana imported into the United States, as well as the conduit for as much as one-third of the South American cocaine brought into the United States.

Apparently lured into an ambush by drug traffickers Friday in a remote district of Veracruz State, the police fled on foot but were soon surrounded by a large gang of heavily armed attackers, according to an account by two witnesses, Fonseca said. The witnesses, local police informants, said they escaped into the bush as the gunfight began Fonseca added.

"When the police arrived, the drug traffickers rounded up a group of local marijuana growers, people whom they supplied with weapons," Fonseca said "The witnesses guessed that there were about 40 attackers, but from the duration and scale of the battle; it appears that there may have been as many as a hundred."

The police, who apparently had been en route to a nearby farming settlement before intercepting and following a confessed drug smuggler to the site of a marijuana pickup, ran out of ammunition in the gunfight, Fonseca said. The police were then captured, bound and killed, and their bodies were carried downriver by boat, he said.

Among the suspects being interrogated, Ventura confirmed, is a state judicial police commander stationed in the nearby city of Acayucan.

[From the New York Times, Nov. 4, 1985]

MEXICO SEEKING KILLERS OF 21 POLICEMEN

(By William Stockton)

MEXICO CITY, November 3.—Mexican policemen and soldiers searched a remote region 300 miles southeast of here today seeking a band of drug smugglers who ambushed and killed 21 policemen after the police discovered a large cache of marijuana.

Reports reaching the capital from the area along the border between the states of Veracruz and Oaxaca said the ambush occurred before dawn Friday. Mexican officials said some of the policemen were captured by the smugglers, taken to a nearby farm and tortured and killed.

High-level Mexican officials who are supervising Mexico's efforts to combat drug smuggling directed the search from the town of Minaritian on the Gulf of Mexico coast, which is about 60 miles from the area of the killings.

They included the Mexican head of Interpol and the federal assistant attorney general in charge of Mexico's campaign against drug trafficking.

The killings are a setback in Mexico's efforts to control a substantial traffic in illegal drugs destined for the United States.

They came a week after a major Mexican drug figure escaped from a jail in Tijuana, on the United States Mexican border south of San Diego. Jose Contreras Subias was being held in connection with the killing in 1984 of a Mexican federal police officer in an ambush.

Mr. Contreras was an associate of Caro Quintero who is in a Mexico City jail awaiting trial on charges that he kidnapped and killed a United States Drug Enforcement Agency agent and his Mexican pilot in Guadalajara last winter.

Diplomatic sources here confirmed that 21 police officers had been killed, including 17 members of the Federal Judicial Police. The sources also confirmed that some of the police were captured and later tortured and killed.

According to Mexican officials, the battle between the policemen and the drug smugglers took place near the town of Hidalgotitián in southern Veracruz near the border with Oaxaca. It is a remote region reachable by launch via a river.

It was in this area that the police and Mexican army units from garrisons in Matia Romero in Oaxaca and Minitatián in Veracruz were concentrating their search.

According to Mexican officials and diplomatic sources, the Mexican drug agents surprised a band of drug smugglers transferring about six tons of marijuana from trucks to a launch on the Rio Coachapa. A fight ensued between the police and the smugglers, who were armed with high-powered weapons.

Two policemen escaped. Reporting from Minitatián, the Mexico City newspaper Exceisior quoted the two survivors as saying that the smugglers collected the bodies of the dead policemen and lined them up along the river bank after the battle.

Mexican officials said the surviving policemen were taken to a farm at the village of Cahuapan near Hidalgotitián and tortured and killed. Their bodies were later dumped in Cahuapan.

Mexico is believed to be the source of 20 percent of the marijuana that reaches the United States, about 2,500 to 3,000 metric tons. Some officials think the number might be higher, in light of the seizure in the state of Chihuanua in the fall of 1984 of nearly 10,000 metric tons of marijuana apparently destined for the United States.

Mexico is also believed to be the source for between 18 and 35 percent of the cocaine that reaches the United States and 32 percent of the heroin.

The United States Government frequently has urged the Mexican Government to work harder at intervening in the highly lucrative drug traffic.

Relations between the two countries regarding illegal drug trafficking reached a critical point last winter when the American drug agent, Enrique Camarena Salazar, and his Mexican pilot were kidnapped off the streets of Guadalajara. Their bodies, showing signs of torture, later were found buried on a ranch.

The Reagan Administration reacted angrily and placed heavy restrictions on traffic into the United States at border crossings with Mexico.

But United States State Department officials in Washington have said in recent months that the Mexican Government had strengthened its campaign against drug traffic as a result of the agent's killing and the angry reaction in Washington.

INDEXATION OF DEBT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. LUNGREN] is recognized for 60 minutes.

Mr. LUNGREN. Mr. Speaker, the secret password in Washington these days is "reform." We have tax reform, military reform, immigration reform, and foreign policy reform. Yet there does seem to be one thing that remains, one consistency here, one constant; and that is that, despite all these reforms, we still may have a large, large deficit. We are talking about a $200 billion deficit now, and my colleagues believe that a large portion of that figure, that is, the interest

on the public debt, is out of their hands.

Mr. Speaker, this may not be the case. We can, in fact, address the interest problem by something which may seem novel, by indexing the national debt in order to reduce the inflationary expectation component of the cost of borrowing.

This evening I am going to discuss the reasons for experimenting with indexation, my own legislation to initiate it, and the basis of my confidence in it. Yes, it is a serious shift in policy, but our bloated Government desperately needs the innovative spirit that is an essential ingredient of real reform.

Unfortunately, such reform is hard to come by. We know that if interest payments continue at the rate of $140 billion per year, government borrowing will begin to crowd out the financing of private business. We know that such a contingency could mean a curb on productivity and more problems for economic growth. Yet we fail to consider ideas that are a step beyond the conventional wisdom. The situation reminds me of Winston Smith in Orwell's "1984." We all know we are headed for room 101, but we cannot stop ourselves from going there. This feeling of inevitability, Mr. Speaker, is augmented by the belief of most Members that certain portions of the budget are uncontrollable. Entitlements, we are told, are uncontrollable; the public debt, which constituted 13.9 percent of the budget in 1984, is also deemed uncontrollable. In fact, according to one reckoning of the Senate Rules Committee, fully 73.8 percent of the budget is beyond the pale.

But the fact is that a portion of the cost of the public debt can be controlled because the U.S. Government is currently paying billions of dollars more to bondholders than is necessary. In return for the purchase of 10-year bonds, the U.S. Treasury paid an interest rate of 12.4 percent in 1984. Ideally, the investors and the Treasury should agree on an interest rate composed of the expected level of inflation, first, and second, the "real" rate of interest, which is that which reflects the typical real yield on assets. But the inflation rate was only 4 percent in 1984, and financial experts from the Congressional Research Service and Fortune magazine feel that the real interest rate should be around 3 percent. Why then the missing 5 percent? This missing 5 percent comes from a risk premium. The risk premium is affected by uncertainty about inflation, and this is, in effect, a surcharge to the borrower.

Let us look at an example: Mr. and Mrs. Smith are a young couple saving and investing for their children and retirement. They might be interested in long-term Treasury bonds. If the bond they purchased simply included a real interest rate and the expected rate of inflation, they might be uneasy, they might be worried. What happens to their children's education if inflation explodes beyond the predictions, as it repeatedly did during the 1970's? The answer is that trips to college explode as well. So the Smiths insist on an extra margin of interest to guarantee that inflation does not cut the value of their investment. That is great for Mom and Dad, but since Uncle Sam pays $38 million per day in interest, it is a pretty sad state of affairs for him.

Common sense should tell us that if the inflationary risk premium was eliminated or simply reduced, the Government could save billions of dollars. Now we can accomplish this if the Government provides the guarantees on inflation through the mechanism of indexation. According to an April 1985 issue of Fortune magazine, if the Treasury sliced off a couple of percentage points from interest rates by selling indexed bonds instead of the current bonds, it would save $13 billion just this year. Fortune magazine predicted that the savings could reach $30 billion in 1990. Massive savings were also specified by Mr. Robert Monks in testimony before the Joint Economic Committee. Mr. Monks formerly served as administrator of the Office of Pension and Welfare Benefit Programs in the Department of Labor. He assumes that the indexed bonds of 3- to 20-year maturity would pay 7.7 percent interest as opposed to 13.7 percent with conventional bonds. If these assumptions proved correct, the Treasury could save $9 billion in the first year of indexation and $45 billion by the fifth year.

In all candor, I have to add a couple of caveats to these figures, as promising as they may be. Mr. John Pallfy, writing in a May 14 issue of the Heritage Foundation Backgrounder, essentially agrees with the savings totals produced by fortune. He points out, however, that the ultimate reductions will be slightly altered by the method of indexation. If only the interest on the bonds is indexed, then rising prices will diminish the value of the principal by the time it matures. Since this scenario would undermine the advantages of indexing, it would be preferable, from the standpoint of the investor and therefore probably for marketing purposes, to index both the principal and the interest. That would mean, of course, that some money would be taken away from the $30 billion to $45 billion totals. Those are estimated totals.

The second caveat is more technical. While many authorities here in Washington feel that the real interest rate is around 3 percent, other economists remain uncertain. In fact, some of them hope that indexation by making clear exactly what the inflation component of the interest rates is will show them the "real" rate of interest. The uncertainty prevents exactitude when it comes to estimating the reductions in interest payments likely to result from the indexation.

But the principal remains. If, instead of us having to estimate what the inflation rate might be, an uncertainty that is always going to be out there, trying to translate that into some sort of risk premium, and having in most cases to err on the side of overestimating in order to sell the bonds, we would instead make sure that anyone who bought these bonds would be protected over the lifetime of the bond against the impact of inflation because it would be indexed at the time the inflation occurred.

Let me be clear at this point, however. This is not a panacea; nor is it a substitute for budget cuts.

Colleagues familiar with my speeches and legislative activity known of my strong support for tough budget choices leading to a balanced budget. But I think I would be foolish and so would they not to grasp a savings that is relatively painless and clear of lobbyists. And it might explain more simply: If a family happened to overextend itself and go into debt, they certainly would not solve that problem merely by renegotiating that debt; they would probably try to ensure that they cut their spending over the next year and years ahead. However, they would be foolish to walk into any bank and say, "I want a loan to take care of my debts, and give me your highest loan, that is, your highest rate of financing that loan." Or they would be foolish if they only went to the first bank and did not go to other banks and see if they could not get a better deal on servicing their debt.

What we are suggesting is that indexation would provide another way of the Government now going out and attempting to service the debt that they would be required to service. All they would be trying to do would be bringing down the cost of servicing of that debt.

Now turning to the world beyond the Beltway, I want to emphasize the benefits of indexation to private finance. As I mentioned earlier, indexed bonds would end the risk that future retirees like the Smiths would see their investments eaten up by inflation. Thus, as John Pallfy points out in his backgrounder report, indexed bonds would be especially popular in pension funds, in life insurance, and IRA's. Mr. Monk agrees enthusiastically with this thesis. He observed in his testimony that the 70 million beneficiaries of private pensions would find indexed securities "the ideal funding mechanism, combining lowest risk; [a] stream of payments with assured maintenance of purchasing power and

protection against market conditions at the time of funding or of retirement." In other words, someone who is very well versed in the whole question of the pensions, private pensions of America, someone who has had a public responsibility and now a private responsiblity in this area would, in fact, encourage anyone who was doing consulting with him to purchase these indexed bonds because he finds them, as he said, the ideal funding mechanism.

David Meiselman, a professor of economics at Virginia Polytechnic Institute, sees this aspect of indexation simply as a response to the fundamental question posed by investors; namely: How do I protect myself from inflation? "Whatever past historical associations may have been, none have been consistently dependable in recent years. The bankruptcy courts are littered with the corpses of businesses and individuals who placed heavy reliance on some rule of thumb that just happened not to work out quite the way it had in the past. The old rules of thumb about good inflation hedges that went wrong include equities, short-term interest rates, gold and precious metals, collectibles, diamonds, commodities, timber reserves, and on and on. The only dependable way to hedge against inflation is to link values to a broad price index representing the inflation itself rather than linking values to the prices of individual components of the average. A Treasury obligation indexed to the Consumer Price Index or a similar price index offers one such dependable inflation hedge."

Mr. Speaker, I am convinced that we should be able to pass an indexation bill on this set of justifications alone.

But another secondary benefit under indexation also pertains to inflation. Thomas Woodward, an economics analyst with the Congressional Research Service, recently considered the effect of indexation on Government fiscal policies. He observed that indexation may reduce the Government's prejudice toward inflation. Part of that prejudice stems from conventional bonds since the value of the principal for those bonds diminishes with inflation. I mean, how often have you heard on the floor of the House and other places that we ought not worry about the size of the national deficit because in the future the value of that debt will diminish with inflation? In other words, it may be large now, but it will get smaller as we go along merely because inflation will make it so.

Indexing would remove any temptation on the part of Government to inflate away the underlying value of its debt obligations.

Finally, indexation may contribute to steady economic growth during periods of inflation. At such times, investors normally switch to so-called tangible assets like gold and real estate. This movement imperils economic health because financial liquidity is curtailed and interest rates rise. But such developments could be avoided if investors had a reliable place to put their money other than tangible assets. Bonds that are indexed for inflation would be such a place.

In all candor, Mr. Speaker, some Treasury officials are not all that enthusiastic about the idea of indexing. Such inertia is a frequent reaction to innovation, but I think the actual features of the bill will reassure my friends in the executive branch. Indexation may be a revolutionary concept, but this legislation is not. It is an experiment. I recognize that indexation is not a panacea. I recognize it is not a guaranteed success.

So, therefore, my staff and I have produced a bill that allows a limited trial of indexing. This legislation calls on the Treasury Department to issue securities that are indexed for inflation with the Consumer Price Index. The Secretary will convert at least 5 percent of these securities and no more than 50 percent to indexed status. Someone asked why we would do that. Well, we want to make sure that the Secretary will try it.

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We do not want to have such an insignificant trial that it would be dismissed, and so we say that it should be at least 5, and yet we want to give some assurance to others who consider this to be somewhat risky because it is innovative that we would not go over 50 percent of those securities. We require that the face amount of the bonds be indexed so that the bondholder receives the full value of his investment at maturity. With the consent of the Secretary, the bonds should be a representative sampling of 1- to 20-year maturities.

Why did we select the CPI? Mr. Woodward of CRS has pointed out that the usefulness of a price index depends on the person to whom it applies. Mr. Jones buys the range of goods in index A, while Mr. Brown buys the range of goods in index B. The price shifts in the different computations means different things to Jones and Brown. But when it comes to the pricing of U.S. Treasury bonds, we want an index attractive to a very broad range of investors, or, in this case, as we would more correctly call them, lenders. That means we need a comprehensive measurement like the Consumer Price Index or the gross national product deflator. Since the CPI is computed monthly and the GNP deflator is computed quarterly, the former, that is, the CPI, is preferable. It minimizes the lag time between the change in the value of money and the issuance of the index; in other words, giving greater protection to the holder of the bonds and also, frankly, making them more attractive on the market.

I want to mention at this point that certain tax questions are tangentially linked to the indexation issue. Thomas Woodward believes that without any change in the Tax Code both the "real" interest and the inflation adjustment would be taxed as interest, since the law makes no distinction between the categories. In an ideal world, what is in essence the return of principal should not be subject to taxation if a security is to be taxed fairly.

But this is the House of Representatives. The Ways and Means Committee is preoccupied with an already overflowing plate of tax reform issues. And I should add that any change in the tax treatment of securities, in my judgment, should be on grounds of equity and not limited to government bonds alone.

This experimental legislation has been mandated by the need to attack the deficit with originality and daring. These qualities have already been displayed, not here in the House or in the Senate or in the executive branch, but, rather, by financiers in both New York and Chicago, whose exploration of future markets in general and indexes in particular certainly demonstrate an innovative spirit. An example of particular interest is the Consumer Price Index at the New York Coffee, Sugar and Cocoa Exchange. It has been hailed by David Meiselman, professor of economics at Virginia Polytechnic Institute, in testimony before the Joint Economic Committee, where he commented:

> The new C.P.I. futures market will permit the calculation of inflation-adjusted real market interest rates and will give borrowers and lenders the option of doing business on the basis of either nominal or inflation adjusted rates. Also, like other futures markets that permit risk management and risk control measures, the new C.P.I. futures market will make it possible for individuals and financial institutions to engage in "Do it yourself inflation indexing." Another result will be the creation of a whole new range of financial products and services.

Mr. Speaker, unbeknownst to many in this body, I am sure, and unbeknownst to me prior to the time I got interested in this subject, foreign countries have already discovered indexing. The British so-called "Granny Bonds" were introduced in 1975. Designed as an aid to pensioners over 60, the bonds were indexed to the British Retail Price Index. These securities proved quite popular. In 1981, the age requirement was lowered to 50 and the initial limit on holdings was raised from 500 pounds to 5,000. According to Alan Walters, formerly an aide to Margaret Thatcher and now a professor of economics at Johns Hopkins University, the integration of indexed bonds into England's finances has con-

tinued in the last few years. Professor Walters made the following comments in a March 1984, issue of the American Enterprise Institute Economist:

Since April, 1981, index medium and long bonds have been one of the main forms of government borrowing in the United Kingdom. Indeed, the government has had little or no recourse to conventional long-term debt. More than one-third of its new issues, and virtually all long issues, have been indexed debt * * *. The U.K. government market, then, is substantial and very active.

Americans should find encouragement in the ability of Britain, with its weak economy and sometimes rigid economic thinking, to see the virtues of indexation and pursue them energetically.

The cases of France and Israel are murkier. France introduced gold clause bonds in the mid-1970's. This variety of indexation proved successful in attracting customers. It tied the securities to the price of gold, provided the International Monetary Fund upturned the link between gold and currency, which occurred in 1978. It is significant to note that the French felt the need for indexation and that they had the political will to implement it, but the French use of gold indices rather than a range of prices makes it unwise, in my judgment, to compare indexing operations in France and America.

In Israel, as we are sometimes reminded on the floor, everything from wages to prices are indexed. This general indexation has had the effect of weakening resistance to the necessary anti-inflation policies. While the general concept of indexing is under review there, no one argues that the indexation of bonds is specifically controversial. In fact, it might be queried whether anyone would otherwise purchase their bonds in light of the current difficulties facing the Israeli economy.

As an aside, I might mention that gold clauses were very successful in this country prior to the 1930's. According to Mr. Woodward of CRS, the securities guaranteed the holder repayment in gold or an equivalent value in legal tender. A very, very substantial market existed for them.

And I would just caution people to not believe that when you are talking about indexing, for instance, the indexing of bonds, that we are necessarily talking about the rather poor experience in countries such as Israel, where they have indexed prices, they have indexed wages, they have almost an automatic index, or have in the past, on a daily basis. They have not been in any stretch of the imagination successful, at least over the last number of years, in dealing with the problem of inflation. Here what we are doing is indexing bonds, indexing those IOU's that the Federal Government has to those people who have lent it money. And I would argue very strongly the point that I made before, in that regard it would be one of the best guarantees against public action, Government action, which encouraged inflation. In other words, it would work very, very much in the opposite direction to indexing of prices and automatic indexing of salaries that we have seen in the Israeli economy.

Despite the very special nature of indexation in other countries, I think a sense of confidence should emerge from looking at the evidence. Experience in America and abroad shows that indexation is widely perceived as a healthy practice. The testimony of American business shows a genuine appetite for this policy. These factors and the opportunities a successful program would present are surely sufficient justification for a mere test, albeit a serious test, of indexation.

Certain questions about indexation cannot be lightly dismissed, however. Obviously, the biggest doubts arise when one ponders a return to high inflation. While it is theoretically possible that indexed bonds would cost the Treasury additional money if the actual inflation rate turned out to be higher then what the market anticipated it would be, there are factors which do mitigate this possibility. First of all, it is arguable that part of the risk premium is indirectly attributable to the effect that inflationary fears have on overall market uncertainty. It therefore follows that the reduction in Government interest costs due to indexing might exceed the spread between the actual rate of inflation, which measures the cost to the Government as a result of indexing, and the anticipated rate of inflation. Second, as I indicated earlier, the presence of indexing itself is likely to greatly reduce the incentive for Government to inflate away the debt obligation. This in itself, I would underscore, will have the tendency to keep interest rates lower than they might otherwise be.

Mr. Speaker, one of my staff members recently learned that when President Carter asked economists for suggestions that would benefit the economy, Mr. Alan Binder, a Princeton professor and now a columnist for Business Week magazine, replied that he would advise the indexation of Treasury securities. It is unfortunate that among those ideas that Mr. Carter did accept, this was not among them. But with expert opinions such as that, with the $200 billion deficit, with a vigorous financial community and with couples and retirees needing investment security, we should initiate an experiment with indexing.

To be frank, I am worried that the budget drama of 1985 shows that the real leader of Congress is not the Speaker or the majority leader but rather something called "business as usual." If we cannot break free from this tyranny and attack domestic problems with innovation and energy, we will face problems far worse than excessive interest payments.

Mr. Speaker, I recognize that I have tried to point out the faults as well as the attributes of this sort of plan, this sort of experiment in indexed bonds but, quite frankly, I view it as a win-win situation. I do not think that we could under virtually any scenario that we might possibly believe to be real, find that index bonds would cost the Federal taxpayers ultimately more than the present conventional bonds do.

Second, as we pointed out before, it would have an incentive for the Government to take action not to allow inflation to rear its ugly head again.

Again, Mr. Speaker, it would also provide an essential security. You would take the risk out of holding these bonds. You would take the risk factor out of it with respect to those people who are trying to make long-term commitments for their retirement years. You would take the risk factor out of it for those who are charged with the responsibility of investing safely, with a reasonable rate of return, the assets of major pension plans in this country.

Mr. Speaker, I urge my colleagues to support my bill, H.R. 1773, as a step in an innovative direction. It will not solve the debt problems of the U.S. Government, but I believe, Mr. Speaker, it would go a long way, a very long way, to solving the debt service problems of the U.S. Government.

IRRESPONSIBLE JOURNALISM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DYMALLY] is recognized for 60 minutes.

Mr. DYMALLY. Mr. Speaker, a friend of mine, Alex Odeh of Santa Ana, CA, was murdered recently in a terrorist bombing. He left behind a young wife and three little girls, the youngest only 2. The evening before his murder Alex appeared on television to be questioned about his views on the *Achille Lauro* hijacking. Alex made two points: First, that this act of terrorism, and all acts of terrorism are to be condemned; second, that the Palestine Liberation Organization appeared in the *Achille Lauro* case to have played a positive role in ending the incident quickly. The television station edited out Alex's condemnation of terrorism and broadcast only his remarks on the PLO. I consider what that television station did a despicable act. It deliberately distorted the public appearance of a man I knew to be a true humanitarian, making it appear that he did not condemn the hijacking. Many people in southern California feel that this edited inter-

view signed Alex Odeh's death warrant.

On Tuesday, November 5 of this year a similar act of distortion occurred on television. This time the act was done against a young man who is not only a friend of mine but is also a member of my congressional staff. His name is Marwan Burgan. Now, as in the case of Alex Odeh, Marwan's family fears for Marwan's safety, as do I. And Marwan has to wonder whether he can leave his family unprotected. And I have to tell you that the anger I feel toward those who have placed him and his family in this situation is well beyond the power of words to express. My anger is intensified by the fact that Marwan was put in his present situation by a religious network, the Christian Broadcast Network, the fourth largest network in the country. I am a Christian, but in my brand of Christianity we are taught that it is wrong to lie. We are taught that it is wrong to place the lives of others in danger. Apparently access to the airwaves has given CBN a certain largesse to shun the Christian tenets that the rest of Christianity observe.

Let me tell you the truth about Marwan before I proceed to the broadcast lie. I met Marwan through his brother Sam, then a student at Howard University School of Law. I invited Marwan to serve a congressional fellowship in my office. I was so impressed with Marwan's intelligence, his competence, his positive attitude toward work, and his gentlemanly manner that I hired him part time. And I hope to hire him full-time next year. Marwan is a social psychologist by training. He did his undergraduate work at Southern Illinois University, and his graduate work here in Washington at American University. He has been an honors student throughout his training. In light of the present discussion, it is ironic that Marwan's research specialization is content analysis of media presentations.

Marwan was born in Jordan, lived in England for a time, and came to live in the United States in the mid-seventies. Just before Marwan began working for me, I had become interested in the plight of the American hostages who are still held in Lebanon. I was concerned that they had been held so long that the fact of their captivity was slipping from the public consciousness. I feared that without public pressure our Government might not place a high enough priority on winning their release. I assigned my administrative assistant Dr. David Johnson, to contact each hostage family and find out what we could do to help. That inquiry resulted in a special order here on the House floor in which many of you participated. I resolved after that special order to find ways to keep the situation of the hostages before the eyes of the public, and before the eyes of their representatives in the Congress.

I wanted the families themselves to have an opportunity to come here and tell Members of Congress of their anguish. Because Marwan had so deep a personal knowledge of the Middle East, I thought it appropriate to give him the assignment. He too quickly found his heart going out to these families. The meeting he coordinated between the families and Members of Congress was a moving experience. Moreover, it succeeded in renewing public consciousness of the hostages since the meeting was covered nationally by all sectors of the press. Out of that meeting came a plan to compose a congressional support group for the hostage families, and to recommend the creation of a task force on terrorism within the House Foreign Affairs Committee. Marwan has worked tirelessly to bring both the support group and the task force to fruition.

When the CBN story on Marwan was broadcast, Marwan quickly realized that attention on him would deflect attention from the truly important matter here which is to win the release of the hostages. Marwan suggested to the hostage families that it might be in their best interest if he were to stop his efforts and allow some other staff member to take over. The hostage families, to their everlasting credit, would hear nothing of this. They insisted that Marwan continue his effort on their behalf. If the hostages are returned safely, Marwan Burgan will be one of those deserving of credit. His work has helped the families to maintain hope, and his work has kept the fact that there still are American hostages in Lebanon before the public consciousness. Moreover, his work may ultimately lead to Congress taking a careful look at the fact of terrorism, its causes, and the means by which its incidence might be reduced.

Now let me proceed to the broadcast lie which appears to have been first aired on the "700 Club" program which, as many of you are aware, is a nationally broadcast religious program with a very large audience. Footage of Marwan was shown while the commentator made three stunningly inaccurate allegations. While the commentator was correct in noting that Marwan had been helping the hostage families, it was also alleged first, that Marwan had come into my office to steer the activities of the office toward matters involving the Middle East; second, that Marwan is affiliated with the PLO; and third, that his PLO affiliation places him in a conflict of interest situation in any matter involving the Middle East.

Just recounting these lies makes my anger begin to rise once again. The contempt the broadcast showed toward the Congress is itself contemptible. The outright racism contained in the broadcast should make every Christian, indeed every American of whatever faith, deeply ashamed. Who can find the words to express the smallness of those who could insinuate that the desperate efforts of the hostage families and their helpers to bring their loved ones safely home again is somehow tainted, somehow wrong? And who can condemn strongly enough broadcasters who would place innocent lives in danger for no better reason than to manufacture baseless sensationalism?

Let me take the broadcast's allegations one by one. First, the broadcast insinuated that Marwan came into my office with an agenda and that he is now using my office to his own ends. As I have mentioned, Marwan was given the hostage family assignment well after the time that another staff member, Dr. Johnson, had begun work on the project at my direction. In his work, Marwan has always followed my direction. I would have been happy if Marwan had come into my office with the intention to help the hostage families. But in fact this was an assignment he took on at my request, not the other way around. The larger issue here, however, is the insinuation that Members of Congress are no more than the unsuspecting prey of unscrupulous outsiders bent on prostituting the Congress. That is an insinuation that affronts me because it denigrates the integrity of this whole body. It denigrates the judgment of the American people in electing us to represent them. To insinuate that we can be used so easily is to insult the Congress and the American people. This is not a matter that should go unnoticed by the Members of this body. The more so in this case because it is an attitude projected by people who purport to be the spiritual leaders of the Nation. To me, their insinuation belied their belief in the death of a spirit, the spirit of democracy itself.

We are all familiar with code words. They are signals that connote much more than they denote. Calling Marwan an affiliate of the PLO was such a code. Rightly or wrongly, the PLO has come to be associated with terrorism and the name is used to elicit negative feeling toward those of Arab background. To say that a person is a member of the PLO is to signal that it is alright to be hostile toward that person because that person is bad. Marwan is of Arab background. He is not affiliated with the PLO. But what value does setting the factual record straight have once the damage has been done? We all know how difficult it is to correct the public perception of a person or event once an incorrect perception has been sanctified by the media. As with the in-

sinuation that my office is being used, the insinuation that Marwan is somehow a terrorist has a much broader implication. It is that those of Arab descent are evil and that, therefore, acts of violence against them are justified.

I spoke before you recently citing FBI records of terrorist acts committed against Americans. The record shows just what the damage of anti-Arab racism has been. Those of Arab background in this country live in real fear for their life, their property, their career. For, in fact, terrorism and racial discrimination have been visited on Arab Americans vastly more often than the American public is aware of. I would venture to say that my colleagues are unaware that in June the Islamic Center in San Francisco was ransacked after a radio host agreed with a caller that Shiites should be killed; or that in the same month the Islamic Institute in Dearborn, MI, was similarly vandalized; or that the Islamic mosque in Houston was bombed also in June; or that in August the American Arab Anti-Discrimination Committee office in Boston was bombed; or that the ADC office in Santa Ana, CA, was bombed in October, killing Alex Odeh; or that in July a young woman in Tucson, AZ, was brutually raped, beaten, and a carving made in her chest. And for what reason? Because she was dating a man of Palestinian background. I would venture to say you are unaware of these things because the press does not give them widespread publicity. They are, after all, acts done against Americans of Arab descent. When can you remember having heard or read something positive about an Arab?

I said that code words connote more than they denote. By attaching the code PLO to Marwan, the Christian Broadcast Network has done much more than put Marwan in danger. It has made an indirect slur against the hostage families and their efforts to have their loved ones returned safely to them. The Christian Broadcast network has insinuated that their actions are secretly controlled by the PLO. One has to wonder at the motivation of those who would take the suffering of others and use the effort to bring an end to that suffering as a tool to inflict further suffering. This is not a Christian act in my view. Much closer to what I understand to be Christian action is the work of Marwan Burgan. His Christian upbringing taught him that he was to practice the spiritual and corporal works of mercy, and true to these Christian counsels, he has tried to aid the suffering hostage families. If Marwan were a member of the PLO and if he were working as selflessly as he has been working, I would defend him as strongly as I am defending him now. But, in truth, Marwan has been branded by the Christian Broadcast Network not because he is a member of the PLO but because he is Arab. And we just cannot sit idly by and see this racist stereotype of Arabs continue. Marwan is a good man doing good work and thus work cannot be undermined by racists attacks.

In fact, my dear colleagues, America is full of Arab Americans in which the citizens of this country should take justifiable pride. Yet, some of these people are not recognizable by surname as Arab Americans and possibly would not want to be recognizable for fear of the racist acts that might befall them were they to be recognized. I had considered telling my colleagues about some of the contributions these outstanding Americans have made in politics, diplomacy, journalism, the arts, science and medicine, but to respect their possible desire to avoid publicity, I will just mention two publicly known examples to make clear why these people might wish to maintain their privacy. Many of us in the Congress know Candy Lightner as the mother who founded MADD, Mothers Against Drunk Driving. She is an Arab American. Recently, she was honored by an Arab American organization for her stand against drunk driving. Shortly after receiving the honor she was demoted from her job. I do not know if there is any connection between the two events, but it leaves at least a question in my mind. Young people know Casey Kasem as the host of the long-lived and popular "Top 40 Show." Casey is an Arab American. During the last Presidential campaign when Casey held a fund raiser for Presidential candidate Jesse Jackson, Casey's home was picketed by an anti-Arab group.

As I said, the list of distinguished Arab Americans is a long one. It includes Members of Congress, senior diplomats, consumer advocates, leading political journalists, well-known entertainers, writers, producers, musicians, medical researchers, doctors, and scientists.

Few of us are aware of the hundreds of thousands of Arab Americans who are employed in every walk of life this country has to offer. That is as it should be. These people are as deserving as you or I of enjoying and taking pride in their ancestry without fear of retribution. America is culturally rich. America's diversity is part of what makes it such a great place to live. Arab Americans are contributors to this robust culture of ours, this American culture. These people are loyal, hard-working, patriotic Americans, just like you and me. These people are just as capable of feeling compassion for a fellow human being held hostage as you are, as I am, as Marwan Burgan is. These people are as deserving of security and a sense of well-being in their homes and workplaces as you are, as I am. I pray that there will be a day when Marwan Burgan and his family will again have that security which we enjoy without thought.

Mr. Speaker and Members, thank you very much for this opportunity to bring this very important message to you, so that this great disservice committed against Morwan Burgan can be brought to the attention of the public, and hopefully corrected without delay.

□ 2020

THE GROWTH OF NARCO-TERRORISM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. GILMAN] is recognized for 60 minutes.

Mr. GILMAN. Mr. Speaker, I rise today to express my deep concern over the ever increasing relationship between narcotics trafficking and international terrorism. This relationship has grown so strong in recent years that a new term—"narco-terrorism"—has become all too common. The "narco-terrorists" have become so powerful in some nations that the 1984 report of the United Nations International Narcotics Control Board warned that "the very security of some States is threatened." As a result of the growing intensity of narcotics control efforts by some nations there has been a corresponding increase in violence, subversion and corruption by the "narco-terrorists" to impede these efforts. It is clear that many terrorist groups are both directly involved in narcotics production and trafficking, and indirectly involved through the financing of terrorist activities from the enormous profits derived from the illicit narcotics trade. As the use of violence against international narcotics control efforts increases we must recognize the serious threat involved and do everything in our power to combat it.

In the past few weeks we have witnessed two deplorable examples of the types of "narco-terrorism" to which I have referred. On November 3, reports surfaced of "The Day of the Dead Massacre"—of the brutal murders of 22 Mexican police officers in Mexico's southeastern swamplands at the hands of a band of drug smugglers. The Mexican policemen were murdered after they were ambushed by the band of smugglers, who were involved in transferring about 6 tons of marijuana from trucks to a launch on the Rio Coachapa. After they were ambushed they were taken to a nearby farm, where they were tortured and then murdered. I am certain that every Member of this body joins me in expressing our deepest sympathies to the families and friends of these brave men and to the Government of Mexico. It is heartening to learn from recent reports that at least 16 arrests

have been made in this brutal case, and that the commander of the Mexican Federal Judicial Police, Florentino Ventura, believes that the information obtained from these suspects will lead directly to the capture and conviction of all those responsible. We stand ready to provide whatever support and assistance we can in that effort.

The second deplorable act of violance occurred a few days later in Colombia, when on November 6, about 25 leftist guerrillas shot their way into the Palace of Justice and seized a number of hostages, mostly judges. The Palace of Justice is the site of the courtrooms and offices for Colombia's 24 Supreme court justices and 20 other Federal judges. The guerrillas were part of M-19—Movement-19—which takes its name from the April 19, 1970, date on which populist ex-Dictator Gustavo Rojas Pinilla, who had ruled since seizing power in 1953, was defeated in a Presidential election that his followers and others charged was fraudulent. Since this urban-based group opened up rural fronts in 1981, it has been directly involved in a guns-for-drugs nexus, and that connection clearly continues today.

On November 7, President Belisario Betancur, who has led one of the most forceful and effective antinarcotics campaigns of any producing nation over the past 2 years, ordered an all-out assault on the Palace of Justice after promising the rebels only that the Government would guarantee they would not be killed and would get a fair trail if they surrendered. The President added "The Government could not negotiate something that was nonnegotiable—the respectability of our institutions." The result of the assault by Colombian Government security forces was devastating. The Palace of Justice was gutted, and at least 85 corpses of magistrates, rebels, court employees, visitors, soldiers and police have been found.

While no direct drug relationship has been established for the Palace of Justice takeover, two things are clear. First, as President Betancur pointed out in his address to his nation after the assault, hundreds of court files that included cases of people being sought for extradition to the United States for drug offenses were destroyed by the guerrillas. Second, regardless of the ultimate motives of the rebels, the financing of their operations is directly linked to the drug traffickers.

As disturbing as these recent events in Colombia and Mexico have been they are only the latest in a series of drug related violence in these two nations. In April of 1984, the Minister of Justice of Colombia, Rodrigo Lara Bonilla, a firm and outspoken opponent of the drug trade, was murdered at the hands of the drug traffickers, and only recently the judge assigned to investigate the assassination was murdered. In addition, the drug traffickers in Colombia have threatened the lives of Americans living in Colombia in response to our requests for extradition of known Colombian drug traffickers to the United States. Early this year, in Mexico, the drug traffickers were responsible for the brutal murder of American Drug Enforcement Administration agent Enrique Camarena Salizar, setting off a period of extremely tense relations between our two nations.

Narco-terrorism is rampant throughout the drug producing nations of South America. The "narco-terrorists" have created a climate of complete lawlessness in Bolivia, especially in the drug producing region of the Chapare. The traffickers intimidate and kill Chapare peasants who do not wish to cooperate in the production and trafficking of narcotics. Even the police are not immune from attack. A group of seven Bolivian policemen were murdered in 1982, when it appeared that the Government was attempting to increase narcotics control efforts. The threat posed by the drug traffickers is not limited to direct incidents of violence. There continue to be persistent rumors that members of the far left and the far right are involved in the financing of political activities through drug trafficking, arms smuggling and other related illegal activities.

In Peru, narcotics related violence has been increasing since late 1983, especially in the Upper Huallaga Valley cocaine producing region. Police units and eradication workers have been repeatedly attacked and these attacks culminated in the November 1984, brutal murders of 19 coca eradication and survey workers, and the murder of the mayor of Tingo Maria.

Narco-terrorism is not limited to this hemisphere. The relationship between insurgency and narcotics trafficking is particularly evident in Burma and in Thailand. In Burma, most of the principal insurgent groups rely on heroin smuggling to finance their activities. These groups control the main areas of opium production in northeastern Burma where rough terrain and the shortage of modern military equipment prevent the Government from establishing any authority. All of the insurgent groups are heavily involved in the production, transport, and sale of heroin, and the Burmese Government is continuing to wage a determined struggle to restrict their activities, despite the heavy odds against them. While similar activities are weaker in Thailand, they do exist, and efforts by the Thai Government to suppress these activities are beginning to yield some success.

Mr. Speaker, it is clear that the scourge of drug trafficking and drug abuse, and related "narco-terrorist" activities, have reached epidemic proportions worldwide. As the ranking minority member of the House Select Committee on Narcotics Abuse and Control, I have worked closely with our distinguished chairman, the gentleman from New York [Mr. RANGEL] in seeking to raise the consciousness of our own Government and all governments throughout the world to the deadly nature of the drug trade and its related terrorist activities.

The ruthlessness of the drug traffickers knows no bounds as they seek to spread their poison to every corner of the globe. Narcotics trafficking is a key ingredient in overall global lawlessness. It must be stopped. If nothing less, we must work with supportive governments to end the direct involvement of some governments in supporting such terrorist activities. Only a firm and coordinated commitment by every nation will lead to a halt of the international drug trade. We must spare no effort and utilize every resource in the fight. The sooner we fully recognize the threat at hand the sooner we will put an end to the tragic events we have experienced in the past few weeks.

Many government leaders have already expressed a firm commitment to the war on narcotics. Along with the efforts already initiated by the Governments of Mexico and Colombia, newly elected Peruvian President Alan Garcia stated in his inaugural address:

> A historic scourge threatens our country: drug trafficking, whose prospects of bringing a sudden fortune corrupts people and has destroyed many Peruvian institutions. Neither Peru nor any other country can be identified as an exporter of poison.

The Prime Minister of Great Britain, Margaret Thatcher, has told the drug traffickers:

> We are after you. The pursuit will be relentless. The effort will get greater and greater until we have beaten you. The penalty will be long prison sentences. The penalty will be confiscation of everything you have ever got from drug smuggling. So stop it—we shall make your life not worth living.

And in Malaysia, Prime Minister Mahathir Mohamad has declared:

> There will be no compromise with those who are slowly killing our people.

Mr. Speaker, those words should become our battle cry—that there can be no compromise with these merchants of violence and death. Greed is the driving force behind their every action. They allow nothing to stand in their way. But we can and must stand in their way, and join together as a world community to end drug production and trafficking and its associated violence once and for all. For the sake of our children we can do no less. I urge my colleagues to join with me and to speak out in this effort.

□ 2030

LABOR-MANAGEMENT NOTIFICATION AND CONSULTATION ACT OF 1985

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DELAY] is recognized for 60 minutes.

GENERAL LEAVE

Mr. DELAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of this special order.

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

There was no objection.

Mr. DELAY. Mr. Speaker, we had general debate today on a bill, H.R. 1616. This bill is commonly called the Labor-Management Notification and Consultation Act of 1985.

Now, during the debate, many Members of Congress, the proponents of this bill, at least, claimed that this was a narrowly gauged bill, that this is simply a notification bill, that this bill is going to protect jobs, that this bill, they inferred and some may have said that this bill would stop the loss of jobs and possibly stop the closing of plants.

I would like to take first, Mr. Speaker, the first part of the proponents' argument, that this is a narrowly gauged bill, that this is a finely honed piece of legislation, that this is just a simple little peace of legislation. My experience in the legislative process going over 7 years is that when anybody tells you it is a simple bill, you had better look out, because it has also been my experience that some people bring a simple bill to the floor of this House and do not tell you the whole story that may be in the bill, so I would like to very briefly start this evening by pointing out and briefly going through what this bill is.

This bill only pertains, supposedly, to 50 or more employees that may be laid off or that will be laid off in a plant closing.

Now, the affected employees means employees who have been employed by an employer for more than 6 months. Why they picked 6 months, I do not know. I guess it is to say if you have been employed more than 6 months, you are a permanent employee. Frankly, I think if you are employed for a year so that you qualify for some benefits and you qualify for at least vacation makes you a permanent employee. We will get into later about how important and how onerous just that little part of the bill is about employees who have worked for more than 6 months.

It also goes even further and says that you have to comply with this bill if you reduce the number, and I am quoting: "if you have a reduction in hours of work of more than 50 percent during any 6-month period" which means that if you have to make a business decision and your plant is in trouble and you are trying to save the jobs of probably more than a majority of the people working in the plant, if you have to cut, for instance, the workweek of some employees of all employees, especially if you have 50 or more employees, then you have to comply with this bill.

Now, also they will say, and I quote from the bill: "If there are unavoidable business circumstances that prevent the employer from withholding such closings or layoffs until the end of such period," which means that the plant can for some unavoidable business circumstances, and frankly they do not define what unavoidable business circumstances are, then you can shut down the plant or lay off employees.

Now, who is going to determine what unavoidable business circumstances are? They wait until you go into a punitive process, punitive on the employer, a punitive process to determine whether you had to close that down quickly because of unavoidable business circumstances.

Now, we go on and get into the consultation part of the bill. First, you are notified with in 90 days that the plant is closing and/or a major layoff of 50 or more employees. Not only do you notify the employees or their representatives, in case it may be a union shop, you also must notify the Federal Mediation and Conciliation Service that you are shutting the plant or laying off employees. That immediately puts it in the realm of the Federal Government and in that case the Federal Mediation and Conciliation Service has the ability in this bill to extend beyond the 90 days that you cannot close your plant or lay off your employees any period of time it sees fit to do so.

Now, it goes even further than that. In section 5 of the bill it says that the employer must provide the representative of the affected employees with "such relevant information as is necessary for the thorough evaluation of the proposal to order a plant closing or plant layoff."

Now, I do not know why they even put in there this kind of language. What they should have said is, "Mr. Employer of the plant, you will open your files and books to the employees and the respresentatives and show everything that you have to show," because everything in a business decision is used in that business decision, everything that a plant has, whether it be books, files, customer records, credit notices, loans, notes, everything is pulled in then in making a decision such as this. If you do not do that, then you are subject to "such protective orders as the Secretary of Labor may issue."

Now, this also goes further to say and gives authority to the Secretary of Labor, as it says in subsection (2) of section 7 that the Secretary of Labor determines whether you have given sufficient information to make these decisions in order to negotiate—and that is a big word, negotiate the closing of the plant or the laying off of employees.

□ 2045

It gives the authority to the Secretary of State to petition any district court of the United States for any district in which the violation is alleged to have occurred. In other words, the Secretary of State can go to court and receive injunctive relief, which means we put it off a little further as for as shutting down a plant or laying off people.

The injunctive relief is spelled out in the bill. First, it requires the employer to give notice. It also extends the consultation period and requires the employer to consult "in good faith during the period as extended," and (c) requires that reinstatement of back pay and related benefits. We are talking about a plant that is in monetary distress enough to have to be closed or to lay off employees, and then we require, well, not only can you not lay off these employees, you cannot shut down your plant, but you are going to pay all back pay and benefits to those employees, putting even more pressure on the plant to be closed.

Now we go even further, not just to the Secretary of State, but we also set up class action suits in the bill, and it says under section 7(b):

> Any employer who orders a plant closing or mass layoffs in violation of this Act or a court order under subsection (a) shall be liable to each employee who suffers an employment loss as a result of such closing or layoff for reinstatement or damages, or both.

Unbelievable.

Also, it says that employees or their representatives may sue, either for himself or for other persons, setting up class actions suits. And damages shall include back pay and related benefits for each day that the employer is in violation, incuding general and punitive damages, or both. Punitive damages, which goes right next to the net worth of the owner of the plant, and could be substantial. There is no limit on the punitive damages. All it says is that they can recover punitive damages.

If that is not bad enough, as usually happens in this Congress, we always protect the lawyers. We go on to another section, section 3, and says that while all this litigation is going on, if this guy who is under monetary distress enough to be considering shutting down a plant or laying off em-

ployees, loses this how-long-do-we-know civil actions suit, and these suits could go on for years, if it happens to be in Houston, TX, it takes 5 to 8 years to settle many civil actions in the overcrowded courts in that area. But even at that, after all this, then, as I call this bill a full employment for attorneys, then we allow the court to bring a judgment to pay any reasonable attorneys' fees. They have to be paid by the defendant, the owner of the plant.

It just does not make sense. We have more in the section entitled "Civil Actions Against Representatives of Employees." We also allow that any representative who brings action to the Secretary can be liable to the employer for financial loss. We are going to balance it out, because if the representative of the employee brings an unreasonable action, then they will be liable under subsection 5(b). But I would like to point out, Mr. Speaker, that when we go back to 5(b), all it says if the employees do not provide information to the employer. What information are they going to provide? They are the employees.

Here we also have in section (d):

For purposes of this section, in determining whether a plant closing or permanent layoff has occurred or will occur, employment losses for 2 or more groups, each of which is less than 50 employees.

And it goes on and on. What this says is that not only can you not have an overall plant reduction of 50 employees before this act goes in effect, you cannot even do it by a section of your business. If you have a business that has many departments in it and you want to cut down the number of employees, if you lay off 10 employees over here and 20 over here and another 20 over here, that equals 50 employees; therefore, you fall under the scrutiny of the act.

Then it goes even one step further. It was stated in the general debate on this bill that we already have, set up by Bill Brock, Secretary of Labor for the United States, a task force that is looking into this matter. But that does not go far enough, so Congress is going to set up a National Commission on Plant Closings and Worker Dislocations, and provide all the appropriations that are necessary for studying this problem. So once again we are duplicating Government services. We have a task force made up of both labor, management, and people in between studying this at this very moment, but that is not good enough. We are going to have the same thing set up by Congress.

You would think that at some point in time that people around here would start trusting each other on findings, or at least look at findings after they have been brought, and see if they are relevant.

I would like to submit for the RECORD a fact sheet that compares, for instance, the consultation process with the committee report, and then gives an evaluation of what the practical effect is therein.

The factsheet is as follows:

FACT SHEET—H.R. 1616, CONSULTATION AND RELEVANT INFORMATION REQUIREMENTS

I. CONSULTATION

Requirement: Where a union is present, a change in business operations resulting in layoffs of 50 or more employees cannot take place until the employer has "consulted in good faith" with the union "For the purpose of agreeing to a mutually satisfactory alternative or modification" of the proposed change.

Committee Report Explanation: The employer would have to engage an "'exhaustive exploration" of the alternatives or modifications. He would have to "approach the consultative process with a good-faith willingness to" explore alternatives and would not be in compliance by merely "going through the motions" if he harbors an intransigent or unyielding attitude that makes consultation a "meaningless exercise." He must have "a desire to reach ultimate agreement."

Practical Effect: An employer would be highly unlikely to give employees notice that he was going to lay them off if he hadn't already thorougly analyzed the situation and exercised his soundest business judgment. If he had confidence in any input by the union, he would likely already have discussed the situation with them. Therefore, to comply, he would have to pretend to have a "desire to reach ultimate agreement" unless he simply wanted to buy the union's alternative. This could be particularly difficult where there had been a history of antagonism between the parties.

Current Law: If the layoffs are occurring as a result of transfer of operations to another location a subcontracting arrangement, the employer must bargain in good faith with the union if the decision is motivated by labor costs. In such situations, the union obviously can be helpful.

II. RELEVANT INFORMATION

Requirement: The employer fails to consult in good faith if he does not provide the union "with such relevant information as is necessary for the thorough evaluation of the proposal" or any alternatives or modifications.

Committee Report Explanation: The union must have "adequate information to understand and intelligently discuss" the issues surrounding the layoffs. The standard for determining relevancy would be a "liberal, discovery-type standard, where relevance is simply synonymous with germaneness. The information need only have some bearing on the issues invovled and the employer must furnish information that is of probable or potential relevance to the union's role as bargaining agent. The information should be provided "as quickly as possible in a manner and from susceptible to rapid understanding and use."

Practical Effect: With such a broad standard, the employer would have virutally no guidance as to what he should provide. Conceivably, his entire filing and data system would be open for review. The implications would be particularly serious where only a portion of the employees are being laid off and there is a continuing relationship between the employer and the union. Even the Committee Report recognizes the "difficult questions" concerning relevance which have arisen under the National Labor Relations Act, resulting in each case being decided on its own unique set of facts. Obviously, this standard has prompted considerable litigation and varying interpretations among the courts. Yet, at least under the NLRA, the issues at stake are relevant to the employer-employee relationship. The issues arising under this bill go well beyond that relationship.

III. ENFORCEMENT

If the Secretary of Labor determines that "there is reasonable cause to believe" that these requirements have been violated, he shall seek injunctive relief in any district court where the employer does business. That relief could include an extension of the "consultation period" for an unlimited period of time. As long as the employer failed to comply, that period could be extended indefinitely.

Now, what does all this mean? Some of the proponents said, and they brought out this outrageous fact, because I found in the legislative process, in order to zing the hearts of conservatives, you must dip into the pocketbook of Government. So one of the arguments for the proponents was,

Well, we have proven in Maine that with this kind of situation, by notifying the employees, the employees can go look for jobs, thereby lowering the amount of money that the Government pays for unemployment compensation. Therefore, the Government saves money by this bill.

Let me put it a different way. In Europe, and I will give a little example because the gentleman from Colorado is better at this than I am, but let me just give an example of how this works, because in England and in France and in Germany and in Ireland, they have this sort of labor law.

In England, the Rover, built by Leyland Motors, a corporation, was in the same situation, where they could not build this automobile in competition with the rest of the world, with Japan, the United States, they felt they should shut down the plant. Well, in England the law prevents that, almost like this law does. It went on and on and on, and we got to a situation where the owners of the automobile, Leyland Motors, just absolutely could not continue. So in order to keep these jobs, the Government bought the company and produces it now and it costs three times the amount of money to produce this car than what they sell the car for.

If that is not a drain on government, I do not know what is. And besides, would it not be nice to have an economy like England's, or France's, or Ireland's? I think it is interesting that people on the floor of this House would like to pattern the U.S. economic system after countries like that which are doing so well with their economy and are certainly outpacing the United States as far as economics is concerned.

□ 2055

But let me just talk about H.R. 1616 and how it will hurt the American worker.

According to Labor Department figures, between 1973 and 1983, 18 million jobs, new jobs, were created in North America. Western Europe, on the other hand, had a net loss of 840,000 jobs during the same period of time. In other words, new jobs were created in the United States while Western Europe has not been as fortunate.

Now, at first blush, these facts might be puzzling. Western Europe is one of the world's strongest markets for a broad range of goods and services. Its people are highly educated, and the area has a long history of mercantilism. One of the principal reasons that Western Europe has had so much trouble in creating new jobs is the fact that it is no longer an attractive place to locate major business enterprises.

Since World War II, the Western European countries have put into place strict plant closings and employee termination laws much like what H.R. 1616 proposes. Once an employer opens a plant and hires employees in Western Europe, it is extremely difficult to close the plant and begin production of a more competitive product when business conditions become adverse.

Jean-Jacques Oechslen, who is chairman of the executive committee of the International Organization of Employers, and chairman of the governing body of the International Labor Organization, makes this point very eloquently. A recognized expert on European Community plant closing practices, he recently stated that

> A form of flexibility demanded by the employers in most of the European Community contries is the possibility of rapidly adjusting the labor force to the activities of undertakings which themselves depend on increasingly sharp fluctuations in markets. In some countries, such as France and Spain, administrative controls over dismissals make this adjustment a protracted and hazardous affair. In other countries, cumbersome and complex internal procedures cause useless delays. As a result, undertakings hesitate to take on extra staff even to capture potential markets, the more so because these countries are burdened with regulations that discourage the use of various types of employment relationship such as fixed-term contracts or part-time, 6 months, remember, in the bill, or temporary work.

In France, a survey carried out by an opinion poll institute showed that the experimental abolition of government authorization for dismissal for economic reasons could lead to the creation, could lead to the creation of 370,000 jobs in just 2 years. The United States already has the flexibility that leaders such as Jean-Jacques Oechslen have long sought. As a result, the United States can create new jobs by responding quickly to market demands.

Passage of H.R. 1616, however, would remove that flexibility and freeze job growth in this country. It is essential for job growth in this country that companies be free to close down inefficient, failing, antiquated production processes. Legislation like H.R. 1616 that can be used to block necessary closings will force failing businesses to continue operating.

We see a lot of that, for instance, in ERISA, whereby if you close down your company, you have to continue to pay the benefits based upon your assets to the employees. So, many companies, as has been demonstrated in the trucking business, remain open today at serious losses. That hurts everyone, including the consumers.

So if the decision to phaseout an antiquated product or production process is blocked indefinitely by court action, the company will not be able to compete either here or overseas, and everyone suffers.

This country is as strong economically as it is because we allow a vacuum tube manufacturer to close down vacuum tube plants and startup plants that make transistors. H.R. 1616 would make changeovers like that extremely difficult in plants where employees are represented especially by labor unions.

Equally important, enactment of bills like this would be one more reason for large companies to locate business operations overseas. Producers, whether they are American, Japanese, Dutch or some other nationality, will be less likely to build a new plant in the United States if they know that having built here, it would be very difficult to close the plant should the market for its products dry up.

Now I want this Nation to be able to compete in the world markets. Most of the proponents of this bill, most of those who voted for the rule today have been at this well talking about trade and how America must do something about trade, and then they bring a bill like this to the floor that is one of the worst and most insidious pieces of legislation that would seriously hamper trade, because you cannot trade if you cannot shut down an inefficient plant.

I do not want jobs to be shipped overseas. I want to keep them here. I want this country to attract major producers willing to build large operation in the United States that employ American workers.

That is why I cannot support bills like H.R. 1616, and we should make no mistake about it. H.R. 1616 is not intended just to give workers notice. It is intended to prevent the rapid transformation of businesses from the old, antiquated, outmoded and dying into strong operations that provide American workers with jobs in growing industries.

What would happen, and we had a textile bill that passed this House, what is happening in many areas where textile plants are being shut down? How could you replace those plants with efficient textile plants, replace old, antiquated plants with very efficient plants. If the steel industry up in the North and Northeast, when an old, antiquated steel mill is shut down, what do you think the decision of those people to shut that plant down that want to build a more efficient plant that would work, and that would employ people and work people and be able to compete overseas would do? Where do you think they are going to build that plant? They are not going to build it in a nation that will not allow them to shut it down and build a more efficient plant. They are going to take it, and forget all of the hassle, take it to Mexico, or why not Canada, or Taiwan where they want people to build plants. Why not build them there? That is exactly where they are going.

Mr. Speaker, I find it would be exceedingly ironic that we are about to consider legislation that would further limit the ability of our businesses to compete overseas at the same time that foreign competition is one of Congress' primary concerns. Yet that is exactly what H.R. 1616, the so-called plant closing legislation, would do. By interfering with the ability of American business managers to make decisions that permit them to close or phaseout inefficient operations, the bill would instead force businesses that should be closed to remain open while diverting management resources away from pursuing innovative business practices designed to make our companies more competitive.

If we are serious about our concern to address the threat of foreign competition in trade, then let us proceed on the basis of policies which would enhance the ability of our businesses to meet the challenge rather than enacting legislation that can only make the task more difficult.

I think what we are talking about here is whatever happened to the word freedom on the floor of this House? When you pass this legislation, you may think you are going to stop plants from closing. You may think you are going to stop employees from being laid off. But think the other way, too. What you have done is taken millions of stockholders' ability to run an efficient operation, you have taken away their freedom, and you have taken away from people like myself who owns one business, built that business from scratch, wants to close down his business because of hard times, or wants to lay off a few employees because of hard times, you

have taken away my freedom, my decision to do those kinds of things.

I think that is insidious. I think it is unconstitutional, but we do not deal with that in this House. We deal with bad legislation many, many times, and this is one of the worst pieces of legislation as far as taking away the freedom of Americans to build businesses, to go out of business, to buy, to buy businesses that are going out of business.

This is a freedom in our economic system that has brought us to where we are today. With legislation like this, you will become an England, or you will become a France, or an Ireland, or a socialist country because what I am talking about, and what I think this bill is is pure socialism.

Mr. BROWN of Colorado. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I will be glad to yield to the gentleman from Colorado.

Mr. BROWN of Colorado. Mr. Speaker, I want to thank the gentleman from Texas for yielding to me. I rise out of concern over H.R. 1616. I might say to the gentleman that I rise as one who was a member of a labor union as well as a member of management in business enterprises.

My concern about this bill falls on two fronts. First, that it will not accomplish the purpose that the folks who offered this bill wish for it to accomplish. Rather than save jobs, it will cost jobs. Rather than to providing new opportunities, it will destroy existing opportunities. And rather than help American workers, it will dramatically and significantly harm them.

I would like to take a few minutes and share those thoughts with the gentleman and the Members of this body and those who are listening in. This measure was debated earlier today, but unfortunately, the leadership did not provide extensive enough time for all the remarks that I think need to be made on this subject to be introduced, so we have taken advantage of this time to share further concerns about H.R. 1616.

It is called the Labor-Management Notification and Consultation Act of 1985. I must say to the gentleman from Texas, I truly believe it should be called the "Economic Illiteracy Act of 1985," not because the folks who offered it do not have good intentions, but because they simply do not understand the basics of economics in this country. What they have offered will do the opposite of what they hope to accomplish.

This bill should not be confused in any way with a proper effort to communicate with workers and share the concerns of a business and, yes, indeed, share the necessity of shutting down a plant. That can and should be done right now, and I for one would like to see it done in every operation. That kind of communication is essential for good management, it is essential for a good productive enterprise, and it is essential so people's jobs can continue.

Please do not confuse this bill with that endeavor, because they are opposites. This bill provides complicated and at times very vague guidelines and rules. If you violate one, or simply are unable to comply with it because it is so vague, you are subject to massive penalties. What that says is that it is more profitable to provide jobs and opportunities in another country if this passes. So we say that we do not want those operations in America.

There is another point here that I think has to be looked at. We are not talking about simple notice to employees. We are talking about notice to everyone—to creditors, to customers, to those who hold in their hands the very ability of this operation to continue to exist. What this bill says is you have to provide people who extend you credit, who give you supplies, who buy your products, with advance notice that you might go out of business. That notice does not just go to employees, it goes to everyone you deal with.

□ 2110

As a result you stand in danger of causing the collapse of business operations that otherwise would not stop at all.

Let us deal with some of the myths and realities. Why do plants close? The backers of this bill will tell you or imply that plants close because they want to hurt employees. Plants close because some people are mean. That is nonsense, and anyone who has spent any time in the real world—not in these halls, but in the real world where they work for a living and not just talk for a living—knows that is nonsense.

Plants close because they do not make money or because they cannot comply with Government regulations or other reasons. The basic reasons plants close is because they are not profitable. If they are profitable, people will fight to keep them going. If they are unprofitable, they have no choice but to shut them down.

They do not shut them down simply to hurt employees. What this bill suggests is massive penalties on employers when a business fails, because it is going to be almost impossible to comply with these complicated, detailed rules.

Now what does it accomplish? What it accomplishes is providing a massive penalty on someone whose business has just gone under. That may make those folks who hate free enterprise feel better, but it will not help those workers. It will hurt them, because it takes funds and the ability to operate out of the hands of those who provide the jobs.

It penalizes those people who are fighting to keep the business going. The simple fact is that the myth that this bill is built around is inaccurate. Rather than help the workers, it will hurt them.

Let us take a second aspect. Will the law make a plant stay open when it is unprofitable? That is one of the objectives of the backers of the bill. Will the plant have to stay open when it is unprofitable? The simple fact is, it will not.

The simple fact is that economics dictate when an enterprise is losing money it has to either adjust to become competitive or go out of business. Well, that does not mean you cannot delay it for awhile; that does not mean you cannot subsidize it for awhile, but do we really want to subsidize the makers of buggy whips?

The simple fact is, in a free enterprise system or even a socialist system, change has to occur. I hear the voices of those opposed to change of any kind, but the simple fact is, if we care about our workers and our citizens in this country, we know change has to come, and we have to adapt to it.

This law will not stop an unprofitable plant from closing. What will it do? What happens when you run an enterprise and you have problems? One of your concerns is to fight to make sure that you can get supplies and raw materials to come in that plant gate. Normally, suppliers of raw materials or other supplies end up providing credit. That credit is essential. It is essential because very few businesses are able to pay for everything c.o.d.

There has to be some float, in the time that it takes you to get paid from your customers; so the ability to purchase raw material and supplies is vital and important.

What happens when you give that supplier notice that you are going to shut down your plant in 90 days? You know what happens; the simple fact is, when you give him that notice, he is less likely to sell you raw material and supplies, and if he does, he is very likely to ask for cash on delivery.

Most healthy enterprises have trouble paying on delivery, much less ones that are experiencing problems. Requiring 90 days' notice of a shutdown will precipitate the shutdown because of the reaction of the suppliers to it.

It does not accomplish what the backers of the bill want.

What about creditors? One of the vital things for any continuing enterprise is to have a usable line of credit. Most lines of credit for businesses in this country have a provision that allows the lender to call the loan.

What we have designed here is a system that almost mandates, if there

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are major problems, an advanced notice of 90 days of shutting down the plant, which then will precipitate a reaction on the part of the creditor. He could or she could call the line of credit and close down the plant itself.

At the very least, it will make it far more difficult to secure vital financing at the very time you ought to be fighting to make this enterprise work. Once again, what this bill does is make it far more likely that people will lose their jobs.

What about customers? Anybody here want to buy products from a plant that is going to shut down in 90 days? Oh, yes, there are some, but the simple reality is that this bill makes it much more difficult to sell the products of an enterprise.

By giving 90 days' notice you say to those customers: We might be out of business in 90 days. You might not be able to get spare parts for the product we manufacture. You might not be able to get a continuing supply. You might have to change your whole process if you rely on this enterprise.

Once again, what this bill does is make it far more likely an enterprise will got out of existence. I suggest to the gentleman and gentlewomen who have offered this bill that they have not thought this bill through. Rather than help people, it hurts them.

Take a look at the countries that have tried this. I do not suggest that the bad experiences of other countries that have tried this idea are solely related to this law. I think those bad experiences are partly related to this law and partly related to other laws that reflect that kind of hatred of enterprise.

Take a look at the facts before you push this off on the American people. From 1982 to 1984 the United States saw unemployment drop 31 percent; a tremendous record. What about those countries that had so-called plant closing laws?

In contrast to the dramatic drop in unemployment in the United States, the countries that tried this brand of legislation had the opposite experience. France, during that same period we had a 31-percent drop in unemployment, had a 15-percent increase in unemployment. Germany had a 23-percent increase in unemployment. The United Kingdom had a 9-percent increase in unemployment.

This law does not work; what it does is make it far more difficult for people to maintain jobs and operations.

For Sweden, which had a similar law we do not have figures for the 1982 to 1984 period, but do have figures that go from 1980 to 1983. During that period, they saw unemployment rise 75 percent. That law does not work. It has made things more difficult; not better.

Let us take a look at one other thing. I think it is a fundamental question we ought to be talking about tonight. How do we create jobs? How do we help American citizens have a better opportunity? How do we care for those who were thrown out of work?

I think there are some answers to that. What are they? We have got to be competitive; that is one thing. We in Government can do our part: We can eliminate redtape, we can eliminate unnecessary paperwork, we can reduce cost of operation, we can provide a favorable climate for putting Americans to work in this country. We can eliminate unnecessary regulations which cost American businesses billions of dollars a year in an unnecessary waste of redtape and paperwork. They tend to make us noncompetitive. At the worst, those regulations that are unneeded drive businesses and enterprises out of the country.

This House must begin to control the deficits that push up interest rates and raise the value of the dollar to a level that makes it very difficult to compete in foreign markets.

If you care about workers and their jobs, the changes start here, in this Chamber, with each and every Member who could have the courage to stand up and vote to get our deficit in line. Straightening out our budget, will do more to help out people who are unemployed than any single thing you could do.

This bill does none of that. It reflects a deep and abiding hatred for jobs and enterprise. It reflects a deep and abiding hatred for those who provide jobs—a hate of change, a hate of enterprise and hostility toward a system that has been the most productive in the history of the world.

The tragedy is that what we need right now as Americans is to begin to work together; not hate the employee or hate the union, not hate the employer who works for jobs or the investor or the person who provides his labor or her labor for the enterprise. We need a climate of cooperation that says we are going to work together to make America competitive again.

If that is what we want, if we want America to be competitive again, let us defeat this misbegotten bill, and let us stand shoulder to shoulder to solve the problems in Congress that will really begin to make America the land of opportunity again.

I want to thank my friend from Texas [Mr. DELAY] and thank him particularly for his leadership on this issue. I am convinced, if more Members took the time to look into this bill as he has, that it would last a very brief time on the floor.

Mr. DELAY. I would hope so, and I thank the gentleman from Colorado [Mr. BROWN] for coming down at this late hour and talking about an issue that I think is vital to America's ability to create jobs in defeating H.R. 1616.

I might ask the gentleman: It was proposed during the debate that a substitute might be offered on the floor either tomorrow or Thursday, and this substitute as it was presented by its proponents was, "Yes, we understand the problem and we are going to try to deal with it in a compromise."

In my opinion, that substitute is a compromise for compromise's sake.

□ 2120

Now I might point out to the gentleman and ask the gentleman if, in his very succinct and pointed way, he can detail the effects on businesses and on our economy. The substitute, that is, this substitute that still is a notification substitute although it cuts it down from 90 to 60 days and still is a notification substitute that does raise the size of businesses which would have to comply with this law to businesses which have 200 or more employees at a single site or 50 or more employees at a single site in an area outside of a metropolitan statisical area as defined by the Office of Management and Budget pursuant to its authority under section, and it goes on, blah, blah, blah, as it goes on and on and on, it is still a notification bill. It is still, I think, and I would hope the gentleman would express himself on this. Would the gentleman's words still apply here?

Mr. BROWN of Colorado. I might say to the gentleman that the substitute still does not deal with the basic economic realities. People do not close a plant because they want to. They close it because it is unprofitable. Requiring notice still puts the creditors and the suppliers and customers on notice that the plant may shut down.

By putting those folks on notice, what you do is precipitate a closing of the plant that might never have had to close. So while the substitute is more limited, it still provides those elements of economic unreality that will make the situation worse, not better.

What you are doing with this bill is causing a notice that will seal the fate of the business rather than creating a climate where people can work together and solve problems.

Mr. DELAY. I do not think it was mentioned in the debate that this bill, and, frankly, the substitute, if you look at it, could also apply to supermarkets which want to close one unprofitable location and move to another location in the same town. They would have to go through this procedure. Even under the substitute, the minute they give notice to their employees of the 60 days, in 60 days they are going to be moving, those employees will start looking for jobs. Now, if he wants to take his employees and reemploy them in another supermarket

in another part of town and they are running around looking for other jobs, what does that do to the employer who is under severe monetary pressure because it costs a lot of money to build a new store or to buy into a new store and move all that equipment? Just the moving alone costs a lot of money. Now, he has to spend more money, then, rehiring people because a lot of his employees left him looking for other jobs.

Mr. BROWN of Colorado. No question, that gets to be a problem. Whenever you have an attorney come in and advise on an operation like this, the question to the attorney is: "How should I do it? How should I conduct my affairs? I do not know that I need to close down in 60 or 90 days. Should I give notice even though I do not know there is a chance I could make it?" The attorney, if he is a competent attorney, says, "If you don't give notice, you face horrible penalties. If you do give notice, you still have a way to work around this." So the advice I believe every enterprise is going to get in this is: If there is any question, give notice, give notice of the closing. The people who get hurt by that the most are the workers themselves.

One aspect of this is that we have not discussed is that we still have a labor law in this country that provides protection for those workers. That is still in existence. This bill comes around and supersedes the labor law in many areas. So protections that are in the law for workers can be superseded or denied, in effect, by this statute. What we have is a bill, and a substitute, that is held out as an effort to protect employees. In reality, what it will do is harm those very employees.

Mr. DELAY. And the communities that these plants are located in.

Mr. BROWN of Colorado. No question about that. Look at all the other countries who have lived under these kinds of laws, and see what happens to job opportunities in those nations. You can debate all you want over issues, and sometimes we are right and sometimes we are wrong, but when you try something and it fails, then it is time to look for a different answer.

The fact is, this idea has been tried in other countries and it has been an abysmal failure.

Mr. DELAY. Time and time again. Now, I just cannot imagine, and I know the gentleman, Mr. BROWN of Colorado, was a member of chambers in Colorado, as I was a member of chambers in Texas. In my chamber work, one of the things we consistently and constantly did was have an economy development committee that went around the United States and foreign countries, for that matter, trying to entice businesses to come into my community and build plants, creating jobs. That is important to state, creating jobs. Workers and labor unions do not create jobs. They take advantage of those, they make themselves advantaged over working those jobs. But I have yet to see a labor union go out and start a business.

They work the jobs, but they do not create jobs. Businesses and capital and entrepreneurs and the free enterprise system create jobs. So when these chambers go out trying to entice industry to come in and build a new plant or a new store in their area in order to create jobs, to employ maybe the people who were just laid off from another plant or another type of business, it has been proven time and time again, especially in the history of the countries which have tried this kind of legislation, that businesses, corporations, and individuals tend to shy away and will not build jobs in those areas.

That is hurting a community's ability to revive itself, to expand its opportunities, to expand the opportunities of workers, and I think is devastating. It is ill-founded in this case.

Mr. BROWN of Colorado. The gentleman makes a good point. The reality is a successful economy is like building a chain. Included in the chain is capital which provides for equipment; included in the chain is labor that provides the core of the operations and the creative effort; included in the chain is management which is important to set the course and set standards and goals.

The fact is, all of us in America operate by working together, and we are a chain. Like a chain, we are as strong or as weak as our weakest link.

This bill is an effort to inflict heavy damage on one link of that chain. By doing that, it destroys the integrity of the entire chain which is our economy. It is this blind hatred of a portion, a vital portion of our economy, I think, that is the bill's undoing. We ought to be focusing on working together instead of trying to impose extremely harsh penalties on one vital sector in that chain.

Mr. DELAY. I agree. I certainly appreciate the gentleman coming down at this very late hour and participating in this special order. I cannot tell the Speaker how important I think the defeat of this bill is to the American people, to the American worker, and to the communities where businesses are located and workers work and avail themselves of the opportunities that are provided through our fine, free enterprise system, that if we would just get Government out of it, there is no limit to where we can go.

Mr. DANNEMEYER. Mr. Speaker, this week the House will consider H.R. 1616, the Labor-Management Notification and Consultation Act of 1985. As you know, this legislation requires employers with 50 or more employees to notify and consult with employees at least 90 days before ordering a plant closing or permanent layoffs. In complying with this requirement, an employer would be obligated to meet with his employees and attempt to arrive at a satisfactory alternative to the proposed action.

If the employer did not attempt to provide an alternative, the Federal Mediation and Conciliation Service could order the employer to continue meeting with his employees by obtaining an injunction against the employer. The injunction would extend the 90-day period and effectively give employees a cause of action against their employer.

While I can sympathize with the plight of any worker affected by a plant closing or mass layoffs, the enactment of legislation along these lines is inadvisable. Businesses could be forced to continue operating, even if there were legitimate reasons for them to discontinue a portion of their operations. In many instances, an employer needs to have flexibility to shut down a portion of his operations, especially if he is noticing that it is unprofitable and could ultimately affect the survival of the company as a whole. If this legislation is enacted, an employer may have to operate a facet of his entity which proves to be a liability, possibly risking bankruptcy, rather than simply closing a single portion of his operations.

If an employer is forced into shutting down his entire business, rather than just one facet, then all of the company's employees will be left without work, not just the few that were to have been laid off at the outset.

Western European countries have implemented regulations similar to those found in H.R. 1616. Yet, from 1974 to 1984, Western Europe lost 3 million jobs. On the other hand, from 1965 to 1984, the working age population increased in the United States by 38 percent, but employment opportunities during that period increased by 45 percent.

In my opinion, we cannot follow the example set by Western Europe and we must preserve employment opportunities for our citizens. Business has already taken the lead by publishing voluntary guidelines to be followed by companies which are proposing to close their operations or to relocate their plant. These guidelines include a flexible combination of voluntary notification of employees, severance pay, benefit extensions, liberalized retirement provisions, placement, and retraining.

With the kind of initiative displayed by private industry, we must not hamper industry with unwarranted legislation. To compete effectively throughout the world, companies need the flexibility to make necessary decisions concerning their operations and to implement them without jeopardizing their future, especially if employers are to continue creating jobs for future generations.

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

SERIOUS PROBLEMS IN UNIFORM POLL CLOSING

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Minnesota [Mr. FRENZEL] is recognized for 30 minutes.

Mr. FRENZEL. Mr. Speaker, the House Administration Committee recently voted out the uniform poll closing bill, H.R. 3525. This bill would mandate a uniform poll closing time of 9 e.s.t. for Presidential general elections only and would keep the Pacific time zone States on daylight saving time until the Sunday after election day.

Not only would this seemingly innocuous bill require 39 States to change the time the polls close in their States but would create havoc for the transportation industries. I want to call to my colleague's attention a letter I received from Mr. William J. Burhop of the Air Transport Association of America.

Mr. Burhop states that this bill would result in considerable confusion among passengers and cargo shippers moving goods in interstate commerce, disrupt airline schedules, and cause airlines and related travel industry business to incur considerable expense. I would commend his letter to you and suggest that when we are asked to consider this bill, you will vote against it.

AIR TRANSPORT
ASSOCIATION OF AMERICA,
Washington, DC, November 4, 1985.

Hon. BILL FRENZEL,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE FRENZEL: I am writing to you on behalf of the members of the Air Transport Association of America (ATA) to express our concern over the confusion, disruption and expense that would be caused by a proposal to extend Pacific Daylight Savings Time for two weeks every four years in order to achieve uniform voter poll closings during presidential elections.

A bill to close all voter polls within the continental United States at 9:00 p.m. Eastern Standard Time on the day of a presidential election was recently reported by the Committee on House Administration. That bill, H.R. 3525, would require Daylight Savings Time to be extended in the Pacific Time Zone for two weeks more than the rest of the country during presidential election years to avoid the problem of west coast polls closing at 6:00 p.m., which is too early for many voters to reach the polls after work. By extending Pacific Daylight Savings Time for two weeks, the west coast polls would close at 7:00 p.m. Pacific Daylight Savings Time, which would be 9:00 p.m. Eastern Standard Time. All of California, Nevada, Oregon, Washington, and part of Idaho would be affected.

ATA fully understands this Congressional effort to establish a uniform closing time for voter polls, but we believe the method proposed by H.R. 3525 is defective. It would result in considerable confusion among passengers and cargo shippers moving goods in interstate commerce, disrupt airline schedules, and cause airlines and related travel industry businesses to incur considerable expense. A few of the problems H.R. 3525 would create are highlighted below.

The most serious problem would be the disruption of airline schedules, impacting both passengers and cargo shippers nationwide. This nationwide impact results from the fact that many flight schedules to and from other parts of the country are geared to Pacific Time Zone departure and arrival times, and because the availability of aircraft and flight crews at other cities may be dependent upon Pacific Time Zone arrivals or departures. In many instances, existing flight connections at hub operations would be broken unless there could be corresponding adjustments to connecting flights to compensate for Pacific Time Zone variations. Such adjustments, however, are not always possible.

Because airline schedules are somewhat like a jigsaw puzzle with many pieces to be matched, it is not possible to quantify each of the specific effects of a Daylight Savings Time variation without going through the mechanics of a complete airline schedule change. We suggest, however, that the effects on the public, and the costs to the airline industry, are significant.

Second, the proposal would cause airlines to incur substantial costs to develop and publish two complete schedules in a two-week period. The cost to carriers for publishing two schedules in printed airline guides, and the cost of loading two schedules into airline computer reservation systems, due to the staggered time zone changes, would double for the month of November (and very probably for the month of October) in each presidential election year.

Third, not only would flight schedules be adversely affected, but many crew scheduling problems would occur both in terms of FAA duty time limits and logistics. In some cases, schedule changes required by the time zone change would alter the actual hours of service of many flight crews to the point of exceeding duty time limits, thereby necessitating further personnel scheduling changes Also, since flight crew members for a particular flight often come from different parts of the country, changing the Pacific Time Zone would disrupt crew scheduling.

Fourth, airlines would be unable to comply with nighttime noise curfews at several west coast airports. With only a two-hour time difference between the east and west coasts, west-bound flights scheduled pursuant to the normal three hour time difference could not comply with nighttime restrictions at not less than four airports, affecting approximately 28 flights daily. If airlines are forced to adjust flight schedules to meet the curfews, considerable inconvenience will be suffered by passengers and cargo shippers, and airlines will suffer substantial productivity losses.

Finally, a significant impact will be felt by the business community, particularly those persons traveling west to conduct business on a same day turn-around trip.

The problem addressed by the legislation was not caused by the airlines and the burden of its solution should not be borne by the airlines or their passengers and shippers. ATA believes there is a better way to achieve the goal of uniform voter poll closings, and we welcome the opportunity to work with Congress in finding a more appropriate mechanism than H.R. 3525.

Sincerely,

WILLIAM J. BURHOP,
Senior Vice President,
Government Affairs.

CONFERENCE REPORT ON S. 1042

Mr. DELLUMS submitted the following conference report and statement on the bill (S. 1042) to authorize certain construction at military installations for fiscal year 1986, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 99-366)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1042) to authorize certain construction at military installations for fiscal year 1986, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

SECTION 1. SHORT TITLE

This Act may be cited as the "Military Construction Authorization Act, 1986".

TITLE I—ARMY

SEC. 101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS

(a) INSIDE THE UNITED STATES.—(1) The Secretary of the Army may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

UNITED STATES ARMY FORCES COMMAND

Fort Bragg, North Carolina, $68,380,000.
Fort Campbell, Kentucky, $26,200,000.
Fort Carson, Colorado, $51,350,000.
Fort Devens, Massachusetts, $610,000.
Fort Drum, New York, $85,490,000.
Fort Greely, Alaska, $2,500,000.
Fort Hood, Texas, $78,450,000.
Fort Hunter-Liggett, California, $11,100,000.
Fort Indiantown Gap, Pennsylvania, $5,300,000.
Fort Irwin, California, $28,150,000.
Fort Lewis, Washington, $104,980,000.
Fort McCoy, Wisconsin, $940,000.
Fort Meade, Maryland, $18,930,000.
Fort Ord, California, $25,820,000.
Fort Polk, Louisiana, $27,230,000.
Fort Richardson, Alaska, $3,600,000.
Fort Riley, Kansas, $49,290,000.
Fort Sam Houston, Texas, $1,440,000.
Fort Sheridan, Illinois, $3,500,000.
Fort Stewart, Georgia, $29,600,000.
Fort Wainwright, Alaska, $14,000,000.
Presidio of Monterey, California, $2,650,000.
Yakima Firing Center, Washington, $16,430,000.

UNITED STATES ARMY WESTERN COMMAND

Fort Shafter, Hawaii, $6,300,000.
Pohakuloa Training Area, Hawaii, $2,150,000.
Schofield Barracks, Hawaii, $32,460,000.

UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND

Fort A.P. Hill, Virginia, $6,450,000.
Fort Belvoir, Virginia, $34,300,000.
Fort Benjamin Harrison, Indiana, $5,300,000.
Fort Benning, Georgia, $39,650,000.
Fort Bliss, Texas, $31,760,000.
Fort Dix, New Jersey, $6,100,000.
Fort Gordon, Georgia, $46,040,000.
Fort Jackson, South Carolina, $6,600,000.
Fort Knox, Kentucky, $20,770,000.
Fort Leavenworth, Kansas, $6,900,000.
Fort Lee, Virginia, $13,082,000.
Fort Leonard Wood, Missouri, $12,350,000.
Fort McClellan, Alabama, $39,350,000.
Fort Pickett, Virginia, $420,000.

Fort Rucker, Alabama, $11,950,000.
Fort Sill, Oklahoma, $52,000,000.
Fort Story, Virginia, $1,950,000.

MILITARY DISTRICT OF WASHINGTON

Fort Myer, Virginia, $8,300,000.

UNITED STATES ARMY MATERIEL COMMAND

Aberdeen Proving Ground, Maryland, $4,670,000.
Anniston Army Depot, Alabama, $8,960,000.
Army Materiel and Mechanics Research Center, Massachusetts, $770,000.
Corpus Christi Army Depot, Texas, $4,400,000.
Detroit Arsenal, Michigan, $320,000.
Dugway Proving Ground, Utah, $8,650,000.
Fort Wingate, New Mexico, $490,000.
McAlester Army Ammunition Plant, Oklahoma, $2,300,000.
Navajo Depot Activity, Arizona, $240,000.
New Cumberland Army Depot, Pennsylvania, $88,000,000.
Picatinny Arsenal, New Jersey, $1,000,000.
Pine Bluff Arsenal, Arkansas, $19,000,000.
Pueblo Depot Activity, Colorado, $200,000.
Red River Army Depot, Texas, $820,000.
Redstone Arsenal, Alabama, $25,750,000.
Rock Island Arsenal, Illinois, $29,000,000.
Sacramento Army Depot, California, $4,550,000.
Savanna Army Depot, Illinois, $510,000.
Seneca Army Depot, New York, $1,410,000.
Sierra Army Depot, California, $2,600,000.
Tooele Army Depot, Utah, $11,490,000.
Umatilla Depot Activity, Oregon, $260,000.
Yuma Proving Ground, Arizona, $240,000.

AMMUNITION FACILITIES

Holston Army Ammunition Plant, Tennessee, $320,000.
Indiana Army Ammunition Plant, Indiana, $210,000.
Iowa Army Ammunition Plant, Iowa, $810,000.
Kansas Army Ammunition Plant, Kansas, $570,000.
Lake City Army Ammunition Plant, Missouri, $930,000.
Louisiana Army Ammunition Plant, Louisiana, $640,000.
Newport Army Ammunition Plant, Indiana, $8,000,000.
Radford Army Ammunition Plant, Virginia, $2,910,000.

UNITED STATES ARMY INFORMATION SYSTEMS COMMAND

Fort Huachuca, Arizona, $2,050,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, New York, $31,000,000.

UNITED STATES ARMY HEALTH SERVICES COMMAND

Fort Detrick, Maryland, $7,600,000.
Tripler Army Medical Center, Hawaii, $970,000.
Walter Reed Army Medical Center, Washington, District of Columbia, $1,150,000.

MILITARY TRAFFIC MANAGEMENT COMMAND

Bayonne Military Ocean Terminal, New Jersey, $3,200,000.
Oakland Army Base, California, $330,000.
Sunny Point Military Ocean Terminal, North Carolina, $1,200,000.

UNITED STATES ARMY CORPS OF ENGINEERS

Humphreys Engineer Center, Supt. Activity, Virginia, $11,000,000.

ASSISTANT CHIEF OF ENGINEERS

Various, United States, $3,000,000.

(2) Funds appropriated for construction of an Army aviation museum at Fort Rucker, Alabama, that is authorized in paragraph (1) may not be obligated for that purpose unless the Secretary of the Army determines that an amount equal to the amount appropriated for that purpose has been made available for such purpose from private sources.

(b) OUTSIDE THE UNITED STATES.—The Secretary of the Army may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

UNITED STATES ARMY, JAPAN

Japan, $1,050,000.

EIGHTH UNITED STATES ARMY

Camp Carroll, Korea, $25,380,000.
Camp Casey, Korea, $12,920,000.
Camp Castle, Korea, $1,100,000.
Camp Colbern, Korea, $550,000.
Camp Edwards, Korea, $1,090,000.
Camp Gary Owen, Korea, $580,000.
Camp Giant, Korea, $1,050,000.
Camp Greaves, Korea, $420,000.
Camp Hovey, Korea, $8,300,000.
Camp Howze, Korea, $1,980,000.
Camp Humphreys, Korea, $11,600,000.
Camp Kittyhawk, Korea, $1,600,000.
Camp Kyle, Korea, $3,580,000.
Camp Liberty Bell, Korea, $800,000.
Camp Market, Korea, $710,000.
Camp Page, Korea, $32,650,000.
Camp Pelham, Korea, $2,400,000.
Camp Red Cloud, Korea, $1,730,000.
Camp Stanley, Korea, $5,500,000.
K-16 Army Airfield, Korea, $2,350,000.
Location 177, Korea, $2,290,000.
Yongin, Korea, $2,550,000.
Yongson, Korea, $9,800,000.

BALLISTIC MISSILE DEFENSE SYSTEMS COMMAND

Kwajalein, $14,600,000.

UNITED STATES ARMY FORCES COMMAND OVERSEAS

Panama, $5,480,000.

UNITED STATES ARMY, EUROPE AND SEVENTH ARMY

Amberg, Germany, $850,000.
Ansbach, Germany, $14,390,000.
Bad Kreuznach, Germany, $1,100,000.
Bad Toelz, Germany, $1,850,000.
Bamberg, Germany, $6,490,000.
Baumholder, Germany, $900,000.
Darmstadt, Germany, $29,200,000.
Frankfurt, Germany, $18,680,000.
Friedberg, Germany, $9,150,000.
Fulda, Germany, $7,200,000.
Giessen, Germany, $1,700,000.
Goeppingen, Germany, $10,250,000.
Grafenwoehr, Germany, $2,450,000.
Haingruen, Germany, $680,000.
Hanau, Germany, $48,140,000.
Heidelberg, Germany, $8,800,000.
Heilbronn, Germany, $2,950,000.
Hohenfels, Germany, $6,300,000.
Kaiserslautern, Germany, $3,450,000.
Karlsruhe, Germany, $4,020,000.
Neu Ulm, Germany, $1,000,000.
Nuremberg, Germany, $8,500,000.
Pirmasens, Germany, $14,000,000.
Schoeningen, Germany, $700,000.
Schweinfurt, Germany, $17,840,000.
Stuttgart, Germany, $4,500,000.
Vilseck, Germany, $10,290,000.
Wiesbaden, Germany, $2,960,000.
Wildflecken, Germany, $20,000,000.
Wuerzburg, Germany, $48,070,000.
Various Locations, Germany, $101,000,000.
Various Locations, Greece, $1,440,000.
Various Locations, Italy, $1,850,000.
Various Locations, Turkey, $7,440,000.

SEC. 102. FAMILY HOUSING

The Secretary of the Army may construct or acquire family housing units (including land acquisition) at the following installations in the number of units shown, and in the amount shown, for each installation:

Fort Ord, California, six hundred units and seventy manufactured home spaces, $50,640,000.
Fort Carson, Colorado, fifty manufactured home spaces, $712,000.
Fort Stewart, Georgia, twenty manufactured home spaces, $253,000.
Bamberg, Germany, one hundred and six units, $7,209,000.
Various locations, Germany, ninety-eight units, $6,120,000.
Vilseck, Germany, three hundred and seventy units, $26,830,000.
Fort Riley, Kansas, fifty manufactured home spaces, $700,000.
Fort Campbell, Kentucky, fifty manufactured home spaces, $689,000.
Fort Devens, Massachusetts, twenty manufactured home spaces, $317,000.
Fort Drum, New York, eight hundred units, $67,500,000.
Fort Bragg, North Carolina, two units by reconfiguration and fifty manufactured home spaces, $637,000.
Dugway Proving Ground, Utah, one hundred and four units and twenty-four manufactured home spaces, $8,674,000.
Fort Myer, Virginia, six units, $596,000.

SEC. 103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS

(a) AMOUNT AUTHORIZED.—(1) Subject to section 2825 of title 10, United States Code, the Secretary of the Army may make expenditures to improve existing military family housing units in an amount not to exceed $167,521,000, of which $10,950,000 is available only for energy conservation projects.

(2) Of the funds appropriated pursuant to authorizations made in subsection (a) and in section 601(a) for support of military family housing, the Secretary of the Army shall use $1,521,000 for housing improvements at Watervliet Arsenal, New York.

(b) WAIVER OF MAXIMUM PER UNIT COST FOR CERTAIN IMPROVEMENT PROJECTS.—Notwithstanding the maximum amount per unit for an improvement project under section 2825(b) of title 10, United States Code, the Secretary of the Army may carry out projects to improve existing military family housing units at the following installations in the number of units shown, and in the amount shown, for each installation:

Walter Reed Army Medical Center, Washington, District of Columbia, one unit, $99,000.
Fort Bragg, North Carolina, one hundred and sixty-four units, $4,712,000.
Aberdeen Proving Ground, Maryland, eighty-one units, $2,762,000.
Fort Monmouth, New Jersey, three hundred and sixty-six units, $14,800,000.

(c) FAMILY HOUSING IMPROVEMENTS AT FORT MONMOUTH, NEW JERSEY.—The housing units specified in subsection (b) for Fort Monmouth, New Jersey, includes 135 units authorized in section 101 of this Act and 231 units authorized in section 101 of the Military Construction Authorization Act, 1985 (Public Law 98-407; 98 Stat. 1498).

SEC. 104. MADIGAN ARMY MEDICAL CENTER, FORT LEWIS, WASHINGTON

Section 601(c) of the Military Construction Authorization Act, 1985 (Public Law 98-407; 98 Stat. 1512), is amended by striking out "and the amount specified in subsection (b)" and inserting in lieu thereof ", the amount specified in subsection (b)(1), and $326,800,000 (the amount authorized for the construction of the Madigan Army Medical Center, Fort Lewis, Washington)".

TITLE II—NAVY

SEC. 201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS

(a) INSIDE THE UNITED STATES.—The Secretary of the Navy may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

UNITED STATES MARINE CORPS

Marine Corps Logistics Base, Barstow, California, $530,000.

Marine Corps Air Station, Beaufort, South Carolina, $6,905,000.

Marine Corps Mountain Warfare Training Center, Bridgeport, California, $1,470,000.

Marine Corps Camp Detachment, Camp Elmore, Norfolk, Virginia, $3,995,000.

Marine Corps Base, Camp Lejeune, North Carolina, $24,140,000.

Marine Corps Base, Camp Pendleton, California, $25,175,000.

Marine Corps Air Facility, Camp Pendleton, California, $14,310,000.

Marine Corps Air Station, Cherry Point, North Carolina, $36,450,000.

Marine Corps Air Station, El Toro, California, $30,375,000.

Marine Corps Air Station, Kaneohe Bay, Hawaii, $17,420,000.

Marine Corps Air Station, New River, North Carolina, $10,780,000.

Marine Corps Recruit Depot, Parris Island, South Carolina, $3,610,000.

Marine Corps Air Station, Tustin, California, $17,970,000.

Marine Corps Air-Ground Combat Center, Twentynine Palms, California, $22,670,000.

Marine Corps Development and Education Command, Quantico, Virginia, $7,060,000.

Marine Corps Air Station, Yuma, Arizona, $16,750,000.

CHIEF OF NAVAL RESEARCH

Naval Research Laboratory, Washington, District of Columbia, $28,900,000.

OFFICE OF THE COMPTROLLER OF THE NAVY

Navy Finance Center, Cleveland, Ohio, $2,940,000.

CHIEF OF NAVAL OPERATIONS

Naval Academy, Annapolis, Maryland, $18,480,000.

Naval Space Command, Dahlgren, Virginia, $4,700,000.

Navy Regional Data Automation Center, Jacksonville, Florida, $10,300,000.

Naval Space Surveillance Field Station, Lewisville, Arkansas, $675,000.

Navy Tactical Interoperability Support Activity, Mayport, Florida, $470,000.

Navy Tactical Interoperability Support Activity, North Island, California, $585,000.

Navy Regional Data Automation Center, Norfolk, Virginia, $10,880,000.

Intelligence Center, Pacific, Pearl Harbor, Hawaii, $2,900,000.

Naval Space Surveillance Field Station, San Diego, California, $600,000.

Commandant Naval District, Washington, District of Columbia, $6,300,000.

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Air Station, Brunswick, Maine, $3,040,000.

Naval Air Station, Cecil Field, Florida, $29,835,000.

Naval Station, Charleston, South Carolina, $9,960,000.

Naval Air Station, Jacksonville, Florida, $5,800,000.

Naval Amphibious Base, Little Creek, Virginia, $16,370,000.

Naval Station, Mayport, Florida, $10,820,000.

Naval Submarine Base, New London, Connecticut, $365,000.

Naval Station, New York, New York, $33,160,000.

Naval Air Station, Norfolk, Virginia, $10,675,000.

Naval Station, Norfolk, Virginia, $800,000.

Naval Air Station, Oceana, Virginia, $16,940,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Naval Facility, Adak, Alaska, $2,650,000.

Naval Air Station, Alameda, California, $8,650,000.

Naval Submarine Base, Bangor, Washington, $5,200,000.

Amphibious Task Force, Camp Pendleton, California, $9,020,000.

Naval Amphibious Base, Coronado, California, $16,150,000.

Naval Station, Everett, Washington, $17,640,000.

Naval Air Station, Fallon, Nevada, $36,500,000.

Naval Air Station, Lemoore, California, $2,300,000.

Naval Station, Long Beach, California, $16,000,000.

Naval Air Station, Miramar, California, $385,000.

Naval Air Station, North Island, California, $18,593,000.

Commander, Oceanographic System, Pacific, Pearl Harbor, Hawaii, $1,180,000.

Naval Submarine Base, Pearl Harbor, Hawaii, $2,900,000.

Naval Station, San Diego, California, $16,197,000.

Naval Submarine Base, San Diego, California, $14,120,000.

Naval Station Mare Island, Vallejo, California, $735,000.

Naval Air Station, Whidbey Island, Washington, $2,650,000.

CHIEF OF NAVAL EDUCATION AND TRAINING

Fleet and Mine Warfare Training Center, Charleston, South Carolina, $1,180,000.

Naval Amphibious School, Coronado, California, $9,330,000.

Surface Warfare Officers School Command Detachment, Coronado, California, $5,200,000.

Naval Air Station, Corpus Christi, Texas, $4,360,000.

Fleet Combat Training Center, Atlantic, Dam Neck, Virginia, $9,640,000.

Naval Explosive Ordnance Disposal School, Eglin, Florida, $13,700,000.

Naval Training Center, Great Lakes, Illinois, $20,740,000.

Naval Construction Training Center, Gulfport, Mississippi, $2,460,000.

Naval Amphibious School, Little Creek, Virginia, $420,000.

Naval Air Station, Memphis, Tennessee, $11,695,000.

Naval Air Station, Meridian, Mississippi, $450,000.

Naval Submarine School, New London, Connecticut, $13,300,000.

Naval Education and Training Center, Newport, Rhode Island, $19,580,000.

Naval Training Center, Orlando, Florida, $9,400,000.

Naval Air Station, Pensacola, Florida, $225,000.

Naval Technical Training Center, Pensacola, Florida, $5,670,000.

Naval Construction Training Center, Port Hueneme, California, $4,800,000.

Fleet Anti-Submarine Warfare Training Center, Pacific, San Diego, California, $7,850,000.

Fleet Combat Training Center, Pacific, San Diego, California, $305,000.

Fleet Training Center, San Diego, California, $4,750,000.

Naval Training Center, San Diego, California, $2,900,000.

Naval Technical Training Center, San Francisco, California, $1,570,000.

Naval Air Station, Whiting Field, Florida, $810,000.

NAVAL MILITARY PERSONNEL COMMAND

Navy Band, Washington, District of Columbia, $1,900,000.

NAVAL MEDICAL COMMAND

Naval Medical Clinic, Annapolis, Maryland, $12,540,000.

Naval Hospital, Groton, Connecticut, $8,720,000.

Naval Hospital, Jacksonville, Florida, $18,600,000.

Naval Hospital, Long Beach, California, $6,300,000.

Naval Hospital, Oak Harbor, Washington, $13,900,000.

Naval Hospital, Pensacola, Florida, $7,250,000.

Naval Hospital, San Diego, California, $450,000.

CHIEF OF NAVAL MATERIEL

Naval Air Rework Facility, Alameda, California, $22,780,000.

Puget Sound Naval Shipyard, Bremerton, Washington, $30,945,000.

Naval Supply Center, Bremerton, Washington, $1,520,000.

Naval Weapons Station, Charleston, South Carolina, $4,070,000.

Polaris Missile Facility, Atlantic, Charleston, South Carolina, $1,620,000.

Naval Air Rework Facility, Cherry Point, North Carolina, $1,720,000.

Naval Weapons Center, China Lake, California, $9,315,000.

Naval Weapons Station, Earle, New Jersey, $3,720,000.

Naval Construction Battalion Center, Gulfport, Mississippi, $2,550,000.

Naval Ordnance Station, Indian Head, Maryland, $1,570,000.

Naval Supply Center, Jacksonville, Florida, $1,555,000.

Naval Undersea Warfare Engineering Station, Keyport, Washington, $2,440,000.

Naval Submarine Base, Kings Bay, Georgia, $388,360,000.

Naval Air Engineering Center, Lakehurst, New Jersey, $600,000.

Long Beach Naval Shipyard, Long Beach, California, $7,160,000.

Naval Ordnance Station, Louisville, Kentucky, $16,950,000.

Naval Air Rework Facility, Norfolk, Virginia, $13,080,000.

Naval Supply Center, Norfolk, Virginia, $2,350,000.

Naval Air Rework Facility, North Island, California, $9,465,000.

Naval Supply Center, Oakland, California, $7,890,000.

Pearl Harbor Naval Shipyard, Pearl Harbor, Hawaii, $1,860,000.

Navy Public Works Center, Pearl Harbor, Hawaii, $13,700,000.

Navy Public Works Center, Pensacola, Florida, $8,430,000.

Pacific Missile Test Center, Point Mugu, California, $10,200,000.

Naval Construction Battalion Center, Port Hueneme, California, $23,650,000.

Naval Ship Weapon Systems Engineering Station, Port Hueneme, California, $10,780,000.

Naval Electronic Systems Engineering Center, Portsmouth, Virginia, $3,255,000.

Norfolk Naval Shipyard, Portsmouth, Virginia, $6,690,000.

Naval Supply Center, San Diego, California, $7,100,000.

Naval Electronic Systems Engineering Activity, Saint Inigoes, Maryland, $15,550,000.

Mare Island Naval Shipyard, Vallejo, California, $815,000.

Naval Air Development Center, Warminster, Pennsylvania, $4,220,000.

Naval Mine Warfare Engineering Activity, Yorktown, Virginia, $4,120,000.

NAVAL OCEANOGRAPHY COMMAND

Naval Oceanography Command Facility, Jacksonville, Florida, $390,000.

Naval Western Oceanography Center, Pearl Harbor, Hawaii, $4,500,000.

NAVAL TELECOMMUNICATIONS COMMAND

Naval Radio Station, Sugar Grove, West Virginia, $785,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Activity, Adak, Alaska, $980,000.

Naval Security Group Activity, Northwest, Chesapeake, Virginia, $1,385,000.

Naval Security Group Activity, Skaggs Island, California, $395,000.

Naval Security Group Activity, Winter Harbor, Maine, $3,280,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of the Navy may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

MARINE CORPS

Marine Corps Air Station, Iwakuni, Japan, $1,775,000.

Marine Corps Air Station, Futenma, Okinawa, Japan, $2,990,000.

Marine Corps Base Camp Smedley D. Butler, Okinawa, Japan, $2,250,000.

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Facility, Antigua, West Indies, $2,410,000.

Naval Facility, Argentia, Newfoundland, Canada, $700,000.

Naval Station, Guantanamo Bay, Cuba, $22,410,000.

Naval Station, Keflavik, Iceland, $21,780,000.

Atlantic Fleet Weapons Training Facility, Roosevelt Roads, Puerto Rico, $7,100,000.

Naval Station, Roosevelt Roads, Puerto Rico, $14,700,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Navy Support Facility, Diego Garcia, Indian Ocean, $16,530,000.

Naval Air Facility, Diego Garcia, Indian Ocean, $22,450,000.

Naval Magazine, Guam, $11,270,000.

Naval Supply Depot, Guam, $6,550,000.

Naval Station, Guam, $10,200,000.

Naval Ship Repair Facility, Guam, $990,000.

Naval Magazine, Subic Bay, Republic of the Philippines, $250,000.

Naval Ship Repair Facility, Subic Bay, Republic of the Philippines, $13,270,000.

COMMANDER IN CHIEF, UNITED STATES NAVAL FORCES EUROPE

Naval Activities, London, United Kingdom, $7,635,000.

Naval Support Activity, Naples, Italy, $7,750,000.

Naval Air Station, Sigonella, Italy, $5,930,000.

Personnel Support Activity, London, United Kingdom, $450,000.

CHIEF OF NAVAL MATERIEL

Navy Public Works Center, Guam, $1,080,000.

Navy Public Works Center, Yokosuka, Japan, $4,400,000.

NAVAL TELECOMMUNICATIONS COMMAND

Naval Communication Area Master Station, Western Pacific, Guam, $8,945,000.

Naval Communication Station, Harold E. Holt, Exmouth, Australia, $2,690,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Detachment, Diego Garcia, Indian Ocean, $3,700,000.

HOST NATION INFRASTRUCTURE SUPPORT

Various locations, $980,000.

SEC. 202. FAMILY HOUSING

(a) IN GENERAL.—The Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the following installations in the number of units shown, and in the amount shown, for each installation:

Naval Air Station, Adak, Alaska, one hundred units, $15,500,000.

Marine Corps Air Station, El Toro, California, two hundred and eighty-two units, $29,800,000.

Marine Corps Air-Ground Combat Center, Twentynine Palms, California, one hundred units, $8,400,000.

Navy Public Works Center, San Diego, California, two hundred units, $15,200,000.

Fleet Training Group Pacific, Warner Springs, California, forty-four units, $4,400,000.

Naval Weapons Station, Earle, New Jersey, two hundred units, $15,400,000.

Aviation Supply Office, Philadelphia, Pennsylvania, one unit, $170,000.

Navy Public Works Center, Subic Bay, Republic of the Philippines, three hundred units, $24,180,000.

(b) NAVAL PUBLIC WORKS CENTER, SAN DIEGO.—The Secretary of the Navy may construct the two hundred housing units authorized by subsection (a) for the Navy Public Works Center, San Diego, California, at Telegraph Point or at any other suitable and available site.

SEC. 203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS

(a) AMOUNT AUTHORIZED.—Subject to section 2825 of title 10, United States Code, the Secretary of the Navy may make expenditures to improve existing military family housing units in an amount not to exceed $34,020,000.

(b) WAIVER OF MAXIMUM PER UNIT COST FOR CERTAIN IMPROVEMENT PROJECTS.—Notwithstanding the maximum amount per unit for an improvement project under section 2825(b) of title 10, United States Code, the Secretary of the Navy may carry out projects to improve existing military family housing units at the following installations in the number of units shown, and in the amount shown, for each installation:

Navy Public Works Center, San Diego, California, three hundred seventy-two units, $17,610,000.

Naval Air Station, Whidbey Island, Washington, one unit, $56,500.

SEC. 204. TRANSIENT HOUSING UNITS, CHINHAE, KOREA

The Secretary of the Navy may convert the four existing transient housing units contained in Building 706 in Chinhae, Korea, to family housing units.

SEC. 205. RESTRICTION ON FUNDING FOR NAVY STRATEGIC HOMEPORTING

Funds appropriated pursuant to an authorization in section 602 for Naval Strategic Homeporting may not be obligated or expended for such purpose until—

(1) the Secretary of the Navy has submitted to the Congress a report justifying the expenditure of the funds for such purpose; and

(2) a period of 90 days has elapsed after the day on which the report is received by the Congress.

TITLE III—AIR FORCE

SEC. 301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS

(a) INSIDE THE UNITED STATES.—The Secretary of the Air Force may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

AIR FORCE LOGISTICS COMMAND

Hill Air Force Base, Utah, $28,280,000.

Kelly Air Force Base, Texas, $39,749,000.

McClellan Air Force Base, California, $53,829,000.

Robins Air Force Base, Georgia, $7,350,000.

Tinker Air Force Base, Oklahoma, $31,500,000.

Wright-Patterson Air Force Base, Ohio, $21,890,000.

AIR FORCE SYSTEMS COMMAND

Brooks Air Force Base, Texas, $2,500,000.

Edwards Air Force Base, California, $7,250,000.

Eglin Air Force Base, Florida, $14,560,000.

Hanscom Air Force Base, Massachusetts, $24,700,000.

Sunnyvale Air Force Station, California, $2,700,000.

AIR FORCE RESERVE

Billy Mitchell Field, Wisconsin, $500,000.

AIR NATIONAL GUARD

Buckley Air National Guard Base, Colorado, $12,370,000.

AIR TRAINING COMMAND

Chanute Air Force Base, Illinois, $1,730,000.

Goodfellow Air Force Base, Texas, $27,500,000.

Keesler Air Force Base, Mississippi, $10,500,000.

Lackland Air Force Base, Texas, $22,750,000.

Laughlin Air Force Base, Texas, $1,900,000.

Lowry Air Force Base, Colorado, $6,850,000.

Mather Air Force Base, California, $2,700,000.

Randolph Air Force Base, Texas, $3,200,000.

Reese Air Force Base, Texas, $3,250,000.

Sheppard Air Force Base, Texas, $16,150,000.

Vance Air Force Base, Oklahoma, $4,210,000.

Williams Air Force Base, Arizona, $660,000.

AIR UNIVERSITY

Gunter Air Force Station, Alabama, $6,000,000.

Maxwell Air Force Base, Alabama, $12,000,000.

ALASKAN AIR COMMAND

Attu Research Site, Alaska, $910,000.

Eielson Air Force Base, Alaska, $44,950,000.

Elmendorf Air Force Base, Alaska, $5,000,000.

King Salmon Airport, Alaska, $8,600,000.

Shemya Air Force Base, Alaska, $45,900,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Oklahoma, $11,450,000.

Andrews Air Force Base, Maryland, $10,120,000.
Base 24, Classified Location, $6,170,000.
Bolling Air Force Base, District of Columbia, $250,000.
Charleston Air Force Base, South Carolina, $1,620,000.
Dover Air Force Base, Delaware, $16,890,000.
Eglin Auxiliary Field 9, Florida, $1,700,000.
Kirtland Air Force Base, New Mexico, $60,330,000.
McChord Air Force Base, Washington, $2,240,000.
McGuire Air Force Base, New Jersey, $14,550,000.
Norton Air Force Base, California, $4,570,000.
Pope Air Force Base, North Carolina, $440,000.
Scott Air Force Base, Illinois, $17,150,000.
Travis Air Force Base, California, $10,300,000.

PACIFIC AIR FORCES

Hickam Air Force Base, Hawaii, $480,000.
Wheeler Air Force Base, Hawaii, $2,850,000.

SPACE COMMAND

Cape Cod Air Force Station, Massachusetts, $600,000.
Cavalier Air Force Station, North Dakota, $950,000.
Clear Air Force Station, Alaska, $4,500,000.
Peterson Air Force Base, Colorado, $5,200,000.

SPECIAL PROJECT

Various Locations, $55,000,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Louisiana, $1,400,000.
Base 34, Classified Location, $8,920,000.
Beale Air Force Base, California, $5,850,000.
Belle Fourche Air Force Station, South Dakota, $4,080,000.
Blytheville Air Force Base, Arkansas, $3,750,000.
Carswell Air Force Base, Texas, $1,000,000.
Castle Air Force Base, California, $3,300,000.
Dyess Air Force Base, Texas, $16,950,000.
Ellsworth Air Force Base, South Dakota, $72,064,000.
Fairchild Air Force Base, Washington, $12,500,000.
F.E. Warren Air Force Base, Wyoming, $15,310,000.
Grand Forks Air Force Base, North Dakota, $62,730,000.
Griffiss Air Force Base, New York, $2,740,000.
Grissom Air Force Base, Indiana, $1,700,000.
K.I. Sawyer Air Force Base, Michigan, $22,580,000.
Malmstrom Air Force Base, Montana, $1,300,000.
March Air Force Base, California, $9,000,000.
McConnell Air Force Base, Kansas, $66,490,000.
Minot Air Force Base, North Dakota, $5,000,000.
Offutt Air Force Base, Nebraska, $10,440,000.
Pease Air Force Base, New Hampshire, $1,200,000.
Plattsburgh Air Force Base, New York, $1,050,000.
Vandenberg Air Force Base, California, $1,960,000.
Whiteman Air Force Base, Missouri, $4,650,000.
Wurtsmith Air Force Base, Michigan, $5,300,000.

TACTICAL AIR COMMAND

Bergstrom Air Force Base, Texas, $770,000.
Cannon Air Force Base, New Mexico, $12,500,000.
Davis-Monthan Air Force Base, Arizona, $5,730,000.
England Air Force Base, Louisiana, $2,600,000.
George Air Force Base, California, $5,240,000.
Holloman Air Force Base, New Mexico, $16,850,000.
Homestead Air Force Base, Florida, $7,015,000.
Langley Air Force Base, Virginia, $8,680,000.
Luke Air Force Base, Arizona, $14,780,000.
MacDill Air Force Base, Florida, $8,850,000.
Moody Air Force Base, Georgia, $24,030,000.
Mountain Home Air Force Base, Idaho, $14,600,000.
Myrtle Beach Air Force Base, South Carolina, $430,000.
Nellis Air Force Base, Nevada, $17,860,000.
Seymour-Johnson Air Force Base, North Carolina, $2,320,000.
Shaw Air Force Base, South Carolina, $13,300,000.
Tyndall Air Force Base, Florida, $8,780,000.

UNITED STATES AIR FORCE ACADEMY

Air Force Academy, Colorado, $10,310,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of the Air Force may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

MILITARY AIRLIFT COMMAND

Lajes Field, Portugal, $25,285,000.
Rhein-Main Air Base, Germany, $1,500,000.

PACIFIC AIR FORCES

Camp Zama, Japan, $1,500,000.
Kadena Air Base, Japan, $27,650,000.
Misawa Air Base, Japan, $9,500,000.
Yokota Air Base, Japan, $10,400,000.
Kimhae Air Base, Korea, $10,400,000.
Kunsan Air Base, Korea, $9,000,000.
Kwang-Ju Air Base, Korea, $16,310,000.
Osan Air Base, Korea, $24,510,000.
Sachon Air Base, Korea, $310,000.
Diego Garcia Air Base, Indian Ocean, $5,300,000.
Clark Air Base, Republic of the Philippines, $15,050,000.

SPACE COMMAND

Thule Air Base, Greenland, $12,350,000.
Sondrestrom Air Base, Greenland, $5,750,000.
GEODSS Site 5, Portugal, $14,650,000.
Pirinclik Air Station, Turkey, $2,600,000.
BMEWS Site III, Fylingdales, United Kingdom, $3,100,000.

TACTICAL AIR COMMAND

Howard Air Force Base, Panama, $2,172,000.

UNITED STATES AIR FORCES IN EUROPE

Florennes Air Base, Belgium, $5,860,000.
Ahlhorn Air Base, Germany, $350,000.
Bitburg Air Base, Germany, $9,050,000.
Einsiedlerhof, Germany, $2,900,000.
Hahn Air Base, Germany, $8,160,000.
Hessisch Oldendorf Air Station, Germany, $1,230,000.
Kapaun Air Station, Germany, $900,000.
Leipheim Air Base, Germany, $350,000.
Marienfelde Communications Station, Germany, $2,550,000.
Norvenich Air Base, Germany, $350,000.
Pruem Air Station, Germany, $1,250,000.
Ramstein Air Base, Germany, $14,670,000.
Sembach Air Base, Germany, $6,460,000.
Spangdahlem Air Base, Germany, $14,860,000.
Various Locations, Germany, $940,000.
Vogelweh Air Station, Germany, $1,250,000.
Wenigerath Storage Site, Germany, $1,700,000.
Zweibrucken Air Base, Germany, $4,550,000.
Aviano Air Base, Italy, $5,070,000.
Comiso Air Station, Italy, $6,280,000.
Decimomannu Air Base, Italy, $2,800,000.
San Vito Air Station, Italy, $1,590,000.
Morocco, $3,100,000.
Camp New Amsterdam, The Netherlands, $2,710,000.
Keizerveer Air Base, The Netherlands, $270,000.
Woensdrecht Air Base, The Netherlands, $15,980,000.
Vught, The Netherlands, $310,000.
Torrejon Air Base, Spain, $2,900,000.
Ankara Air Station, Turkey, $950,000.
Incirlik Air Base, Turkey, $11,570,000.
Karatas, Turkey, $2,330,000.
RAF Alconbury, United Kingdom, $20,910,000.
RAF Bentwaters, United Kingdom, $12,050,000.
RAF Chicksands, United Kingdom, $1,630,000.
RAF Fairford, United Kingdom, $7,400,000.
RAF Greenham Common, United Kingdom, $2,200,000.
RAF Lakenheath, United Kingdom, $10,320,000.
RAF Mildenhall, United Kingdom, $4,080,000.
RAF Molesworth, United Kingdom, $21,063,000.
RAF Sculthorpe, United Kingdom, $2,350,000.
RAF Upper Heyford, United Kingdom, $4,640,000.
Various Locations, United Kingdom, $3,600,000.
Base 25, Classified Location, $4,500,000.
Base 29, Classified Location, $3,500,000.
Base 30, Classified Location, $4,830,000.
Base 33, Classified Location, $9,450,000.
Various Locations, Europe, $4,450,000.

SEC. 302. FAMILY HOUSING

The Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the following installations in the number of units shown, and in the amount shown, for each installation:

Florennes, Belgium, four hundred units, $29,200,000.
Hahn Air Base, Germany, four hundred and forty units, $33,000,000.
Ramstein Air Base, Germany, four hundred units, $30,000,000.
Osan Air Base, Korea, family housing support facilities, $1,200,000.
Camp New Amsterdam, The Netherlands, one hundred and forty units, $11,000,000.
Clark Air Base, Republic of the Philippines, four hundred and fifty units, $37,900,000.
Belle Fourche Air Force Station, South Dakota, fifty units, $4,000,000.

SEC. 303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS

(a) AMOUNT AUTHORIZED.—Subject to section 2825 of title 10, United States Code, the Secretary of the Air Force may make expenditures to improve existing military family housing units in an amount not to exceed $61,300,000, of which $19,939,000 is available only for energy conservation projects.

(b) WAIVER OF MAXIMUM PER UNIT COST FOR CERTAIN IMPROVEMENT PROJECTS.—Notwithstanding the maximum amount per unit for an improvement project under section 2825(b) of title 10, United States Code, the Secretary of the Air Force may carry out projects to improve existing military family housing units at the following installations in the number of units shown, and in the amount shown, for each installation:

Bolling Air Force Base, District of Columbia, twenty-four units, $1,200,000.

Scott Air Force Base, Illinois, eighty units, $4,006,000.

Offutt Air Force Base, Nebraska, thirty-two units, $2,873,000.

Kirtland Air Force Base, New Mexico, one hundred and ten units, $3,724,000.

Ramstein Air Base, Germany, two hundred and eighty units, $10,279,000.

Andersen Air Force Base, Guam, one hundred units, $6,605,000.

Kadena Air Base, Japan, two hundred and thirty-five units, $12,163,000.

Clark Air Base, Philippines, twenty-nine units, $1,042,000.

(c) IMPROVEMENT PROJECT AT PETERSON AIR FORCE BASE, COLORADO.—(1) To support the United States Space Command (USSPACECOM), the Secretary of the Air Force may carry out an improvement project at Peterson Air Force Base, Colorado, to add to and alter an existing facility and (notwithstanding section 2826 of title 10, United States Code) convert such facility to a family housing unit with a maximum net floor area of 3,100 square feet at a cost not to exceed $81,000.

(2) The amount authorized for the project by paragraph (1) shall not be considered an increase in the amount authorized to be appropriated by this Act for functions of the Department of the Air Force.

(3) For purposes of this subsection, the term "net floor area" has the same meaning given that term by section 2826(f) of title 10, United States Code.

SEC. 304. RESTRICTION ON USE OF FUNDS FOR CONSTRUCTION OF FACILITIES IN THE NETHERLANDS

Funds appropriated to the Air Force pursuant to an authorization in section 603 for the construction of facilities in The Netherlands to support ground launched cruise missiles (GLCM) may not be obligated or expended until the Government of The Netherlands has officially approved the deployment of such missiles in The Netherlands.

SEC. 305. SPECIAL IMPACT ASSISTANCE TO CERTAIN SCHOOL DISTRICTS

Of the funds appropriated to the Air Force for fiscal year 1986 for the acquisition of land to expand Melrose Air Force Range, New Mexico, the Secretary of the Air Force may use not more than $50,000 to provide assistance, by grant or otherwise, to school districts in communities near the Melrose Air Force Range for purposes of mitigating any adverse impact on the schools in such districts determined by the Secretary to result from expansion of the range.

TITLE IV—DEFENSE AGENCIES

SEC. 401. AUTHORIZED CONSTRUCTION PROJECTS AND LAND ACQUISITION FOR THE DEFENSE AGENCIES

(a) INSIDE THE UNITED STATES.—The Secretary of Defense may acquire real property and carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

DEFENSE LOGISTICS AGENCY

Defense Property Disposal Office, Anchorage, Alaska, $1,390,000.

Defense Property Disposal Office, Alameda, California, $1,320,000.

Defense Property Disposal Office, Barstow, California, $825,000.

Defense Fuel Support Point, San Diego, California, $600,000.

Defense Fuel Support Point, San Pedro, California, $700,000.

Defense Property Disposal Office, Groton, Connecticut, $625,000.

Defense Fuel Support Point, Port Tampa, Florida, $595,000.

Defense Property Disposal Office, Fort Riley, Kansas, $965,000.

Defense Fuel Support Point, Newington, New Hampshire, $1,040,000.

Defense Fuel Support Point, Verona, New York, $1,395,000.

Defense Depot, Mechanicsburg, Pennsylvania, $470,000.

Defense Depot, Memphis, Tennessee, $8,085,000.

Defense Property Disposal Office, Texarkana, Texas, $2,635,000.

Defense Depot, Ogden, Utah, $3,825,000.

Defense Property Disposal Office, Hill Air Force Base, Ogden, Utah, $750,000.

Defense General Supply Center, Richmond, Virginia, $5,355,000.

Defense Property Disposal Office, Richmond, Virginia, $650,000.

Defense Fuel Support Point, Manchester, Washington, $565,000.

Defense Property Disposal Office, F.E. Warren Air Force Base, Cheyenne, Wyoming, $1,020,000.

DEFENSE MAPPING AGENCY

Repromat Secure Storage Facility, Mineral Wells, Texas, $900,000.

NATIONAL SECURITY AGENCY

Fort Meade, Maryland, $82,142,000.

OFFICE OF THE SECRETARY OF DEFENSE

Classified Location, $12,000,000.

Fort McNair, Washington, District of Columbia, $25,000,000.

Classified Location, $3,142,000.

DEPARTMENT OF DEFENSE SECTION 6 SCHOOLS

Fort Benning, Georgia, $1,693,000.

Fort Bragg, North Carolina, $5,660,000.

Camp Lejeune, North Carolina, $8,400,000.

Myrtle Beach Air Force Base, South Carolina, $1,400,000.

Quantico, Virginia, $3,500,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of Defense may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

DEFENSE LOGISTICS AGENCY

Defense Property Disposal Office, Kaiserslautern, Germany, $360,000.

Defense Fuel Support Point, Chimu Wan, Okinawa, Japan, $8,160,000.

Defense Fuel Support Point, Pyongtaek, Korea, $5,820,000.

Defense Fuel Support Point, Uijongbu, Korea, $6,200,000.

NATIONAL SECURITY AGENCY

Classified Locations, $7,150,000.

DEPARTMENT OF DEFENSE SECTION 6 SCHOOLS

Fort Buchanan, Puerto Rico, $9,753,000.

Naval Station, Roosevelt Roads, Puerto Rico, $1,200,000.

DEPARTMENT OF DEFENSE OVERSEAS DEPENDENTS SCHOOLS

Florennes, Belgium, $7,420,000.

Babenhausen, Germany, $760,000.

Bamberg, Germany, $5,800,000.

Butzbach, Germany, $3,420,000.

Hanau, Germany, $7,480,000.

Heidelberg, Germany, $1,910,000.

Heilbronn, Germany, $2,520,000.

Pirmasens, Germany, $1,630,000.

Schweinfurt, Germany, $3,930,000.

Sembach Air Base, Germany, $2,170,000.

Vilseck, Germany, $6,680,000.

Sigonella, Italy, $5,360,000.

Misawa Air Base, Japan, $4,780,000.

Okinawa, Japan, $300,000.

Osan Air Base, Korea, $2,780,000.

Pusan, Korea, $1,540,000.

Taegu, Korea, $730,000.

Soesterberg Air Base, Netherlands, $4,460,000.

Clark Air Base, Republic of the Philippines, $7,190,000.

Bicester, United Kingdom, $4,570,000.

Upwood, United Kingdom, $3,240,000.

Woodbridge RAF Station, United Kingdom, $1,060,000.

SEC. 402. FAMILY HOUSING

The Secretary of Defense may construct or acquire twenty family housing units (including land acquisition) at classified installations in the total amount of $1,800,000.

SEC. 403. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS

Subject to section 2825 of title 10, United States Code, the Secretary of Defense may make expenditures to improve existing military family housing units in an amount not to exceed $110,000.

TITLE V—NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

SEC. 501. AUTHORITY OF THE SECRETARY OF DEFENSE TO MAKE CONTRIBUTIONS

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization infrastructure program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the amount authorized to be appropriated in section 605 plus the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

TITLE VI—AUTHORIZATION OF APPROPRIATIONS AND RECURRING ADMINISTRATIVE PROVISIONS

SEC. 601. AUTHORIZATION OF APPROPRIATIONS, ARMY

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1985, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $3,312,803,000 as follows:

(1) For military construction projects inside the United States authorized by section 101(a), $1,063,432,000.

(2) For military construction projects outside the United States authorized by section 101(b), $429,140,000.

(3) For military construction projects inside the United States authorized by section 101 of the Military Construction Authorization Act, 1985, $26,000,000.

(4) For unspecified minor construction projects under section 2805 of title 10, United States Code, $31,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $136,100,000.

(6) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $356,337,000; and

(B) for support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,270,794,000, of which not more than $2,520,000 may be obligated or expended for the leasing of military family housing units in the United States, the Commonwealth of Puerto Rico, and Guam, and not more than $131,047,000 may be obligated or expended for the leasing of military family housing units in foreign countries.

(b) AUTHORIZATION OF UNOBLIGATED FUNDS.—Funds appropriated to the Department of Defense for fiscal years before fiscal year 1986 for military construction functions of the Army that remain available for obligation are hereby authorized to be made available, to the extent provided in appropriation Acts, for military construction projects authorized in section 101 in the amount of $291,210,000 (which includes $82,500,000 for the construction of a utility project at Fort Drum, New York, and $56,000,000 for Pershing II security upgrade at various locations, Germany).

(c) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS AUTHORIZED IN TITLE I.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 101 may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a);

(2) the amount specified in subsection (b);

(3) $73,000,000 (the balance of the amount authorized for the construction of the Eastern Distribution Center, New Cumberland Army Depot, Pennsylvania); and

(4) $45,000,000 (the balance of the amount authorized under section 101(b) for Pershing II security upgrade at various locations, Germany).

SEC. 602. AUTHORIZATION OF APPROPRIATIONS, NAVY

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1985, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,408,184,000 as follows:

(1) For military construction projects inside the United States authorized by section 201(a), $1,304,480,000.

(2) For military construction projects outside the United States authorized by section 201(b), $201,185,000.

(3) For unspecified minor construction projects under section 2805 of title 10, United States Code, $21,560,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $139,260,000.

(5) For advances to the Secretary of Transportation for construction of defense access roads under section 210 of title 23, United States Code, $2,960,000.

(6) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $154,000,000; and

(B) for support of military housing (including functions described in section 2833 of title 10, United States Code), $584,739,000, of which not more than $3,545,000 may be obligated or expended for the leasing of military family housing units in the United States, the Commonwealth of Puerto Rico, and Guam, and not more than $18,934,000 may be obligated or expended for the leasing of military family housing units in foreign countries.

(b) AUTHORIZATION OF UNOBLIGATED FUNDS.—Funds appropriated to the Department of Defense for fiscal years before fiscal year 1986 for military construction functions of the Navy that remain available for obligation are hereby authorized to be made available, to the extent provided in appropriation Acts, for military construction projects authorized in section 201 in the amount of $105,935,000.

(c) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS AUTHORIZED IN TITLE II.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 201 may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a) and the amount specified in subsection (b).

SEC. 603. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1985, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $2,700,991,000 as follows:

(1) For military construction projects inside the United States authorized by section 301(a), $1,147,207,000.

(2) For military construction projects outside the United States authorized by section 301(b), $415,550,000.

(3) For unspecified minor construction projects under section 2805 of title 10, United States Code, $22,000,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $144,096,000.

(5) For advances to the Secretary of Transportation for construction of defense access roads under section 210 of title 23, United States Code, $30,240,000.

(6) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $212,600,000; and

(B) for support of military housing (including functions described in section 2833 of title 10, United States Code), $729,298,000, of which not more than $2,711,000 may be obligated or expended for the leasing of military family housing units in the United States, the Commonwealth of Puerto Rico, and Guam, and not more than $45,402,000 may be obligated or expended for the leasing of military family housing units in foreign countries.

(b) AUTHORIZATION OF UNOBLIGATED FUNDS.—Funds appropriated to the Department of Defense for fiscal years before fiscal year 1986 for military construction functions of the Air Force that remain available for obligation are hereby authorized to be made available, to the extent provided in appropriation Acts, for military construction projects authorized in section 301 in the amount of $100,000,000.

(c) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS AUTHORIZED IN TITLE III.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 301 may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a) and the amount specified in subsection (b).

SEC. 604. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1985, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $258,595,000 as follows:

(1) For military construction projects inside the United States authorized by section 401(a), $95,149,000.

(2) For military construction projects outside the United States authorized by section 401(b), $104,146,000.

(3) For unspecified minor construction projects under section 2805 of title 10, United States Code, $4,000,000.

(4) For construction projects under the contingency construction authority of the Secretary of Defense under section 2804 of title 10, United States Code, $5,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $30,000,000.

(6) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $1,910,000; and

(B) for support of military housing (including functions described in section 2833 of title 10, United States Code), $18,390,000, of which not more than $14,933,000 may be obligated or expended for the leasing of military family housing units in foreign countries.

(b) AUTHORIZATION OF UNOBLIGATED FUNDS.—Funds appropriated to the Department of Defense for fiscal years before fiscal year 1986 for military construction functions of the Defense Agencies that remain available for obligation are hereby authorized to be made available, to the extent provided in appropriations Acts, for military construction projects authorized in section 401 in the amount of $42,025,000.

(c) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS AUTHORIZED IN TITLE IV.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 401 may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a), the amount specified in subsection (b), and $53,700,000 (the balance of the amount authorized for the construction of a research and engineering facility at Fort Meade, Maryland).

SEC. 605. AUTHORIZATION OF APPROPRIATIONS, NATO

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1985, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of construction projects for the North Atlantic Treaty Orga-

nization Infrastructure Program, as authorized by section 501, in the amount of $38,000,000.

SEC. 606. EXPIRATION OF AUTHORIZATIONS; EXTENSION OF CERTAIN PREVIOUS AUTHORIZATIONS

(a) EXPIRATION OF AUTHORIZATIONS AFTER TWO YEARS.—(1) Except as provided in paragraph (2), all authorizations contained in titles I, II, III, IV, and V for military construction projects, land acquisition, family housing projects and facilities, and contributions to the NATO Infrastructure Program (and authorizations of appropriations therefor contained in sections 601 through 605) shall expire on October 1, 1987, or the date of the enactment of the Military Construction Authorization Act for fiscal year 1988, whichever is later.

(2) The provisions of paragraph (1) do not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the NATO Infrastructure Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before October 1, 1987, or the date of the enactment of the Military Construction Authorization Act for fiscal year 1988, whichever is later, for construction contracts, land acquisition, family housing projects and facilities, or contributions to the NATO Infrastructure Program.

(b) EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 1984 PROJECTS.—Notwithstanding the provisions of section 607(a) of the Military Construction Authorization Act, 1984 (Public Law 98-115; 97 Stat. 780), authorizations for the following projects authorized in sections 101, 201, 301, and 401 of that Act shall remain in effect until October 1, 1986, or the date of enactment of the Military Construction Authorization Act for fiscal year 1987, whichever is later:

(1) Consolidated heating system in the amount of $1,850,000 at Stuttgart, Germany.

(2) Consolidated heating system in the amount of $1,750,000 at Stuttgart, Germany.

(3) Range modernization in the amount of $2,450,000 at Wildflecken, Germany.

(4) Unaccompanied personnel housing in the amount of $1,400,000 at Argyroupolis, Greece.

(5) Operations building in the amount of $370,000 at Argyroupolis, Greece.

(6) Multipurpose recreation facility in the amount of $480,000 at Argyroupolis, Greece.

(7) Unaccompanied Officer housing in the amount of $600,000 at Perivolaki, Greece.

(8) Operations building in the amount of $410,000 at Perivolaki, Greece.

(9) Multipurpose recreation facility in the amount of $620,000 at Perivolaki, Greece.

(10) Physical fitness training center in the amount of $1,000,000 at Elefsis, Greece.

(11) Operations control center in the amount of $7,800,000 at the Naval Air Station, Brunswick, Maine.

(12) Engine test cell modifications in the amount of $1,180,000 at the Naval Air Station, Cecil Field, Florida.

(13) Land acquisition in the amount of $830,000 at the Naval Weapons Station, Concord, California.

(14) Unaccompanied enlisted personnel housing in the amount of $10,000,000 at the Naval Air Station, Jacksonville, Florida.

(15) Electrical distribution lines in the amount of $7,200,000 at the Naval Shipyard Mare Island, Vallejo, California.

(16) Family housing in the amount of $33,982,000 at RAF Upper Heyford, United Kingdom.

(17) Air freight terminal in the amount of $10,200,000 at Elmendorf, Alaska.

(18) Sewage system in the amount of $2,760,000 at the Naval Training Center, Orlando, Florida.

(19) Physical fitness training center in the amount of $1,000,000 at Fort Hunter Liggett, California.

(20) Child care center in the amount of $3,000,000 at Fort Polk, Louisiana.

(21) Physical fitness training center in the amount of $2,200,000 at Sierra Army Depot, California.

(22) Special Process Laboratories Building in the amount of $39,100,000 at Fort Meade, Maryland.

SEC. 607. ESTABLISHMENT OF CERTAIN AMOUNTS REQUIRED TO BE SPECIFIED BY LAW

For projects or contracts initiated during the period beginning on the date of the enactment of this Act and ending on the date of the enactment of the Military Construction Authorization Act for fiscal year 1987 or October 1, 1986, whichever is later, the following amounts apply:

(1) The maximum amount for an unspecified minor military construction project under section 2805 of title 10, United States Code, is $1,000,000.

(2) The amount of a contract for architectural and engineering services or construction design that makes such a contract subject to the reporting requirement under section 2807 of title 10, United States Code, is $300,000.

(3) The maximum amount per unit for an improvement project for family housing units under section 2825 of title 10, United States Code, is $30,000.

(4) The maximum annual rental for a family housing unit leased in the United States, Puerto Rico, or Guam under section 2828(b) of title 10, United States Code, is $10,000.

(5)(A) The maximum annual rental for a family housing unit leased in a foreign country under section 2828(c) of title 10, United States Code, is $16,800.

(B) The maximum number of family housing units that may be leased at any one time in foreign countries under section 2828(c) of title 10, United States Code, is 32,000.

(6) The maximum rental per year for family housing facilities, or for real property related to family housing facilities, leased in a foreign country under section 2828(f) of title 10, United States Code, is $250,000.

TITLE VII—GUARD AND RESERVE FORCES FACILITIES

SEC. 701. AUTHORIZATION FOR GUARD AND RESERVE FACILITIES

There are authorized to be appropriated for fiscal years beginning after September 30, 1985, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 133 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $149,101,000, and

(B) for the Army Reserve, $70,700,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserves, $51,800,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $139,000,000, and

(B) for the Air Force Reserve, $70,650,000.

SEC. 702. ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO CONSTRUCTION OF NATIONAL GUARD ARMORIES

(a) CONTRIBUTIONS TO STATES.—Subsection (e) of section 2233 of title 10, United States Code, is amended to read as follows:

"(e) The Secretary of Defense may procure, or contribute to any State such amounts as the Secretary determines to be necessary to procure, architectural and engineering services and construction design in connection with facilities to be established or developed under this chapter which are not otherwise authorized by law.".

(b) AMOUNT OF CONTRIBUTION.—Subsection (b) of section 2236 of such title is amended to read as follows:

"(b) A contribution made for an armory under clause (4) or (5) of section 2233(a) of this title may not exceed the sum of—

"(1) 100 percent of the cost of architectural, engineering and design services (including advance architectural, engineering and design services under section 2233(e) of this title); and

"(2) a percentage of the cost of construction (exclusive of the cost of architectural, engineering and design services) calculated so that upon completion of construction the total contribution (including the contribution for architectural, engineering and design services) equals 75 percent of the total cost of construction (including the cost of architectural, engineering and design services).

For the purpose of computing the cost of construction under this subsection, the amount contributed by a State, territory, the Commonwealth of Puerto Rico, or the District of Columbia, as the case may be, may not include the cost or market value of any real property that it has contributed.".

TITLE VIII—GENERAL PROVISIONS

PART A—MILITARY CONSTRUCTION PROGRAM PROVISIONS

SEC. 801. BUILD-TO-LEASE AND RENTAL GUARANTEE PILOT PROGRAMS

(a) RENTAL GUARANTEE PROGRAM.—(1) Subsection (h) of section 802 of the Military Construction Authorization Act, 1984 (10 U.S.C. 2821 note), is amended by striking out "September 30, 1985" and inserting in lieu thereof "September 30, 1986".

(2) Subsection (g) of such section is amended—

(A) by inserting "(1)" after "(g)"; and

(B) by adding at the end the following new paragraph:

"(2) In addition to the contracts authorized by subsection (f) and paragraph (1) of this subsection, the Secretary of each military department may enter into one or more agreements under this paragraph for not more than a total of 600 family housing units.".

(b) BUILD-TO-LEASE PROGRAM.—(1) Paragraph (9) of section 2828(g) of title 10, United States Code, is amended by striking out "October 1, 1985" and inserting in lieu thereof "September 30, 1986".

(2) Paragraph (8) of such section is amended—

(A) by inserting "(A)" after "(8)"; and

(B) by adding at the end the following new subparagraph:

"(B) In addition to the contracts authorized by paragraph (7) and subparagraph (A), the Secretary of each military department may enter into one or more contracts under this subparagraph for not more than a total of 600 family housing units.".

SEC. 802. FAMILY HOUSING OCCUPANT LIABILITY

(a) LIABILITY FOR FAILURE TO CLEAN SATISFACTORILY.—Subsection (a) of section 2775 of title 10, United States Code, is amended—

(1) by inserting "(1)" after "(a)"; and

(2) by adding at the end thereof the following new paragraph:

"(2) A member of the armed forces—

"(A) who is assigned or provided a family housing unit; and

"(B) who fails to clean satisfactorily that housing unit (as determined under regulations prescribed by the Secretary of Defense or the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy) upon termination of the assignment or provision of that housing unit,

shall be liable to the United States for the cost of cleaning made necessary as a result of that failure.".

(b) AUTHORITY OF SECRETARY OF TRANSPORTATION.—Section 2775 of such title is amended—

(1) in subsections (a) and (b), by inserting after "the Secretary of Defense" the following: "and the Secretary of Transportation when the Coast Guard is not operating as a service in the Navy"; and

(2) in subsection (d), by inserting after "or defense agency concerned" the following: ", or the operating expenses account of the Coast Guard, as appropriate".

(c) CONFORMING AMENDMENTS.—(1) Subsection (b) of such section is amended by inserting "(in the case of liability under subsection (a)(1))" after "including".

(2) Subsection (c)(1) of such section is amended by striking out "subsection (a)" and inserting in lieu thereof "subsection (a)(1), or the cost of any cleaning made necessary by a failure to clean satisfactorily a family housing unit referred to in subsection (a)(2),".

(3) Subsection (d) of such section is amended by inserting "or failure to clean satisfactorily a family housing unit" after "(or the equipment or furnishings of a family housing unit)".

(4) Subsection (e) of such section is amended to read as follows:

"(e) The Secretary of Defense, and the Secretary of Transportation when the Coast Guard is not operating as a service in the Navy, shall prescribe regulations to carry out this section. Such regulations shall include—

"(1) regulations for determining the cost of repairs and replacements made necessary as the result of abuse or negligence for which a member is liable under subsection (a)(1);

"(2) regulations for determining the cost of cleaning made necessary as a result of the failure to clean satisfactorily for which a member is liable under subsection (a)(2); and

"(3) provisions for limitations of liability, the compromise or waiver of claims, and the collection of amounts owed under this section.".

(d) CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows:

"§ 2775. Liability of members assigned to military housing".

(2) The item relating to such section in the table of sections at the beginning of chapter 165 of such title is amended to read as follows:

"2775. Liability of members assigned to military housing.".

SEC. 803. PREOCCUPANCY TERMINATION COSTS

Section 2828(d) of title 10, United States Code, is amended—

(1) by inserting "(1)" after "(d)"; and

(2) by adding at the end the following new paragraph:

"(2) The Secretary may enter into an agreement under this paragraph in connection with a lease entered into under subsection (c). Such an agreement—

"(A) shall be for the purpose of compensating a developer for any costs resulting from the termination of the lease during the construction of the housing units that are to be occupied pursuant to the lease;

"(B) may be for a period not in excess of three years; and

"(C) shall include a provision that the obligation of the United States to make payments under the agreement in any fiscal year is subject to the availability of appropriations.".

SEC. 804. ACTIVITIES INCLUDED WITHIN AUTHORIZATIONS FOR MILITARY FAMILY HOUSING

(a) CONSTRUCTION AND ACQUISITION OF FAMILY HOUSING.—Section 2821 of title 10, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) Amounts authorized by law for construction and acquisition of military family housing and facilities include amounts for—

"(1) minor construction;

"(2) improvements to existing military family housing units and facilities;

"(3) relocation of military family housing units under section 2827 of this title; and

"(4) architectural and engineering services and construction design.".

(b) FAMILY HOUSING SUPPORT.—(1) Chapter 169 of such title is amended by adding at the end of subchapter II the following new section:

"§2833. Family housing support

"Amounts authorized by law for support of military family housing include amounts for—

"(1) operating expenses;

"(2) leasing expenses;

"(3) maintenance of real property expenses;

"(4) payments of principal and interest on mortgage debts incurred; and

"(5) payments of mortgage insurance premiums authorized under section 222 of the National Housing Act (12 U.S.C. 1715m).".

(2) The table of sections at the beginning of subchapter II of such chapter is amended by adding after the item relating to section 2832 the following new item:

"2833. Family housing support.".

SEC. 805. DOMESTIC FAMILY HOUSING LIMITATIONS

Section 2828(b)(3) of title 10, United States Code, is amended—

(1) by striking out "(3) Not" and inserting in lieu thereof "(3)(A) Except as provided in subparagraph (B), not"; and

(2) by adding at the end the following new subparagraph:

"(B) During fiscal years 1986 and 1987, the number of housing units that may be leased pursuant to the provisions of subparagraph (A) may be increased by 500 units for each such fiscal year. The Secretary concerned shall provide written notification to the Committees on Armed Services of the Senate and House of Representatives concerning the location, purpose, and cost of the additional units permitted by this subparagraph. Such notification shall be made periodically as the leases are entered into.".

SEC. 806. SALE-AND-REPLACEMENT TRANSACTIONS

(a) EXTENSION OF AUTHORITY FOR SALE-AND-REPLACEMENT TRANSACTIONS.—(1) Section 807(c) of the Military Construction Authorization Act, 1984 (Public Law 98-115; 97 Stat. 786), is amended by striking out "October 1, 1985" and inserting in lieu thereof "October 1, 1986".

(2) The amendment made by paragraph (1) shall take effect as of October 1, 1985.

(b) APPROVAL OF TRANSACTIONS.—The Secretary of Defense may carry out the following sale-and-replacement transactions under the provisions of section 2667a of title 10, United States Code:

(1) The sale and replacement of warehousing facilities at Schofield Barracks, Hawaii.

(2) The sale and replacement of a noncommissioned officers professional education center, a band center, and a combat operations center at March Air Force Base, California.

SEC. 807. TURN-KEY SELECTION PROCEDURES

(a) IN GENERAL.—Chapter 169 of title 10, United States Code, is amended by adding at the end of subchapter III the following new section:

"§ 2862. Turn-key selection procedures

"(a)(1) The Secretaries of the military departments, with the approval of the Secretary of Defense, may use one-step turn-key selection procedures for the purpose of entering into contracts for the construction of authorized military construction projects.

"(2) In this section, 'one-step turn-key selection procedures' means procedures used for the selection of a contractor on the basis of price and other evaluation criteria to perform, in accordance with the provisions of a firm fixed-price contract, both the design and construction of a facility using performance specifications supplied by the Secretary concerned.

"(b) The Secretary of a military department may not, during any fiscal year, enter into more than three contracts for military construction projects using procedures authorized by this section.

"(c) The authority under this section shall expire on October 1, 1990.".

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding after the item relating to section 2861 the following new item:

"2862. Turn-key selection procedures.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1986.

SEC. 808. PARTICIPATION IN DEPARTMENT OF STATE HOUSING POOLS

(a) AUTHORITY TO PARTICIPATE.—Chapter 169 of title 10, United States Code (as amended by section 804) is further amended by adding at the end of subchapter II the following new section:

"§ 2834. Participation in Department of State housing pools

"(a) The Secretary concerned may enter into an agreement with the Secretary of State under which the Secretary of State agrees to provide housing and related services for personnel under the jurisdiction of the Secretary concerned who are assigned to duty in a foreign country if the Secretary concerned determines—

"(1) that there is a shortage of adequate housing in the area of the foreign country in which such personnel are assigned to duty; and

"(2) that participation in the Department of State housing pool is the most cost-effective means of providing housing for such personnel.

The Secretary concerned shall reimburse the Secretary of State, as provided in the agreement, for housing and related services fur-

nished personnel under the jurisdiction of the Secretary concerned.

"(b) Agreements entered into with the Secretary of State under this section may not be executed until (1) the Secretary concerned provides to the appropriate committees of Congress written notification of the facts concerning the proposed agreement, and (2) a period of 21 days has elapsed after the day on which the notification is received by the committees.

"(c) In computing the number of leases for which the maximum lease amount may be waived by the Secretary concerned under the second sentence of section 2828(e)(1) of this title, housing made available to the Department of Defense under this section shall be included.".

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of such subchapter (as amended by section 804) is amended by adding at the end thereof the following new item:

"2834. Participation in Department of State housing pools.".

SEC. 809. UNSPECIFIED MINOR CONSTRUCTION

Section 2805 of title 10, United States Code, is amended—

(1) in subsection (a), by striking out "Within" and inserting in lieu thereof "Within an amount equal to 125 percent of"; and

(2) in subsection (c), by striking out "Only funds authorized for minor construction projects may be used to accomplish unspecified minor construction projects, except that the" and inserting in lieu thereof "The".

SEC. 810. ACQUISITION OF INTEREST IN LAND

(a) IN GENERAL.—Section 2672 of title 10, United States Code, is amended—

(1) by striking out "The" at the beginning of such section and inserting in lieu thereof "(a) Subject to subsection (b), the";

(2) by redesignating clauses (1) and (2) as clauses (A) and (B), respectively;

(3) by striking out "$100,000" each place it appears and inserting in lieu thereof "$200,000"; and

(4) by adding at the end thereof the following new subsection:

"(b) The Secretary of a military department may not enter into a contract under this section for the acquisition of any interest in land the cost of which exceeds $100,000 unless—

"(1) the Secretary has notified the appropriate committees of Congress of his intent to acquire such interest, the cost of the interest, and the reasons for acquiring the interest; and

"(2) a period of 21 days has elapsed from the date the notification is received by the committees.".

(b) CONFORMING AMENDMENTS.—(1) The heading of such section is to read as follows:

"§ 2672. Acquisition: interest in land when cost is not more than $200,000".

(2) The item in the table of sections at the beginning of chapter 159 of such title relating to section 2672 is amended to read as follows:

"2672. Acquisition: interests in land when cost is not more than $200,000.".

SEC. 811. TEST OF LONG-TERM FACILITIES CONTRACTS

(a) AUTHORITY TO ENTER INTO LONG-TERM CONTRACTS.—Chapter 169 of title 10, United States Code, is amended by adding at the end of subchapter I the following new section:

"§ 2809. Test of long-term facilities contracts

"(a)(1) The Secretary concerned may enter into contracts for the construction, management, and operation of facilities on or near military installations in the United States for the provision of child care services, waste water treatment or depot supply activities in cases in which the Secretary concerned determines that the facilities can be more efficiently and more economically provided under long-term contracts than by other appropriate means.

"(2) Each contract entered into under subsection (a) shall be awarded through the use of competitive procedures as provided in chapter 137 of this title.

"(3) A contract under this section may be for any period not in excess of twenty years, excluding the period for construction. A contract under this section shall include a provision that the obligation of the United States to make payments under the contract in any fiscal year is subject to the availability of appropriations for that purpose.

"(4) A contract may not be entered into under this section until—

"(A) the Secretary concerned submits to the appropriate committees of the Congress, in writing, a justification of the need for the facility for which the contract is to be awarded and an economic analysis (based upon accepted life cycle costing procedures) which demonstrates that the proposed contract is cost effective when compared with alternative means of furnishing the same facility; and

"(B) a period of 21 calendar days has expired following the date on which the justification and the economic analysis are received by the committees.

"(b) Each Secretary concerned may enter into not more than 5 contracts under the authority of subsection (a) of this section, other than contracts for child care centers.

"(c) The authority to enter into contracts under this section shall expire on September 30, 1987, but shall not affect the validity of any contract entered into under the authority of this section before that date.".

(b) CONFORMING AMENDMENTS.—The table of sections at the beginning of subchapter I of such chapter is amended by adding at the end the following new item:

"2809. Test of long-term facilities contracts.".

SEC. 812. AVAILABILITY OF APPROPRIATIONS

(a) IN GENERAL.—Section 2860 of title 10, United States Code, is amended—

(1) in subsection (a), by striking out "(a)" and "and except as otherwise provided under subsection (b)"; and

(2) by striking out subsection (b).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to funds appropriated after September 30, 1985.

PART B—MISCELLANEOUS PROVISIONS

SEC. 821. INTERSERVICE EXCHANGES

Section 2571 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) No agency or official of the executive branch of the Federal Government may establish any regulation, program, or policy or take any other action which precludes, directly or indirectly, the Secretaries concerned from exercising the authority provided in this section.".

SEC. 822. PLAN FOR CLEANUP OF ROCKY MOUNTAIN ARSENAL

(a) IN GENERAL.—The Secretary of the Army shall develop and transmit to the Congress, by September 1, 1986, a report setting forth a comprehensive plan for completing, not later than September 30, 1993, the cleanup of contaminated sites, structures, equipment, and natural resources at or near the Rocky Mountain Arsenal near Denver, Colorado.

(b) SPECIFIC REQUIREMENTS.—In such plan, the Secretary shall—

(1) describe in detail the various phases for the project, along with the completion dates and a priority ranking of the goals for each such phase;

(2) provide cost estimates for each such phase and for the total project;

(3) provide findings and conclusions reached as a result of consultation, before the transmittal of the plan, with State and local officials (including officials of water districts) and the general public;

(4) provide that consultation and coordination with such officials and the general public will be carried out throughout the process of cleaning up the Arsenal;

(5) provide for priority cleanup of—

(A) the most seriously contaminated areas at the Arsenal, including the areas known as Basin F, Basin A, the South Plants Area, and section 36;

(B) other areas at the Arsenal which should be afforded priority treatment for the benefit of the general public, including the areas known as sections 7, 8, 11, and 12; and

(C) any sites, structures, equipment, or natural resources located outside the Arsenal that have been contaminated by activities carried out at the Arsenal;

(6) provide for the cleanup of the areas described in paragraph (5) without regard to whether a final disposal site for hazardous substances from the Arsenal has been selected;

(7) establish, as a priority, the use of waste-treatment technologies that will reduce significantly the amount and toxicity level of hazardous substances at or near the Arsenal;

(8) provide for selection of a final disposal site for hazardous substances from the Arsenal in a manner that will take into consideration sites, within and outside of Colorado, that—

(A) are geologically suitable to serve as such a disposal site; and

(B) are located within areas the governing bodies of which have expressed a willingness to have such a disposal site located therein;

(9) provide that all activities in the plan will be carried out in compliance with the requirements of applicable Federal and State environmental laws;

(10) provide findings and conclusions reached as a result of studying the feasibility and cost of cleansing groundwater on an expedited basis at the sources of contamination on the Arsenal; and

(11) include a statement concerning any reprogramming or supplemental appropriation of funds that may be necessary for fiscal year 1987 in order to assure an expeditious implementation of the plan.

SEC. 823. COMMUNITY PLANNING ASSISTANCE

The Secretary of Defense may use funds appropriated to the Department of Defense for fiscal year 1986 for planning and design purposes to provide planning assistance to local communities if the Secretary determines that the financial resources available to the community (by grant or otherwise) are inadequate. The Secretary may use such funds as follows:

(1) To assist communities located near newly established Light Infantry Division Posts at Fort Drum, New York, and Fort Wainwright, Alaska, $500,000.

(2) To assist communities located near newly established homeports under the Naval Strategic Dispersal Program at Staten Island, New York, and Everett, Washington, $500,000.

SEC. 824. PLAN FOR TRANSFER OF SECTION 6 SCHOOLS

(a) PLAN REQUIREMENT.—(1) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan which provides for the orderly transfer, not later than July 1, 1990, of all Section 6 Schools to the appropriate local school districts of the States in which such schools are located.

(2) As used in paragraph (1), the term "Section 6 Schools" means schools of the Department of Defense established under section 6 of Public Law 81-874.

(b) DEADLINE FOR SUBMISSION OF PLAN.—The plan required by subsection (a) shall be submitted not later than March 1, 1986.

SEC. 825. FURNISHING OF BEDDING FOR HOMELESS

Section 2546 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

"(d) The Secretary concerned may provide bedding for support of shelters for the homeless that are operated by entities other than the Department of Defense. Bedding may be provided under this subsection without reimbursement, but may only be provided to the extent that the Secretary determines that the provision of such bedding will not interfere with military requirements.".

SEC. 826. USE OF WATERFRONT FACILITIES AT PORT HUENEME, CALIFORNIA

Notwithstanding any other provision of law, funds received by the Navy from its license agreement with the Oxnard Harbor District for use, on an as-available basis, of the waterfront facilities at the Naval Construction Battalion Center, Port Hueneme, California, may be used for operation and maintenance of waterfront facilities at that installation.

SEC. 827. MATERIAL AT NAVAL BASE, NORFOLK, VIRGINIA

The Secretary of the Navy may provide, without compensation, to the City of Norfolk, Virginia, not more than 50,000 cubic yards of dredged material located at the Naval Base, Norfolk, Virginia, if such city agrees to bear all costs and liabilities associated with loading, transporting, using, or otherwise handling such material.

SEC. 828. ALTERATION IN TRAILER PARK EXPANSION, HANSCOM AIR FORCE BASE, MASSACHUSETTS

(a) AUTHORITY TO ENTER INTO AGREEMENT.—In providing for the trailer park at Hanscom Air Force Base, Massachusetts, and the expansion of such park as authorized by section 302 of the Military Construction Authorization Act, 1985 (Public Law 98-407; 98 Stat. 1508), the Secretary of the Air Force may enter into an agreement with the Massachusetts Port Authority to terminate leasehold rights of the Department of the Air Force with respect to such trailer park in exchange for—

(1) leasehold rights to other land held by such Authority and acceptable to the Secretary; and

(2) the construction, by such Authority, of roads, utilities, and trailer pads on such other land in accordance with specifications of the Secretary.

(b) LIMITATION.—The termination of the leasehold rights by the Secretary shall not become effective until the completion of the construction described in subsection (a)(2).

PART C—REAL PROPERTY TRANSACTIONS

SEC. 831. LAND CONVEYANCE, DAVIS-MONTHAN AIR FORCE BASE, TUCSON, ARIZONA

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) the highest and best use of the lands described or identified in subsection (b) is public park and recreational use or public health use;

(2) the city of Tucson, Arizona, has indicated a willingness to extend the existing lease between such city and the Air Force for the lands described in subsection (c) for an additional 50 years commencing in 2002 at the existing rental rate of $773 per year;

(3) the Administrator of General Services should—

(A) assign to the Secretary of the Interior lands described in subsection (b)(1) for use as a park or recreational area; and

(B) assign to the Secretary of Health and Human Services lands described in subsection (b)(2) for public health use;

(4) the Secretary of the Interior or the Secretaries of the Interior and Health and Human Services, as the case may be, should, simultaneously with the acceptance of the extension of the lease for the lands described in subsection (c), convey to the city of Tucson, Arizona—

(A) the property described in subsection (b)(1) for use as a park or recreational area through a public benefit discount conveyance under section 203(k)(2) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)(2)); and

(B) such land as is described in subsection (b)(2) for public health use through a public benefit discount conveyance under section 203(k)(1)(B) of such Act (40 U.S.C. 484(k)(1)(B)).

(b) DESCRIPTION OF LAND SUITABLE FOR PARK OR RECREATIONAL USE AND FOR PUBLIC HEALTH USE.—(1) The property referred to in clauses (3)(A) and (4)(A) of subsection (a) is 61 acres of real property adjacent to Golf Links/Craycroft Intersection, Davis-Monthan Air Force Base, Tucson, Arizona.

(2) The property referred to in clauses (3)(B) and (4)(B) of subsection (a) is such portion (not exceeding eight acres) of the land described in paragraph (1) as the Secretary of Health and Human Services, with the concurrence of the Secretaries of the Interior and Defense, determines to be suitable for public health use.

(c) DESCRIPTION OF PROPERTY SUBJECT TO LEASE.—The property referred to in subsection (a)(2) is 4,348.81 acres of real property owned by the city of Tucson, Arizona, at Davis-Monthan Air Force Base.

(d) SURVEYS OF PROPERTY.—The exact acreage and legal descriptions of the property to be conveyed under this section shall be determined by surveys that are satisfactory to the Secretary of the Interior or the Secretaries of the Interior and Health and Human Services, as the case may be. The cost of such surveys shall be borne by the city of Tucson, Arizona.

SEC. 832. LAND CONVEYANCE, MARCH AIR FORCE BASE, CALIFORNIA

(a) REMOVAL OF REVERTER.—Section 835 of the Military Construction Authorization Act, 1985 (Public Law 98-407; 98 Stat. 1527), is amended—

(1) by striking out subsection (d); and

(2) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

(b) TECHNICAL AMENDMENTS.—(1) Subsection (a) of such section is amended—

(A) by striking out "Village West Foundation" and inserting in lieu thereof "Air Force Village West"; and

(B) by striking out " 'Foundation'), of San Bernardino" and inserting in lieu thereof " 'Corporation'), of Riverside".

(2) Subsection (b) and subsections (d) and (f), as redesignated by subsection (a), of such section are amended by striking out "Foundation" each place it appears and inserting in lieu thereof "Corporation".

SEC. 833. LAND CONVEYANCE, NAVAL AIR STATION, MIRAMAR, SAN DIEGO, CALIFORNIA

(a) AUTHORITY TO SELL OR EXCHANGE.—The Secretary of the Navy (hereafter in this section referred to as the "Secretary") is authorized to sell or exchange approximately 475 acres of land lying south of proposed highway SR-52 which comprises a portion of the Naval Air Station, Miramar, California. The lands sold or exchanged may not include lands authorized to be conveyed under section 837 of the Military Construction Authorization Act, 1985 (Public Law 98-407; 98 Stat. 1529).

(b) SALE OR EXCHANGE REQUIREMENT.—The sale or exchange shall be conducted in accordance with competitive bidding procedures prescribed in section 2304 of title 10, United States Code. In no event may the land described in subsection (a) be sold or exchanged for less than the fair market value thereof.

(c) CONSIDERATION.—In consideration for the sale or exchange authorized in subsection (a), the Secretary may accept cash or land in the San Diego area, or both. Any land received shall be a suitable site (as determined by the Secretary) for military family housing.

(d) USE OF FUNDS.—(1) The Secretary is authorized to use any proceeds from the sale of lands made under this section solely for the purpose of acquiring in the San Diego area a suitable site for military family housing.

(2) Any funds received by the Secretary under this section and not used for the acquisition of a site for military family housing within 30 months after the receipt of such funds shall be deposited into the general fund of the Treasury.

(e) LEGAL DESCRIPTION OF LAND.—The exact acreage and legal description of the property sold or exchanged under this section shall be in accordance with surveys that are satisfactory to the Secretary.

(f) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 834. LAND CONVEYANCE, COLORADO SPRINGS, COLORADO

(a) AUTHORITY TO CONVEY.—Subject to subsections (b) and (c), the Secretary of the Air Force (hereafter in this section referred to as the "Secretary") is authorized to convey to the United States Olympic Committee, without consideration, all right, title, and interest of the United States in and to the approximately 3.98 acres of land (together with improvements thereon) near Colorado Springs, Colorado, which are occupied by such Committee under a lease entered into by the Secretary with such Committee pursuant to section 806 of the Military Construction Authorization Act, 1980 (Public Law 96-125; 93 Stat. 949).

(b) CONDITIONS.—The conveyance described in subsection (a) shall be subject—

(1) to the condition that the property conveyed shall be used by the United States Olympic Committee solely for activities of such Committee;

(2) to the condition that if the property conveyed is not used for the purpose de-

scribed in clause (1), all right, title, and interest in and to the property shall revert to the United States, which shall have the right of immediate entry thereon; and

(3) to such other terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(c) DESCRIPTION OF LAND.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey that is satisfactory to the Secretary. The cost of the survey shall be borne by such Committee.

SEC. 835. LAND TRANSFER, NAVAL AIR STATION, PENSACOLA, FLORIDA

(a) TRANSFER.—The Secretary of the Navy shall transfer, without reimbursement, to the Administrator of Veterans' Affairs a tract of land consisting of approximately 15.31 acres, together with improvements thereon, at the Naval Air Station, Pensacola, Florida.

(b) USE OF LAND.—The real property transferred pursuant to subsection (a) shall become part of the Barrancas National Cemetery and shall be administered by the Administrator of Veterans' Affairs as part of the National Cemetery System under chapter 24 of title 38, United States Code.

(c) CONDITION.—If the real property transferred pursuant to subsection (a) is not used for the purpose described in subsection (b), the Administrator of Veterans' Affairs shall transfer such property, without reimbursement, to the Secretary of the Navy.

(d) DESCRIPTION OF LAND.—The exact acreage and legal description of the property to be transferred under subsection (a) shall be determined by a survey approved by the Secretary.

SEC. 836. NAVIGATION RIGHTS ON SANTA ROSA ISLAND, FLORIDA

The Act entitled "An Act to authorize the Secretary of the Army to sell and convey to Okaloosa County, State of Florida, all right, title, and interest in the United States in and to a portion of Santa Rosa Island, Florida, and for other purposes", approved July 2, 1948 (62 Stat. 1229), is amended by adding at the end thereof the following new section:

"SEC. 5. The prohibition contained in subdivision d. of the first section against the erection of any structure or obstacle on the land conveyed under this Act in excess of seventy-five feet above mean low-water level shall be deemed to be a prohibition against the erection of a structure or obstacle in excess of two hundred feet above mean low-water level in the case of that portion of such land on Santa Rosa Island which is east of the Destin East Pass and known as Holiday Isle.".

SEC. 837. TERMINATION DATE FOR CERTAIN LAND CONVEYANCE AUTHORITY AT EGLIN AIR FORCE BASE, FLORIDA

Section 808 of the Military Construction Authorization Act, 1983 (Public Law 97-321; 98 Stat. 1575), is amended by adding at the end the following new subsection:

"(d) The authority of the Secretary under this section shall terminate on October 1, 1990.".

SEC. 838. LAND EXCHANGE, JACKSONVILLE, FLORIDA

(a) IN GENERAL.—Subject to subsections (b) through (f), the Secretary of the Navy (hereafter in this section referred to as the "Secretary") is authorized to convey to the NEW MET Company (hereafter in this section referred to as the "Company") all right, title, and interest of the United States in and to approximately 39.5 acres of unimproved land comprising a portion of the Naval Station, Mayport, Florida, located adjacent to the Ribault Bay Village Navy housing area.

(b) CONSIDERATION.—In consideration for the conveyance by the Secretary under subsection (a), the Company shall convey to the United States a parcel of land consisting of approximately 31.7 acres located in the vicinity of the Ribault Bay Village Navy housing area.

(c) OBLIGATIONS OF PARTIES.—The specific obligations of the Secretary and the Company shall be those set forth in a memorandum of understanding between the parties dated February 19, 1985.

(d) PAYMENT BY THE COMPANY.—If the fair market value of the land conveyed to the Company under subsection (a) exceeds the fair market value of the land conveyed to the United States under subsection (b), as determined by the Secretary, the Company shall pay the difference to the United States.

(e) SURVEY.—The exact acreages and legal descriptions of the lands to be conveyed under this section shall be determined by surveys which are satisfactory to the Secretary. The cost of any such survey shall be borne by the Company.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the transaction authorized by this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 839. LAND CONVEYANCE, FORT WILLIAM H. HARRISON, MONTANA

(a) AUTHORITY TO CONVEY.—Subject to subsection (b), the Secretary of the Army (hereafter in this section referred to as the "Secretary") is authorized to convey, without consideration, to the State of Montana all right, title, and interest of the United States in and to approximately 65.4 acres of unimproved land located in the southeast corner of Fort William H. Harrison, Montana, and presently under license to the State of Montana for National Guard use.

(b) CONDITIONS.—(1) The conveyance authorized by subsection (a) shall be subject to the condition that the property conveyed by the Secretary be used by the State to establish a State veterans' cemetery.

(2) If the property conveyed pursuant to subsection (a) is not used for the purposes described in paragraph (1), all right, title, and interest in and to such property shall revert at no cost to the United States, which shall have the right of immediate entry thereon.

(3) The Secretary shall reserve to the United States in the property conveyed by the Secretary a waterline easement for use by the Veterans' Administration Hospital near Fort William H. Harrison.

(c) LEGAL DESCRIPTION OF LAND.—The exact acreage and legal description of the property to be conveyed under subsection (a) and of the easement to be reserved under subsection (b)(3) shall be determined by surveys that are satisfactory to the Secretary. The cost of such surveys shall be borne by the State.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such other terms and conditions with respect to the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 840. LAND CONVEYANCE, FORT JACKSON, SOUTH CAROLINA

(a) AUTHORITY TO SELL.—Subject to subsections (b) through (g), the Secretary of the Army (hereafter in this section referred to as the "Secretary") may sell all or any portion of that tract of land which comprises a portion of Fort Jackson, South Carolina, known as the Gregg Circle Area, consisting of 300 acres more or less.

(b) CONDITIONS OF SALE.—Before the Secretary enters into a contract for the sale of all or a portion of the property referred to in subsection (a), the prospective buyer shall be required—

(1) to submit to the Secretary a master plan for the development of the land that is acceptable to both the Secretary and the appropriate officials of the city of Columbia, South Carolina; and

(2) at the option of the Secretary, to enter into an agreement with the Secretary under which the prospective buyer agrees that if all or a portion of the land referred to in subsection (a) is conveyed to the buyer, the buyer will be required—

(A) to construct, at the option of the Secretary, on a portion of the land to be conveyed or on a portion of the land not conveyed up to 400 units of family housing in accordance with specifications and standards prescribed by the Secretary at the time the land is offered for sale;

(B) to have the housing units ready for occupancy not later than 2 years after the date of the conveyance of such land to the prospective buyer; and

(C) at the option of the Secretary—

(i) lease the housing units to the Army pursuant to section 2828(g) of title 10, United States Code; or

(ii) set aside the housing units for military personnel in exchange for a guarantee by the Secretary of the rental of the set-aside housing units in accordance with section 802 of the Military Construction Authorization Act, 1984 (10 U.S.C. 2821 note).

(c) COMPETITIVE BID REQUIREMENT; MINIMUM SALE PRICE.—(1) The sale of any of the land referred to in subsection (a) shall be carried out under publicly advertised, competitively bid, or competitively negotiated contracting procedures.

(2) In no event may any of the land referred to in subsection (a) be sold for less than its fair market value.

(d) REPORT REQUIREMENTS.—(1) The Secretary may not enter into any contract for the sale of any or all of the land referred to in subsection (a) unless—

(A) the Secretary has submitted a report to the appropriate committees of Congress containing the information required in section 2828(g)(6)(A) of title 10, United States Code; and

(B) a period of 21 days has expired following the date on which the economic report referred to in such section is received by those committees.

(2) Any report submitted under paragraph (1) shall include—

(A) a description of the price and terms of the proposed sale;

(B) a description of the procedures used in selecting a buyer for the land; and

(C) all pertinent information regarding the family housing to be made available for military personnel under this section.

(e) USE OF PROCEEDS OF SALE.—(1) The Secretary may use the proceeds from the sale of any of the land referred to in subsection (a)—

(A) to provide for military family housing for military personnel stationed at Fort Jackson in the manner prescribed in subsection (b)(2) or in such other manner as the Secretary may prescribe;

(B) to provide for security and access routes to facilities at Fort Jackson for military personnel housed or to be housed in the housing units to be constructed on such land; and

(C) to construct necessary facilities for up to 100 mobile trailer home sites at Fort Jackson.

(2) Any proceeds of the sale not used for such purposes shall be covered into the general fund of the Treasury.

(f) LEGAL DESCRIPTION OF LAND.—The exact acreage and legal description of the land to be conveyed under this section shall be determined by a survey approved by the Secretary.

(g) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with any transaction authorized by this section as the Secretary considers appropriate to protect the interests of the United States.

(h) ADDITIONAL AUTHORITY.—The military family housing authorized under this section is in addition to any military family housing otherwise authorized by law.

SEC. 841. LAND CONVEYANCE, NAVAL WEAPONS STATION, CHARLESTON, SOUTH CAROLINA

(a) AUTHORITY TO CONVEY.—Subject to subsections (b) through (h), the Secretary of the Navy (hereafter in this section referred to as the "Secretary") is authorized to convey to the Westvaco Corporation of New York (hereafter in this section referred to as the "Corporation") all right, title, and interest of the United States in and to approximately 47.83 acres of land, together with improvements thereon, which comprise that portion of the Navy Weapons Station, Charleston, South Carolina, located at Remount Road and Virginia Avenue.

(b) CONSIDERATION.—In consideration for the conveyance authorized by subsection (a), the Corporation shall—

(1) pay for the cost of construction of suitable replacement facilities to be constructed in a manner and at a site determined by the Secretary;

(2) pay for the cost of removing any existing improvements on the replacement site; and

(3) pay for the cost of relocating from the facilities located on the land to be conveyed by the Secretary to the replacement facilities.

(c) AUTHORITY TO USE FUNDS.—The Secretary is authorized to receive, obligate, and disburse any funds received under subsection (b) to cover design, construction, relocation and related costs specified in the memorandum of understanding referred to in subsection (d).

(d) OBLIGATIONS OF PARTIES.—The specific obligations of the Secretary and the Corporation shall be those set forth in a memorandum of understanding between the parties that became effective April 17, 1985.

(e) VACATING PROPERTY.—Upon completion and occupancy of the replacement facilities by the Navy and payment of all costs by the Corporation, the Navy shall promptly vacate the property described in subsection (a) and convey the property by quitclaim deed to the Corporation.

(f) PAYMENT OF ANY EXCESS.—If the fair market value of the property conveyed under subsection (a) exceeds the consideration paid under subsection (b), as determined by the Secretary, the Corporation shall pay the difference to the United States.

(g) LEGAL DESCRIPTION OF LAND.—The exact acreage and legal description of any land conveyed under this section shall be determined by a survey which is satisfactory to the Secretary. The cost of such survey shall be borne by the Corporation.

(h) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions under this section as the Secretary considers appropriate to protect the interest of the United States.

SEC. 842. PROPERTY MANAGEMENT

(a) FORT MCNAIR.—The Administrator of General Services shall transfer approximately 10.5 acres of surplus land adjacent to Fort McNair, Washington, D.C., to the Secretary of the Army, without reimbursement, for use by the Secretary in connection with the National Defense University.

(b) ARLINGTON HALL STATION.—Upon the relocation of the Army Intelligence and Security Command and other Defense activities from Arlington Hall Station to new quarters, the Secretary of the Army shall transfer approximately 72 acres of the tract of land known as Arlington Hall Station, together with improvements thereon, to the Secretary of State, without reimbursement, to be used as a center for the training and instruction of personnel in the field of foreign relations, as authorized by chapter 7 of the Foreign Service Act of 1980 (22 U.S.C. 4021-4026), and for such other purposes as the Secretary of State may consider appropriate.

And the House agree to the same.

LES ASPIN,
RONALD V. DELLUMS,
G.V. MONTGOMERY,
EARL HUTTO,
MARVIN LEATH,
WM. L. DICKINSON,
G. WILLIAM WHITEHURST,
KEN KRAMER,
Managers on the Part of the House.

STROM THURMOND,
JOHN W. WARNER,
GORDON J. HUMPHREY,
JOHN P. EAST,
JEFF BINGAMAN,
JOHN C. STENNIS,
GARY HART,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1042) to authorize certain construction at military installations for fiscal year 1986, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

COMPARISON OF HOUSE AND SENATE BILLS

As passed by the Senate, S. 1042 provided $8,831,012,000 in new authorization.

The House amendment provided $9,200,000,000 in new authorization.

The Department of Defense and the respective military departments requested $10,309,471,000.

SUMMARY OF RESOLUTION OF DIFFERENCES

As a result of the conference between the House and Senate on S. 1042, the conferees agree to an authorization for appropriations for military construction and family housing for fiscal year 1986 of $9,199,824,000.

Authorization for appropriations conference agreement, fiscal year 1986

Section 601 (Army):	
Inside the United States	$1,089,432,000
Outside the United States	429,140,000
Unspecified minor construction	31,000,000
Planning and design	136,100,000
Family housing construction	356,337,000
Family housing support	1,270,794,000
Subtotal	3,312,803,000
Section 602 (Navy):	
Inside the United States	1,304,480,000
Outside the United States	201,185,000
Unspecified minor construction	21,560,000
Planning and design	139,260,000
Defense access roads	2,960,000
Family housing construction	154,000,000
Family housing support	584,739,000
Subtotal	2,408,184,000
Section 603 (Air Force):	
Inside the United States	1,47,207,000
Outside the United States	415,550,000
Unspecified minor construction	22,000,000
Planning and design	144,096,000
Defense access roads	30,240,000
Family housing construction	212,600,000
Family housing support	729,298,000
Subtotal	2,700,991,000
Section 604 (Defense Agencies):	
Inside the United States	95,149,000
Outside the United States	104,146,000
Unspecified minor construction	4,000,000
Contingency construction	5,000,000
Planning and design	30,000,000
Family housing construction	1,910,000
Family housing support	18,390,000
Subtotal	258,595,000
Section 605 (NATO Infrastructure)	38,000,000
Section 701 (Guard and Reserve Force):	
Army National Guard	149,101,000
Army Reserve	70,700,000
Naval and Marine Corps Reserve	51,800,000
Air National Guard	139,000,000
Air Force Reserve	70,650,000
Subtotal	481,251,000
Total authorization of appropriations	$9,199,824,000

GENERAL TOPICS

CONFERENCE GUIDELINES

There were several hundred projects or language items in dispute between the House and Senate versions of the military construction authorization bill. To facilitate the resolution of these differences the conferees established the following conference guidelines:

1. A target of $9.2 billion in budget authority was determined to represent the amount that the conferees could authorize for appropriations to stay within the $302.5 billion defense function adopted by the Congress in the budget resolution for fiscal year 1986.

2. Within this target, priority was given to restoring those adequately justified projects that had been included in the budget request but deferred by either the House or the Senate for budgetary reasons.

3. Prior year savings that are expected to result from a strong dollar against NATO currencies and from a good bidding climate in the construction industry were used to reduce the authorization for appropriations.

BASE CLOSURES

It has been estimated that millions of dollars could be saved annually if non-essential bases throughout the United States were closed. In February of 1985, the Secretary of Defense released to the Senate a "notional" list of the types of bases that could be closed if the Department of Defense had sufficient legislative authority. Although the "notional" list was never officially submitted to the House of Representatives, hearings were conducted on this issue and related legislation. The conferees believe that the streamlined provisions contained in the fiscal year 1986 defense authorization act will permit the Secretary of Defense to close non-essential bases. The Secretary of Defense is strongly encouraged to take aggressive action in this area.

The conferees expect to see the Secretary's decisions to close bases as a part of the upcoming fiscal year 1987 budget request. In the meantime, no project in this year's budget was deferred due to base closure consideration. The Department of Defense is directed not to obligate or expend funds authorized in this act for bases that are under serious consideration for closure.

HOMEPORTING

The conferees agree to provide $17,640,000 to initiate land acquisition for the aircraft carrier battle group homeport at Everett, Washington and $21,460,000 to begin construction for the surface action group homeport at Staten Island in New York. This is part of an overall plan to develop homeports along the east, west and gulf coasts.

The conferees have serious concerns that at a time when the defense budget is under severe constraints, the Navy is starting a billion dollar construction program. Such a program could make modernization of our existing bases unaffordable. Therefore, the conferees direct the Secretary of the Navy to prepare a detailed report that justifies the homeporting program on the basis of military necessity and cost effectiveness. The report should describe by year the number and type of ships planned for each port and the overall plan for facility development, including costs. The plan should describe the entire deployment as well as that portion necessary for initial operating capability (IOC). No funds authorized by this act may be obligated or expended until 90 days after the Congress receives this report.

SECTION 6 SCHOOLS

The Senate bill authorized $31,606,000 for section 6 dependent schools in the United States. The House amendment contained no authorization for this purpose. The House recedes.

Section 6 schools are dependent schools on military bases within the United States and its territories that are operated and maintained by the Secretary of Defense. The conferees agree to fund the Defense Department's request for construction, recognizing that the requirements are valid. However, the objective of the Secretary of Defense is to ultimately transfer these schools to local education districts and the conferees strongly agree.

The General Accounting Office (GAO) has been asked to study the problem and report back to the Committees on Armed Services of the Senate and the House of Representatives by March 1986. Preliminary indications are that while impediments exist, transfer is feasible. The Secretary of Defense is directed, therefore, to submit a plan by March 1, 1986 to the Committees on Armed Services of the Senate and the House of Representatives that will provide for the orderly transfer of all section 6 schools in the United States by July 1, 1990. Such a plan should take into consideration the findings of GAO. Future requests for construction funds should be consistent with this plan for transfer.

THIRD PARTY FINANCING

The Senate bill contained a provision (sec. 817) that would authorize construction of child care centers, waste water treatment and depot facilities with private sector financing. The House bill contained no similar provision.

The House recedes.

The conferees are convinced that third party financing can provide a supplement to military construction funds to meet some of the services' requirements. However, the Department of Defense has not pursued this avenue vigorously enough.

Some of the problems in using this approach come from acquisition regulations that are not suited to this method of contracting. Other problems result from the government's interpretation of risk and liabilities. The Department of Defense should carefully review how best to develop a workable and cost effective way to accomplish third party contracting and report its findings to the Committees on Armed Services of the Senate and the House of Representatives by March 1, 1986.

CHILD CARE CENTERS

The Senate bill denied funding for child care centers in CONUS, despite their need, because at the time of the Senate's consideration of the military construction authorization bill the services had not completed the previously authorized test seeking third party financing as required by the fiscal year 1985 military construction authorization act. The House amendment authorized $24.7 million for Army child care centers but prohibited obligation of funds until after review of the bids which were being received while the bill was under consideration.

The Army has since reported the results of its effort and has identified some real concerns regarding issues of subsidies, guaranties and other operational impediments to a successful third party effort.

The conferees agree to authorize $23,600,000 for Army child care centers, based on the need at the proposed sites to provide safe and adequate facilities. Although the Army pilot effort was unfavorable, the conferees believe that a third party financing approach may still be a viable option, given statutory relief. Therefore, the Secretary of Defense is directed to evaluate the Army effort, as well as the other service efforts underway, to determine what statutory relief and what concept for third party financing would make private sector funding for child care centers more competitive. A report of this evaluation must be provided by March 1, 1986 with suggested legislative language that would be required for implementation.

The requirement to test the third party approach on a base belonging to the Navy and Air Force remains; however, this effort should be coordinated to ensure that the Navy and Air Force tests make use of the experience gained in the Army test to remove any unnecessary non-statutory impediments to a successful third party contract.

The Senate recedes.

MEDICAL FACILITIES CONSTRUCTION PROGRAM

Many military medical facilities are antiquated and in need of either modernization or replacement. Construction over the next five years is expected to cost $4 billion. Last year, Congress directed the Secretary of Defense to establish a "Blue Ribbon Panel on Sizing Department of Defense Medical Treatment Facilities" to review, among other things, the appropriate sizing and utilization of military medical facilities. The Blue Ribbon Panel issued its final report on June 28, 1985. Unfortunately, the report came too late to be of substantial benefit to the Committees on Armed Services of the Senate and the House of Representatives during consideration of the bill.

However, the conferees agree to authorize $157,760,000 for certain medical facilities inside the United States, and $79,620,000 for medical contingency facilities in several overseas locations.

Future requests for authorization for medical facilities will be carefully matched against the comments and recommendations of both the Blue Ribbon Panel and the Assistant Secretary of Defense for Health Affairs. In addition, the conferees intend to continue their own independent review of the sizing of medical treatment facilities.

U.S. FORCES IN SPAIN

The Department of Defense requested $19.2 million in projects for U.S. Naval and Air Force bases in Spain. The Senate approved the request in its bill. The House deferred the projects.

The conferees agree to defer all but one of the projects because the United States and Spain are currently engaged in talks on whether the number of U.S. forces in Spain should be reduced. The conferees believe it is prudent to postpone the projects—with one exception—for this fiscal year to provide time for the force-size question to be resolved. The exception is a $2.9 million medical contingency complex at Torrejon Air Base.

LEASING AND RENTAL GUARANTEE TEST PROGRAM FOR MILITARY FAMILY HOUSING

The Department of Defense requested the continuation, without limitation, of the Military Family Housing Leasing Program and the Military Housing Rental Guarantee Program (sec. 801 and sec. 802, respectively, of the military construction authorization act of fiscal year 1985, Public Law 98-115).

The House amendment extended for one year the existing programs but did not provide additional leasing authority. The Senate bill extended the program for one year but removed any restrictions on the number of units that could be leased or the number of contracts that could be entered into.

The conferees continue to support these test programs in the belief that they may be

able to provide urgently needed military family housing quicker and at a lower cost than the military construction alternative. However, the conferees are concerned that the economic analyses that have been submitted to support these projects may not be providing complete and accurate information to the Congress. To assist in the analysis of these programs, the General Accounting Office (GAO) has been requested to provide the committees with a report that evaluates the current methodology employed in the economic analysis prepared by the services giving particular attention to the tri-service family housing model, the accuracy of other cost estimates and the advisability of having the government enter into long-term lease agreements.

As soon as a project has been totally constructed, the General Accounting Office is to examine the quality of these houses as opposed to military housing constructed through the conventional military construction process. The GAO report is to be presented to the Committees on Armed Services of the Senate and the House of Representatives by March 15, 1986. At that time, the committees will reexamine whether these test programs should be continued and if so, what, if any, changes are required to make the program more successful.

Pending receipt of this report, the conferees agree to extend the present test program for one additional year and provide for the services to enter into 600 additional leases for the military family housing leasing program and an additional 600 units under the military housing rental guarantee program with no limitation on the number of contracts that can be entered into.

TURN-KEY SELECTION PROCEDURES

The House amendment contained a provision that would allow the Secretaries of the Military Departments, with the approval of the Secretary of Defense, to enter into three contracts per service per year for the construction of authorized military construction projects using one-step turn-key, competitive selection procedures. The Senate bill contained no similar provision. The Senate recedes with an amendment that would delay the effective date for one year and shorten the time period for the use of this pilot authority.

The conferees intend that the phrase "authorized military construction projects" means projects which have been subjected to the normal authorizing and appropriating process. This language provides no independent authority to enter into military construction contracts, but only authority to enter into a single contract for both design and construction once Congress has approved those projects during the normal budget process.

The conferees further expect the Department of Defense to explicitly indicate in its budget request for each fiscal year those projects that have been selected for construction under the turn-key selection procedures. The Committees on Armed Services of the Senate and the House of Representatives will consider the merits of each project recognizing the request to use this special contracting procedure.

PLAN FOR THE CLEANUP OF ROCKY MOUNTAIN ARSENAL

In section 811, the House approved a provision that would direct the Secretary of the Army to develop and provide by December 31, 1985, a report setting forth a comprehensive plan for the cleanup of all contamination at Rocky Mountain Arsenal, Colorado, by September 30, 1993.

To meet the requirements of the National Contingency Plan, which provides Federal guidelines for the effective cleanup of contaminated sites, the conferees agree to extend the submission date for the plan until September 1, 1986. This nine month extension will permit the Department of the Army to complete and fully analyze the results of the Remedial Investigation Feasability Study, required by the National Contingency Plan, and submit a plan to Congress that will be supported by substantiated technical data.

LAND TRANSFER MIRAMAR NAVAL AIR STATION

The Senate bill included a provision (sec. 818) that would give the Secretary of the Navy authority to sell certain designated property at Miramar Naval Air Station, San Diego, California and to retain the proceeds for use in obtaining additional military family housing in the San Diego area. No similar provision was contained in the House Amendment.

The House recedes.

The conferees direct the Secretary of the Navy to notify the appropriate committees of the Congress before any funds derived from the sale of the property are expended for the acquisition of additional family housing sites.

INCREMENTAL FUNDING

The conferees agree to authorize the service Secretaries or Directors of Defense Agencies to enter into contracts for the full amount of the design and construction for the following three projects: The Eastern Distribution Center, New Cumberland Army Depot; Madigan Army Medical Center; and the Research and Engineering Facility for the National Security Agency.

The conferees expect the Department of Defense to phase the requests for funding over the next several years.

LAND TRANSFERS

Both the Senate and House bills contain a variety of porposals to transfer property between and from the various services. While the conferees have considered each of those projects on their merits, we are concerned that land transfer requests lack any standardize dormat. The conferees intend to develop standard statutory language for all land transfers, and place a heavy responsibility on proponents of a legislative land transfer using a differing format.

TITLE I—ARMY

The Senate bill provided $3,141,513,000 in authorization for the Department of the Army military construction and family housing programs. The House amendment provided authorization of $3,410,786,000 for such purposes. The conferees agree to authorize appropriations for projects in Title I in the amount of $3,312,803,000 which is $97,983,000 below the House figure and $171,290,000 above the Senate figure. Among the items considered in conference and acted upon by the conferees were the following:

AVIATION MUSEUM, FORT RUCKER, ALABAMA

The House amendment contained $2,500,000 in authorization as the Federal share of a project to construct an aviation museum at Fort Rucker, Alabama. Private funds are being raised to match the proposed Federal contribution. The Senate bill contained no similar provision.

The Senate recedes.

The conferees agree to authorize an appropriation of $2,500,000 for the Fort Rucker aviation museum. However, the Secretary of the Army may not obligate the funds until an equal amount of matching funds is on hand from other sources. The conferees further direct the Secretary to report to the Committees on Armed Services of the senate and the House of Representatives when the matching funds are available.

MADIGAN ARMY MEDICAL CENTER

The conferees carefully reviewed the findings of the Blue Ribbon Panel on Sizing Department of Defense Medical Treatment Facilities with respect to the proposed replacement hospital for Madigan Army Medical Center at Fort Lewis, Washington.

In its final report, the Blue Ribbon Panel found that the number of occupied beds required for the replacement hospital is not appreciably larger than the number required today. The panel suggested that only a 375-bed hospital would be justified, 103 beds fewer than the 478 beds recommended by the Army and used in the design of the Madigan facility. While that panel did not recommend reducing the size of the new hospital, it did state that it lacked sufficient time and comprehensive data to "perform a more precise analysis of the requirements for the replacement of Madigan."

Based on patient load projections reported by the Army and the Assistant Secretary of Defense for Health Affairs and the declining average daily patient load at Madigan during the past several years, the conferees direct the Army to reduce the previously approved replacement hospital to one of approximately 400 beds. Based on information supplied to the conferees, this can be achieved by reducing the size of the currently designed nursing tower by one floor and making minor adjustments to lower floors.

With these directions, the conferees agree to approve the House provision relating to Madigan.

NEW CUMBERLAND ARMY DEPOT, PENNSYLVANIA

The House authorized $88 million for the Eastern Distribution Center at New Cumberland Army Depot, New Cumberland, Pennsylvania with an accompanying authorization for appropriations of $15 million and continuing contract authority. The Senate deferred this project pending the Army's review for a potential third-party contract.

The Senate recedes.

Although the conferees believe that third-party contracting is a viable alternative, they believe that the delay for such a review might cost the government more than it would save. However, it is the understanding of the conferees that the Army is also considering the Red River Depot in Texas for modernization. The Committees on Armed Services of the Senate and the House of Representatives will not consider any request for military construction funds for the Red River project until the Secretary of the Army has reviewed its potential for third-party contracting and has reported back to the Committees on Armed Services of the Senate and the House of Representatives.

SECURITY UPGRADE AT PERSHING II MISSILE SITES

The House amendment authorized $101,000,000 for the construction of facilities necessary to increase the security and safety for Pershing II missile sites at various locations in Germany. Of this amount, $56 million was authorized from prior year savings. The remainder was authorized to be funded from future savings or from available appropriations resulting from cancelled

programs. The Senate bill contained no similar provision.

The Senate recedes.

The conferees agree that the lack of security at Pershing II missile sites is a serious problem and must be corrected as quickly as possible. However, the conferees are concerned that there be proper oversight of the projects to be constructed under this authority. The Secretary of the Army is, therefore, directed to provide a complete explanation and justification for the security upgrade program and to notify the Committees on Armed Services of the Senate and the House of Representatives not less than 21 days before the initial obligation of funds for such construction. Notification is also to be made 21 days prior to the cancellation of any authorized project for the purpose of funding this program.

TITLE II—NAVY

The Senate bill provided $2,345,003,000 in authorization for the Department of the Navy military construction and family housing programs. The House amendment provided authorization of $2,602,234,000 for such purposes. The conferees agree to a new total in Title II of $2,408,184,000 which is $194,050,000 below the House figure and $63,181,000 above the Senate figure.

BRIGADE ACTIVITIES CENTER, NAVAL ACADEMY, ANNAPOLIS, MARYLAND

The Senate bill authorized $21,600,000 for the brigade activities center at the Naval Academy. No authorization was provided by the House.

The conferees agree to authorize for appropriations $16.6 million for the project based on the understanding that the Naval Academy Alumni Association has agreed to provide additional funds for the project.

The Navy is, therefore, directed to seek non-appropriated funds to augment the military construction appropriations in order to complete this project.

MODERNIZATION OF NAVY BRIGS

The Senate bill authorized three brigs requested for Jacksonville, Florida, Memphis, Tennessee, and Seattle, Washington. The House deferred the three brigs without prejudice, recommending that the Department of the Navy study the possibility of consolidating its brig system.

The Navy has subsequently advised the Committees on Armed Services of the Senate and the House of Representatives that it has revised its brig system to consider consolidation and a less costly alternative to those that were requested in the budget; however, these three alternative brigs are still under design.

In order to allow the Navy sufficient time to implement its revised brig system, the conferees agree to defer the requested brigs. The conferees also agree that the new brig system is a worthwhile improvement and suggest that the Navy include these re-designed brigs in the fiscal year 1987 budget request.

NAVAL POST GRADUATE SCHOOL PROJECT, MONTEREY, CALIFORNIA

The Navy requested $13 million for an ocean sciences building at the Naval Post Graduate School in Monterey, California. This project was authorized in the House amendment; however, the request for additional facilities at the Naval Post Graduate School was deferred by the Senate pending justification of this building based solely on the academic needs at the Naval Post Graduate School as opposed to Naval oceanographic requirements which the committee feels should be consolidated at the Naval Oceanography Command headquarters located elsewhere.

The House recedes.

The conferees expect the Navy to resubmit the project in its fiscal year 1987 military construction program.

SEWERAGE TREATMENT FACILITY, NAVAL SHIPYARD, MARE ISLAND, CALIFORNIA

The House bill authorized $5,100,000 to pay for the Navy's share of improvements to the Vallejo Sanitation and Flood Control District's municipal sewer system. The Senate did not authorize the improvements.

The Vallejo Sanitation and Flood Control District is currently in the process of advertising for the construction of the improvements and has sufficient funds to cover the construction contract. The conferees understand that the funds for the Navy share are not required until the construction is completed in fiscal year 1988. The conferees therefore, direct the Navy to include this project in a budget that will facilitate the payment of the Navy's share prior to the completion of the construction.

NAVAL AIR REWORK FACILITY, CHERRY POINT, NORTH CAROLINA

The House amendment authorized $15.9 million for construction of an aircraft engine blade/vane rework facility at Cherry Point, North Carolina. No authorization was included in the Senate bill for this purpose.

The conferees agree to defer this project because of budget constraints. The fiscal year 1985 military construction appropriations report (House Report 98-850) directed that funds to construct the aircraft engine blade/vane rework facility at Cherry Point, North Carolina be included in the fiscal year 1986 budget request. However, it as not included. The conferees, therefore, believe that the Navy should include this project in its fiscal year 1987 budget submission.

TITLE III—AIR FORCE

The Senate bill provided $2,624,041,000 for military construction and military family housing for the Department of the Air Force. The House amendment provided $2,809,561,000. The conferees agree to a new total of $2,700,991,000, which is $108,570,000 below the House figure and $76,950,000 above the Senate figure.

REGIONAL WASTEWATER CONNECTION, MCCLELLAN AIR FORCE BASE, CALIFORNIA

The House amendment authorized $5.1 million to construct a trunk line that would connect McClellan Air Force Base to the Sacramento Regional Sanitation System. The Senate bill did not authorize this project.

The conferees agree to defer authorization for this project due to budget constraints; however, they recognize it as an important project that is required in order for the base to comply with state regulations. The base is currently under order by the California Regional Water Quality Control Board to "cease and desist" the discharge of its wastewater ito Magpie Creek by August 1987.

Therefore, the Secretary of the Air Force is directed to submit this project in the fiscal year 1987 budget request.

TITLE IV—DEFENSE AGENCIES

The Senate bill authorized $269,000,000 in new construction for Defense Agencies while the House amendment provided $203,025,000. The conferees agree to a new total of $258,595,000, which is $55,570,000 above the House figure and $10,405,000 below the Senate figure.

TITLE V—NATO INFRASTRUCTURE

The Senate bill authorized $38,000,000 for the NATO Infrastructure program.

The House amendment provided authorization in the amount of $55,000,000 for the NATO fund.

Believing that the U.S. dollar will continue to be strong against foreign currencies through fiscal year 1985, the conferees agree to $38,000,000 authorization for the program.

TITLE VI—AUTHORIZATION OF APPROPRIATIONS AND ADMINISTRATIVE PROVISIONS

OVERSEAS HOUSING LEASES

In section 607, the House amendment provided authority to lease up to 34,000 units of family housing at any one time in foreign countries. The Senate bill approved the Defense Department's request for 32,000 units, which is 2,000 units above the authorized level for fiscal year 1985.

The House recedes.

The conferees agree to authorize 32,000 units in the belief that the requirement for leased housing in foreign countries should be reduced as a result of the new construction of family housing authorized in fiscal year 1986 and prior years.

TITLE VII—GUARD AND RESERVE

The Senate bill provided a lump sum authorization of $413,455,000 for the Guard and Reserve construction program. The House amendment contained authorization of $496,840,000. Included in this amount was $40 million added by the House for minor construction projects to reduce the backlog in training and storage facilities as a result of increased mission requirements.

The conferees agree to authorize $481,251,000 which is $67,796,000 above the Senate figure and $15,589,000 below the House figure.

HIGH PRIORITY PROJECTS

In addition to the projects approved in the budget request, authorization is included to construct the following high priority items from the lump-sum authorization:

[Dollars in thousands]

Army National Guard:	
Armories, AL—Construct four armories:	
Demopolis, AL	647
Oneonta, AL	853
Double Springs, AL	593
Valley, AL	578
Camp Blanding, FL—Ammunition storage facility	321
Camp Blanding, FL—Water system modification	203
Camp McCain, MS—Land acquisition	3,300
Jefferson City, MO—Armory addition and alteration	1,342
Lexington, MO—Armory addition and alteration	844
Hobbs, NM—Armory	755
Scranton/Wilkes Barre, PA—Armory and aviation support facility	7,565
Various Locations—Unspecified minor construction	30,000
Air National Guard:	
Phelps Collins Air National Guard Base, MI: Winterize dormitories	1,800
Air Force Reserve:	
Eglin Air Force Base, FL: Flight simulator facility	3,800

Fiscal Year 1986 Military Construction Authorization of Appropriations

INSIDE THE UNITED STATES

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
ALABAMA				
ARMY				
Anniston Army Depot				
Ammunition Container Loading Yard	750	750	750	750
Facility Energy Improvements	360	360	360	360
Machine Shop	3,150	3,150	3,150	3,150
Vehicle Repair Facility	4,700	4,700	4,700	4,700
Fort McClellan				
General Instruction Building	12,800	12,800	12,800	12,800
Unaccompanied Enlisted Personnel Housing	23,000	23,000	23,000	23,000
Unaccompanied Officer Housing	3,550	3,550	3,550	3,550
Redstone Arsenal				
Child Care Center	1,500	1,500	0	1,500
Hangar Missile Test Facility	5,300	5,300	5,300	5,300
Propulsion Aging Laboratory	3,100	3,100	3,100	3,100
Target and Seeker Measurement Facility	2,250	2,250	2,250	2,250
Unaccompanied Enlisted Personnel Housing	13,600	13,600	13,600	13,600
Fort Rucker				
General Instruction Building	2,350	2,350	2,350	2,350
Land Acquisition	1,200	1,200	1,200	1,200
Museum Site Preparation and Utilities	0	2,500	0	2,500
Unaccompanied Officer Housing	5,900	5,900	5,900	5,900
AIR FORCE				
Gunter Air Force Station				
Add to Computer Facility	6,000	6,000	6,000	6,000
Maxwell Air Force Base				
Add to and Alter Historical Research Center	2,800	2,800	0	2,800
Alter Electrical Distribution Facility	3,300	3,300	3,300	3,300
Squadron Officers School-Leadership Development Complex	1,900	1,900	1,900	1,900
Visiting Officer Quarters	0	4,000	0	4,000
Family Housing Improvements	(31)	(31)	(31)	(31)
ARMY NATIONAL GUARD				
Demopolis				
Armory	0	647	0	647
Double Springs				
Armory	0	593	0	593
Linden				
60-Person Armory	627	627	627	627
Fort McClellan				
Organizational Maintenance Shop	389	389	389	389
Oreonta				
Armory	0	853	0	853
Thomasville				
60-Person Armory	500	500	500	500
Troy				
Armory Addition	453	453	453	453
Valley				
Armory	0	578	0	578

NOTE: Parenthetical entries are non-add.

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
	ALABAMA (Cont.)			
ARMY RESERVE				
Anniston				
Add to and Alter Reserve Center/ Maintenance/Storage	4,349	4,349	4,349	4,349
Total, ALABAMA	103,828			112,999
	ALASKA			
ARMY				
Fort Greely				
Child Care Center	2,500	2,500	0	2,500
Fort J. M. Wainwright				
Barracks Modernization	12,000	12,000	12,000	12,000
Steam Line Insulation	2,000	2,000	2,000	2,000
Fort Richardson				
Dining Facility Modernization	2,050	2,050	2,050	2,050
Secure Operations Building	1,550	1,550	1,550	1,550
NAVY				
Naval Facility, Adak				
Electric Power Plant	2,650	2,650	2,650	2,650
Naval Security Group Activity, Adak				
Security Improvements	980	980	980	980
Naval Air Station, Adak				
Family Housing New Construction (100 units)	(15,500)	(15,500)	(15,500)	(15,500)
AIR FORCE				
Attu				
Seismic Operations and Data Transmission Facility	910	910	910	910
Clear				
Satellite Communications Ground Terminal	4,500	4,500	4,500	4,500
Eielson Air Force Base				
Add to and Alter Central Heat-Power Plant	25,500	25,500	0	25,500
Alter Unaccompanied Enlisted Personnel Housing	5,500	5,500	5,500	5,500
Fire Protection - Hangar	4,200	4,200	4,200	4,200
Maintenance Hangar	6,000	6,000	6,000	6,000
Refueling Vehicle-Petroleum Operations Facilities	2,200	2,200	2,200	2,200
Sound Suppressor Support	1,550	1,550	1,550	1,550
Family Housing Improvements	(1,892)	(1,892)	(1,892)	(1,892)
Elmendorf Air Force Base				
Alter Unaccompanied Enlisted Personnel Housing	3,600	3,600	3,600	3,600
Fire Station	1,400	1,400	1,400	1,400
Family Housing Improvements	(181)	(181)	(181)	(181)
King Salmon Airport				
Add to and Alter Composite Operations Facilities	3,000	3,000	3,000	3,000
Fire Station	5,600	5,600	5,600	5,600
Shemya Air Force Base				
Add to and Alter Central Power Plant	27,500	27,500	27,500	27,500
Composite Personnel Housing-Alert Facility	9,600	9,600	9,600	9,600
Liquid Fuel Pipeline System	8,800	8,800	8,800	8,800

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
ALASKA (Cont.)				
DEFENSE LOGISTICS AGENCY				
Defense Property Disposal Office, Anchorage				
Conforming Storage Facility	(1,390)	(1,390)	(1,390)	(1,390)
Total, ALASKA	134,980			134,980
ARIZONA				
ARMY				
Fort Huachuca				
Automated Record Fire Range	730	0	0	0
Operations Building	2,050	2,050	2,050	2,050
Family Housing Improvements	(867)	(867)	(867)	(867)
Navajo Army Depot				
Ammunition Container Loading Yard	240	240	240	240
Yuma Proving Ground				
Wall Insulation	240	240	240	240
NAVY				
Marine Corps Air Station, Yuma				
Attack Aircraft Training Building	3,150	3,150	3,150	3,150
Battalion Headquarters	2,050	0	2,050	2,050
Engine Test Cell	3,570	3,570	3,570	3,570
Maintenance Hangar	4,300	4,300	4,300	4,300
Operational Trainer Facility	2,550	2,550	2,550	2,550
Power Check Pads	1,130	1,130	1,130	1,130
AIR FORCE				
Davis-Monthan Air Force Base				
Base Civil Engineer Administration Facility	2,500	2,500	0	0
Ground-Launched Cruise Missile-Field Training Facility	4,550	4,550	4,550	4,550
Medical War Reserve Materiel Facility	620	620	620	620
Taxiway Lighting	560	560	560	560
Luke Air Force Base				
F-16 Add to and Alter Engine Inspection and Repair Shop	1,750	1,750	1,750	1,750
F-16 Aircraft Maintenance and Training Facility	3,650	3,650	3,650	3,650
F-16 Aircraft Maintenance Unit Facility	790	790	790	790
F-16 Fuel System Maintenance Hangar	2,000	2,000	2,000	2,000
F-16 Squadron Operations Facility	2,900	2,900	2,900	2,900
F-16 Wing Headquarters Facility	1,350	1,350	1,350	1,350
Heating, Ventilation and Air Conditioning	290	290	290	290
Support Equipment Shop	2,050	2,050	2,050	2,050
Williams Air Force Base				
Add to and Alter Avionics Shop	660	660	660	660
ARMY NATIONAL GUARD				
Show Low				
60-Person Armory	832	832	832	832
Total, ARIZONA	44,512			41,282

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
ARKANSAS				
ARMY				
Pine Bluff Arsenal				
Close Hazardous Waste	19,000	19,000	19,000	19,000
NAVY				
Naval Space Surveillance Field Station, Lewisville				
Antenna Modernization and Land Acquisition	675	675	675	675
AIR FORCE				
Blytheville Air Force Base				
Aircraft General Purpose Maintenance Shop	3,750	3,750	0	3,750
Petroleum Operations Facility	0	510	0	0
AIR NATIONAL GUARD				
Fort Smith Municipal Airport				
Add to Headquarters Building	570	570	570	570
Total, ARKANSAS	23,995			23,995
CALIFORNIA				
ARMY				
Fort Hunter-Liggett				
Multi-purpose Range Complex - Light	8,900	8,900	8,900	8,900
Technical Documentation Facility	2,200	2,200	2,200	2,200
Fort Irwin				
Child Care Center	1,450	1,450	0	1,450
Community Center	1,900	1,900	0	0
Dining Facility Modernization	1,250	1,250	1,250	1,250
Hospital Upgrade and Addition	8,000	8,000	8,000	8,000
Training Facility	1,100	1,100	1,100	1,100
Training Ranges	1,750	1,750	1,750	1,750
Unaccompanied Enlisted Personnel Housing	14,600	14,600	14,600	14,600
Oakland Army Base				
Rail Head Loading Ramps	330	330	330	330
Fort Ord				
Energy Monitoring and Control System	440	440	440	440
Medical Supply Warehouse	680	680	680	680
Operations Building	1,700	1,700	1,700	1,700
Unaccompanied Enlisted Personnel Housing	23,000	23,000	23,000	23,000
Family Housing - New Construction (600 units)	(49,559)	(49,559)	(49,559)	(49,559)
Family Housing - New Construction (70 Mobile Home Spaces)	(1,081)	(1,081)	(1,081)	(1,081)
Family Housing Improvements	(14,260)	(14,260)	(14,260)	(14,260)
Presidio of Monterey				
Military Personnel Administration Center	2,650	2,650	2,650	2,650
Sacramento Army Depot				
Communications and Radar Facility	0	1,900	0	0
Optical Facility	4,550	4,550	4,550	4,550
Sierra Army Depot				
Ammunition Container Loading Yard	370	0	0	0
Unaccompanied Enlisted Personnel Housing	2,600	2,600	2,600	2,600
NAVY				
Fleet Training Group Pacific, Warner Springs				
Family Housing - New Construction (44 units)	(4,400)	(4,400)	(4,400)	(4,400)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
CALIFORNIA (Cont.)				
NAVY (Cont.)				
Fleet Aviation Specialized Operational Training Group Pacific Detachment, Warner Springs				
Defense Access Roads	(100)	(100)	(100)	(100)
Amphibious Task Force, Camp Pendleton				
Landing Craft Air Cushion Complex	9,020	9,020	9,020	9,020
Fleet Anti-submarine Warfare Training Center Pacific, San Diego				
Anti-submarine Warfare Training Building	7,850	7,850	7,850	7,850
Fleet Combat Training Center, Pacific, San Diego				
Light Airborne Multi-purpose System (LAMPS), Mark III Training Building	305	305	305	305
Fleet Training Center, San Diego				
Damage Control Training Facility	4,750	4,750	4,750	4,750
Marine Corps Air-Ground Combat Center, Twentynine Palms				
Unaccompanied Enlisted Personnel Housing	11,570	11,570	11,570	11,570
Battalion and Battery Headquarters	2,840	2,840	2,840	2,840
Brigade Headquarters	2,880	2,880	2,880	2,880
Child Care Center	1,490	0	0	0
Physical Fitness Center	5,380	5,380	0	5,380
Family Housing, New Construction (100 units)	(8,400)	(8,400)	(8,400)	(8,400)
Marine Corps Air Facility, Camp Pendleton				
Armory	570	570	570	570
Automotive Maintenance Shop	1,270	1,270	1,270	1,270
Group Headquarters Building	1,470	1,470	1,470	1,470
Maintenance Hangar	11,000	11,000	11,000	11,000
Marine Corps Air Station, El Toro				
Aircraft Direct Fueling Facilities	4,460	4,460	4,460	4,460
Aircrew Water Survival Training Facility	1,960	1,960	1,960	1,960
Unaccompanied Enlisted Personnel Housing	17,640	17,640	17,640	17,640
Communications Conduit	980	980	980	980
Electronics and Communications Maintenance Facilities	1,470	1,470	1,470	1,470
Hazardous Waste Facility and Oil Spill Prevention	1,270	1,270	1,270	1,270
Loading and Unloading Ramps	345	345	345	345
Tactical Support Van Pads	2,250	2,250	2,250	2,250
Family Housing, New Construction (282 units)	(29,800)	(29,800)	(29,800)	(29,800)
Defense Access Roads	(200)	(200)	(200)	(200)
Marine Corps Air Station, Tustin				
Aircraft Parking Apron	4,450	4,450	4,450	4,450
Helicopter Engine Maintenance Shop	2,940	2,940	2,940	2,940
Helicopter Maintenance Training Building	2,250	2,250	2,250	2,250
Maintenance Hangar	8,330	8,330	8,330	8,330
Marine Corps Base, Camp Pendleton				
Armory Addition	365	365	365	365
Unaccompanied Enlisted Personnel Housing	7,950	7,950	7,950	7,950
Battalion Headquarters	3,300	3,300	3,300	3,300

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
CALIFORNIA (Cont.)				
NAVY (Cont.)				
Communications and Electronics Maintenance and Storage Facility	1,470	1,470	1,470	1,470
Communication Improvements	6,000	6,000	6,000	6,000
Oil Spill Prevention	1,470	1,470	1,470	1,470
Santa Margarita Water Project	148,000	0	0	0
Special Intelligence Support Facility	1,520	1,520	1,520	1,520
Tactical Vehicle Maintenance Facility	3,100	3,100	3,100	3,100
Marine Corps Logistics Base, Barstow				
Radiographic Facility	530	530	530	530
Marine Corps Mountain Warfare Training Center, Bridgeport				
Automotive Maintenance Shop	1,470	1,470	1,470	1,470
Naval Air Rework Facility, Alameda				
Energy Monitoring and Control System	780	780	0	780
Paint and Finishing Hangar	24,200	24,200	0	22,000
Naval Air Rework Facility, North Island				
Engineering Laboratory	9,120	9,120	9,120	9,120
Heating, Ventilation, Air Conditioning	345	345	345	345
Naval Air Station, Alameda				
Dredging	8,650	8,650	8,650	8,650
Naval Air Station, Lemoore				
Helicopter Escape Trainer	2,300	2,300	2,300	2,300
Naval Air Station, Miramar				
Hazardous Waste Facility	385	385	385	385
Naval Air Station, North Island				
Helicopter Maintenance Hangar	13,130	13,130	13,130	13,130
Ordnance Facilities	5,463	5,463	5,463	5,463
Naval Amphibious Base, Coronado				
Amphibious Forces Training Building	3,500	3,500	3,500	3,500
Unaccompanied Enlisted Personnel Housing	5,200	5,200	5,200	5,200
Sealift Support Maintenance Facility	4,400	4,400	4,400	4,400
Waterfront Operations Building	3,050	3,050	3,050	3,050
Naval Amphibious School, Coronado				
Combat Swimmer Training Facility	3,430	3,430	0	3,430
Landing Craft Air-Cushion Trainer Building	5,900	5,900	5,900	5,900
Naval Construction Battalion Center, Port Hueneme				
Unaccompanied Enlisted Personnel Housing	5,100	5,100	5,100	5,100
Chapel and Religious Education Building	2,080	2,080	0	2,080
Cogeneration Utility Plant Addition	3,630	3,630	3,630	3,630
Seabee Materiel Transit Facility	6,960	6,960	6,960	6,960
Seabee Operations Headquarters	5,880	5,880	5,880	5,880
Defense Access Roads	(300)	(300)	(300)	(300)
Naval Construction Training Center, Port Hueneme				
Seabee Training Buildings	4,800	4,800	4,800	4,800
Naval Electronic Systems Engineering Center, San Diego				
Fleet Support Center	27,450	27,450	0	0
Naval Hospital, San Diego				
Fire Station	450	450	450	450

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
CALIFORNIA (Cont.)				
NAVY (Cont.)				
Naval Postgraduate School, Monterey				
Ocean Sciences Academic Building	13,000	13,000	0	0
Naval Security Group Activity, Skaggs Island				
Computer Support Warehouse	395	395	395	395
Naval Ship Weapon Systems Engineering Station, Port Hueneme				
Weapon Systems Engineering Buildings	10,780	10,780	10,780	10,780
Long Beach Naval Shipyard, Long Beach				
Sonar Rubber Dome Facility	7,160	7,160	7,160	7,160
Naval Shipyard, Mare Island, Vallejo				
Security Lighting	815	815	815	815
Sewage Treatment Facility	0	5,100	0	0
Naval Space Surveillance Field Station, San Diego				
Antenna Modernization	600	600	600	600
Naval Station, Long Beach				
Bachelor Enlisted Quarters	16,000	16,000	16,000	16,000
Construction Battalion Unit Complex	1,230	1,230	0	0
Naval Station, Mare Island, Vallejo				
Telephone Lines	735	735	735	735
Naval Station, San Diego				
Child Care Center	845	0	0	0
Degaussing Building	980	980	980	980
Deperming Pier	9,110	9,110	9,110	9,110
Dredging	6,107	6,107	6,107	6,107
Naval Submarine Base, San Diego				
Electrical Distribution System Improvements	14,120	14,120	14,120	14,120
Naval Supply Center, Oakland				
Dredging	6,570	6,570	6,570	6,570
Oil Spill Prevention	1,320	1,320	1,320	1,320
Naval Supply Center, San Diego				
Cold Storage Warehouse	5,340	5,340	5,340	5,340
Fire Protection System	1,760	1,760	1,760	1,760
Naval Technical Training Center, San Francisco				
Underway Replenishment Training Building	1,570	1,570	1,570	1,570
Naval Training Center, San Diego				
Patternmaker Training Building	2,900	2,900	2,900	2,900
Naval Weapons Center, China Lake				
Fixed Point Test Facility	1,670	1,670	1,670	1,670
Ordnance Research Laboratory	6,860	6,860	6,860	6,860
Pay and Personnel Support Office	785	785	785	785
Naval Hospital, Long Beach				
Medical Clinic	6,300	6,300	6,300	6,300
Navy Tactical Interoperational Support Activity, North Island				
Headquarters Building	585	585	585	585
Pacific Missile Test Center, Point Mugu				
Unaccompanied Enlisted Personnel Housing	10,200	10,200	10,200	10,200

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
CALIFORNIA (Cont.)				
NAVY (Cont.)				
Surface Warfare Officers School Command Detachment, Coronado				
Surface Warfare Officer Training Building	5,200	5,200	5,200	5,200
Naval Complex (Public Works Center), San Diego				
Family Housing, New Construction (200 units)	(15,200)	(15,200)	(15,200)	(15,200)
Family Housing Improvements	(13,075)	(13,075)	(13,075)	(13,075)
AIR FORCE				
Beale Air Force Base				
Pave Paws Boundary Security System	1,050	1,050	1,050	1,050
Pave Paws Electromagnetic Pulse Protection Upgrade	950	950	950	950
Religious Education Facility	1,100	1,100	0	0
TR-1 Aircraft Shelter and Apron	3,300	3,300	3,300	3,300
TR-1 Psychological Division Support Facility	550	550	550	550
Castle Air Force Base				
Approach Lighting - Land Acquisition	2,000	2,000	2,000	2,000
Engine Inspection and Repair Shop	1,300	1,300	1,300	1,300
Edwards Air Force Base				
Add to and Alter Flight Test Mission Control	4,800	4,800	4,800	4,800
Alter Physical Science Laboratory	2,450	2,450	2,450	2,450
Family Housing Improvements	(433)	(433)	(433)	(433)
George Air Force Base				
Add to and Alter Munitions Facilities	1,100	1,100	1,100	1,100
Fire Station	3,400	3,400	3,400	3,400
Resource Management Facility	7,400	7,400	0	0
Sound Suppressor Support	740	740	740	740
Visiting Personnel Quarters	7,600	0	0	0
Family Housing Improvements	(1,656)	(1,656)	(1,656)	(1,656)
Los Angeles Air Force Station				
Family Housing - New Construction, Land Acquisition	(1,800)	(0)	(0)	(0)
March Air Force Base				
Air Division Headquarters	2,200	2,200	2,200	2,200
Alter Unaccompanied Enlisted Personnel Housing	6,800	6,800	6,800	6,800
Mather Air Force Base				
Accounting-Finance Facility	1,500	1,500	1,500	1,500
Central Life Support Equipment Facility	1,200	1,200	1,200	1,200
McClellan Air Force Base				
Aircraft Accessory Maintenance Complex	16,929	16,929	16,929	16,929
Ammunition Storage Complex/Land Acquisition	0	3,500	0	0
Depot Electronic Warfare Communications Facility	13,100	13,100	13,100	13,100
Logistics System Operations Center	10,300	10,300	0	10,300
Medical and Occupational Health Clinic	12,800	12,800	12,800	12,800
Sound Suppressor Support	700	700	700	700
Regional Waste Water Connection	0	5,800	0	0
Norton Air Force Base				
Control Tower	2,200	2,200	2,200	2,200
Facility Energy Improvements	470	470	470	470
Security Police Operations Facility	1,900	1,900	1,900	1,900
Sunnyvale Air Force Station				
Alter Mission Control Complex	2,700	2,700	2,700	2,700

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
CALIFORNIA (Cont.)				
AIR FORCE (Cont.)				
Travis Air Force Base				
Add to and Alter Flight Simulator Training Facility	2,000	2,000	2,000	2,000
Base Hazardous Storage	2,100	2,100	2,100	2,100
Weapons System Maintenance Management Support Facility	6,200	6,200	6,200	6,200
Family Housing Improvements	(2,108)	(2,108)	(2,108)	(2,108)
Vandenberg Air Force Base				
Add to and Alter Telemetry Receiving Station	530	530	530	530
Electrical Energy Systems	720	720	720	720
Optical Test Facility	710	710	710	710
DEFENSE LOGISTICS AGENCY				
Defense Fuel Support Point, Point Loma, San Diego				
Lube Oil Tankage	600	600	600	600
Defense Fuel Support Point, San Pedro				
Fire Protection	700	700	700	700
Defense Property Disposal Office, Alameda				
Facility Rehabilitation	1,320	1,320	1,320	1,320
Defense Property Disposal Office, Barstow				
Conforming Storage Facility	825	825	825	825
ARMY NATIONAL GUARD				
Stockton				
Add to and Alter Combined Support Maintenance Shop	906	906	906	906
NAVY AND MARINE CORPS RESERVE				
Naval Station, Treasure Island				
Ship Intermediate Maintenance Facility	11,900	11,900	11,900	11,900
AIR NATIONAL GUARD				
Fresno Air National Guard Base				
Composite Base Civil Engineer Maintenance-Telecommunications Facility	2,300	2,300	2,300	2,300
Fire Suppression System	650	650	650	650
Miramar Naval Air Station				
Communications-Electronics Training Complex	5,100	5,100	5,100	5,100
Point Mugu Naval Air Station				
Land Acquisition	5,000	5,000	5,000	5,000
AIR FORCE RESERVE				
March Air Force Base				
Composite Training Facility	4,450	4,450	4,450	4,450
Fuel System Maintenance Dock	4,000	4,000	4,000	4,000
Total, CALIFORNIA	801,075			587,840

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
	COLORADO			
ARMY				
Fort Carson				
Battalion Headquarters	1,350	1,350	1,350	1,350
Child Care Center	2,600	2,600	0	2,600
Company Operations and Supply	2,100	2,100	2,100	2,100
Company Operations and Supply Addition	1,100	1,100	1,100	1,100
Military Operations on Urbanized Terrain	4,550	4,550	4,550	4,550
Multi-purpose Range Complex - Heavy	24,000	24,000	24,000	24,000
Physical Fitness Training Center	4,100	4,100	0	0
Range Roads - Phase II	3,050	3,050	3,050	3,050
Tactical Equipment Shop	12,600	12,600	12,600	12,600
Family Housing, New Construction (50 Mobile Home Spaces)	(712)	(712)	(712)	(712)
Family Housing Improvements	(6,460)	(6,460)	(6,460)	(6,460)
Fitzsimons Army Medical Center				
Physical Fitness Training center	2,550	0	0	0
Pueblo Depot Activity				
Ammunition Container Loading Yard	200	200	200	200
AIR FORCE				
Buckley Air National Guard Base				
Aerospace Data Facility	11,700	11,700	11,700	11,700
Security Police Operations Facility	670	670	670	670
Lowry Air Force Base				
Add to and Alter Academic Classrooms (Precision Measurement Engineering Laboratory)	3,500	3,500	3,500	3,500
Cold Storage Facility	3,350	3,350	3,350	3,350
Family Housing Improvements	(3,533)	(3,533)	(3,533)	(3,533)
Peterson Air Force Base				
Test Development and Training Center - Phase II	5,200	5,200	5,200	5,200
U.S. Air Force Academy				
Add to and Alter Aeronautics Laboratory	3,400	3,400	3,400	3,400
Add to and Alter Computer Center	440	440	440	440
Add to and Alter Preparatory School Facilities	3,400	3,400	3,400	3,400
Add to and Alter Preparatory School Fields	270	270	270	270
Add to and Alter Vehicle Maintenance Shop	900	900	900	900
Heating, Ventilation, and Air Conditioning	1,500	1,500	1,500	1,500
Recycle Cooling Water	400	400	400	400
ARMY RESERVE				
Rocky Mountain Arsenal				
Army Reserve Center	4,411	0	4,411	4,411
NAVY AND MARINE CORPS RESERVE				
Naval Reserve Center, Fort Carson				
Reserve Training Building Addition	2,050	2,050	2,050	2,050
AIR FORCE RESERVE				
Peterson Air Force Base				
Aircraft Maintenance Dock	3,560	3,560	3,560	3,560
Total, COLORADO	102,951			96,301
	CONNECTICUT			
NAVY				
Naval Hospital, Groton				
Hospital Expansion	8,720	8,720	8,720	8,720

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
CONNECTICUT (Cont.)				
NAVY (Cont.)				
Naval Submarine Base, New London				
Submarine Magnetic Silencing Facility	365	365	365	365
Naval Submarine School, New London				
Submarine Training Building	13,300	13,300	13,300	13,300
DEFENSE LOGISTICS AGENCY				
Defense Property Disposal Office, Groton				
Conforming Storage Facility	625	625	625	625
AIR NATIONAL GUARD				
Bradley Field				
Alter Hangar	1,440	1,440	1,440	1,440
Fire Suppression System	570	570	570	570
Total, CONNECTICUT	25,020			25,020
DELAWARE				
AIR FORCE				
Dover Air Force Base				
Add to and Alter Aerial Refueling Part Task Training Facility	1,050	1,050	1,050	1,050
Add to and Alter Flight Simulator Training Facility	1,250	1,250	1,250	1,250
Ancillary Explosive Complex	2,300	0	2,300	0
Base Hazardous Storage Facility	430	430	430	430
Base Supply and Equipment Shed	360	360	360	360
Extend Runway - Land Acquisition	13,800	0	13,800	13,800
ARMY NATIONAL GUARD				
New Castle				
Organizational Maintenance Shop	494	494	494	494
Total, DELAWARE	19,684			17,384
DISTRICT OF COLUMBIA				
ARMY				
Walter Reed Army Medical Center				
Energy Monitoring and Control System	1,150	1,150	1,150	1,150
Family Housing Improvements	(99)	(99)	(99)	(99)
NAVY				
Commandant Naval District Washington				
Administrative Office Modernization	6,300	6,300	0	6,300
Naval Research Laboratory				
Electronic Warfare Laboratory	28,900	28,900	28,900	28,900
Navy Band, Washington				
Navy Band Training Building Modernization	1,900	1,900	1,900	1,900
AIR FORCE				
Bolling Air Force Base				
Facility Energy Improvements	250	250	250	250
Office of Special Investigations Facility	12,000	0	0	0
Family Housing Improvements	(713)	(713)	(713)	(713)
OFFICE OF THE SECRETARY OF DEFENSE				
Fort McNair				
Academic Instruction Facility	29,200	25,000	25,000	25,000
Total, DISTRICT OF COLUMBIA	79,700			63,500

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
	FLORIDA			
NAVY				
Naval Air Station, Cecil Field				
Air Combat Training Range and Land Acquisition	26,250	26,250	26,250	26,250
Aircraft Parking Apron	2,800	2,800	2,800	2,800
Training Range Debriefing Facility	785	785	785	785
Naval Air Station, Jacksonville				
Anti-submarine Warfare Aircraft Training Buildings	5,800	5,800	5,800	5,800
Brig	6,470	0	6,470	0
Naval Air Station, Key West				
Family Housing Improvements	(11,700)	(11,700)	(11,700)	(11,700)
Naval Air Station, Pensacola				
Facility Energy Improvements	225	225	225	225
Naval Air Station, Whiting Field				
Pay and Personnel Support Office	810	810	810	810
Naval Explosive Ordnance Disposal School, Eglin				
Explosive Ordnance Disposal Training Facilities	13,700	13,700	13,700	13,700
Naval Hospital, Jacksonville				
Hospital Addition	18,600	18,600	18,600	18,600
Naval Hospital, Pensacola				
Medical and Dental Clinic	7,250	7,250	7,250	7,250
Naval Oceanography Command Facility, Jacksonville				
Meteorological Building Addition	390	390	390	390
Naval Station, Mayport				
Child Care Center	2,240	0	0	0
Fire and Rescue Station Addition	210	210	210	210
Fleet Training Support Facility	810	810	810	810
Helicopter Maintenance Hangar	9,800	9,800	9,800	9,800
Naval Supply Center, Jacksonville				
Fuel Truck Loading Facility	1,270	1,270	1,270	1,270
Waterfront Transit Shed	285	285	285	285
Naval Technical Training Center, Pensacola				
Unaccompanied Enlisted Personnel Housing Improvements	4,300	4,300	4,300	4,300
Cryptologic Training Building	1,370	1,370	1,370	1,370
Naval Training Center, Orlando				
Unaccompanied Enlisted Personnel Housing	9,400	9,400	9,400	9,400
Navy Public Works Center, Pensacola				
Electrical Distribution System Improvements	8,430	8,430	8,430	8,430
Navy Regional Data Automation Center, Jacksonville				
Data Processing Center	10,300	10,300	10,300	10,300
Navy Tactical Interoperability Support Activity, Mayport				
Tactical Data System Facility	470	470	470	470

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
FLORIDA (Cont.)				
AIR FORCE				
Eglin Air Force Base				
Fuel Cell Repair Facility	0	2,300	0	2,300
Heavy Metal Weapons Research and Development Facility	5,500	5,500	5,500	5,500
Mobility Readiness Facility	3,000	3,000	3,000	3,000
Sewage Treatment Plant	2,800	2,800	2,800	2,800
Sound Suppressor Support	960	960	960	960
Family Housing Improvements	(750)	(750)	(750)	(750)
Eglin Air Force Base Auxiliary Field 9				
Alter Dining Hall	1,700	1,700	1,700	1,700
Hurlbert Field				
Family Housing Improvements	(2,792)	(2,792)	(2,792)	(2,792)
Homestead Air Force Base				
F-16 Add to and Alter Aircraft General Squadron Parts Store	410	410	410	410
F-16 Add to and Alter Flight Simulator Training Facility	1,200	1,200	1,200	1,200
F-16 Add to and Alter Various Maintenance Facilities	325	325	325	325
F-16 Add to and Alter Weapons Release Systems Shop	510	510	510	510
Homestead Air Force Base (Cont.)				
F-16 Alter Fuel Systems Maintenance Hangar	1,050	1,050	1,050	1,050
Munitions Facilities	970	970	970	970
Vehicle Maintenance Shop and Operations Facility	900	900	900	900
Visiting Officers Quarters	1,650	1,650	1,650	1,650
MacDill Air Force Base				
Add to Readiness Command Headquarters Facility	1,500	1,500	0	1,500
Alter Aircraft Corrosion Control Facility	500	500	500	500
Alter Base Roads	2,850	2,850	2,850	2,850
Alter Unaccompanied Enlisted Personnel Housing	4,000	4,000	4,000	4,000
Base Contracting Facility	1,300	0	0	0
Patrick Air Force Base				
Family Housing Improvements	(1,291)	(1,291)	(1,291)	(1,291)
Tyndall Air Force Base				
Aircraft Combat Maneuver Instrumentation Facility	1,100	1,100	1,100	1,100
Arm-Disarm Pad	980	980	980	980
Consolidated Training Facility	1,550	1,550	1,550	1,550
Unaccompanied Enlisted Personnel Housing	2,500	2,500	2,500	2,500
Weapons Evaluation-Operations Facility	2,650	2,650	2,650	2,650
Family Housing Improvements	(1,176)	(1,176)	(1,176)	(1,176)
DEFENSE LOGISTICS AGENCY				
Defense Fuel Support Point, Port Tampa				
Fire Protection	595	595	595	595
ARMY NATIONAL GUARD				
Camp Blanding				
Ammunition Storage Facility	0	321	0	321
Water System Modification	0	203	0	203
Lake Wales				
Armory Addition/Alteration	461	461	461	461
Orlando				
Armory Expansion/Alteration	741	741	741	741

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
FLORIDA (Cont.)				
ARMY RESERVE				
Jacksonville				
Add to and Alter Reserve Center/ Maintenance Facility	1,763	1,763	1,763	1,763
Tallahassee				
Add to and Alter Reserve Center/ Maintenance Facility	2,851	2,851	2,851	2,851
AIR FORCE RESERVE				
Eglin Air Force Base				
Flight Simulator Facility	0	3,850	0	3,850
Total, FLORIDA	178,281			174,945
GEORGIA				
ARMY				
Fort Benning				
Highway Crossing-US 280	9,400	0	9,400	0
Medical Supply Warehouse	1,600	1,600	1,600	1,600
Ranger Camp Modifications	5,100	5,100	5,100	5,100
Recreation Center	2,000	0	0	0
Tactical Equipment Shop	4,550	4,550	4,550	4,550
Trainee Barracks	17,000	17,000	17,000	17,000
Unaccompanied Officer Housing Upgrade	0	11,400	0	11,400
Family Housing Improvements	(5,674)	(5,674)	(5,674)	(5,674)
Fort Gordon				
Addition to Data Processing Building	760	760	760	760
Applied Instruction Facility	5,800	5,800	5,800	5,800
Applied Instruction Facility	14,600	14,600	14,600	14,600
Barracks with Dining Facility	23,000	23,000	23,000	23,000
Modified Record Fire Range	880	880	880	880
Operations Building	1,000	1,000	1,000	1,000
Fort Stewart/Hunter Army Air Field				
Dining Facility Modernization	1,150	1,150	1,150	1,150
Military Operations on Urbanized Terrain	3,700	3,700	3,700	3,700
Sniper Training Range	1,150	1,150	1,150	1,150
Tactical Equipment Shop	8,500	8,500	8,500	8,500
Tactical Equipment Shop	8,600	8,600	8,600	8,600
Tactical Equipment Shop	6,100	0	0	0
Vehicle Wash Facility	6,500	6,500	6,500	6,500
Family Housing, New Construction (20 Mobile Home Spaces)	(253)	(253)	(253)	(253)
NAVY				
Naval Submarine Base, Kings Bay				
Unaccompanied Enlisted Personnel Housing and Administration Facility	5,400	5,400	5,400	5,400
Command and Control Systems Shop	7,160	7,160	7,160	7,160
Communications Antenna Facility	1,670	1,670	1,670	1,670
Community Impact Assistance	6,140	6,140	6,140	6,140
Consolidated Personnel Support Facility	3,230	3,230	3,230	3,230
Controlled Industrial Facility	7,550	7,550	7,550	7,550
Dredging	23,380	23,380	23,380	23,380
Drydock	125,600	40,000 1/	40,000 1/	40,000 1/
Explosives Handling Wharf	39,010	39,010	39,010	39,010
Hull Shops	12,740	12,740	12,740	12,740
Refit Warehouse	7,920	7,920	7,920	7,920
Strategic Weapons Facility, Phase II	91,360	81,360	91,360	81,360
Strategic Weapons Magazines	13,700	13,700	13,700	13,700
Tender Mooring and Lay Berths	23,500	23,500	23,500	23,500
Utilities and Site Improvements	35,700	30,000	35,700	30,000

1/ Authorized at $125,600,000 but authorized for appropriation at $40,000.

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(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
GEORGIA (Cont.)				
AIR FORCE				
Moody Air Force Base				
Aircraft Maintenance Unit Facility	800	800	800	800
Alter Electrical Distribution System	4,750	4,750	4,750	4,750
F-16 Add to and Alter Engineer Inspection and Repair Shop	1,250	1,250	1,250	1,250
F-16 Add to and Alter Field Training Facility	1,600	1,600	1,600	1,600
F-16 Add to and Alter Various Operations and Maintenance Facilities	2,950	2,950	2,950	2,950
F-16 Avionics Shop	3,200	3,200	3,200	3,200
F-16 Flight Simulator Training Facility	1,600	1,600	1,600	1,600
Sound Suppressor Support	980	980	980	980
Various Munitions Storage-Operations Facilities	6,900	6,900	6,900	6,900
Robins Air Force Base				
Fire Protection-Avionics Facilities	1,950	1,950	1,950	1,950
Large Item Storage Facility	5,400	5,400	5,400	5,400
DEPENDENTS SCHOOLS (SEC. 6)				
Fort Benning				
Elementary Schools Expansion	1,693	0	1,693	1,693
NAVY AND MARINE CORPS RESERVE				
Naval Air Station, Atlanta				
Aircraft Intermediate Maintenance Expansion	1,400	1,400	1,400	1,400
AIR FORCE RESERVE				
Dobbins Air Force Base				
Approach Lights	891	891	891	891
Total, GEORGIA	560,814			453,414
HAWAII				
ARMY				
Fort Kamehameha				
Family Housing Improvements	(775)	(775)	(775)	(775)
Hickam Army Air Field				
Family Housing Improvements	(6,501)	(6,501)	(6,501)	(6,501)
Pearl Harbor				
Family Housing Improvements	(4,947)	(4,947)	(4,947)	(4,947)
Pohakuloa Training Area				
Ammunition Storage	2,150	2,150	2,150	2,150
Schofield Barracks				
Air-Conditioning Upgrade	5,900	5,900	5,900	5,900
Automated Field Fire Range	850	850	850	850
Company Combined Arms Assault Course	1,850	1,850	1,850	1,850
Dining Facility Modernization	2,700	2,700	2,700	2,700
Install Electrical Outlets	400	400	400	400
Military Operations on Urbanized Terrain	3,850	3,850	3,850	3,850
Operations Building	1,550	1,550	1,550	1,550
Security Fence with Land Acquisition	510	510	510	510
Tactical Equipment Shop	11,200	11,200	11,200	11,200
Tactical Equipment Shop	3,650	3,650	3,650	3,650
Family Housing Improvements	(1,718)	(1,718)	(1,718)	(1,718)
Fort Shafter				
Unaccompanied Enlisted Personnel Housing	6,300	6,300	6,300	6,300
Family Housing Improvements	(2,732)	(2,732)	(2,732)	(2,732)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
HAWAII (Cont.)				
ARMY (Cont.)				
Tripler Army Medical Center				
Alternate Electric Power Source	970	970	970	970
NAVY				
Commander, Oceanographic System Pacific, Pearl Harbor				
Naval Ocean Processing Facility Addition	1,180	1,180	0	1,180
Intelligence Center Pacific, Pearl Harbor				
Intelligence Center Addition	2,900	2,900	0	2,900
Marine Corps Air Station, Kaneohe Bay				
Aviation Supply Facilities	1,760	1,760	1,760	1,760
Electrical Distribution System Improvements	4,220	4,220	4,220	4,220
Ground Support Equipment Facilities	1,290	1,290	1,290	1,290
Heavy Gun Shop	4,900	4,900	4,900	4,900
Maintenance Hangar Improvements	940	940	940	940
Medical Warehouse	4,310	4,310	4,310	4,310
Naval Shipyard, Pearl Harbor				
Hazardous and Flammable Storage Facility	1,860	1,860	1,860	1,860
Naval Submarine Base, Pearl Harbor				
Unaccompanied Enlisted Personnel Housing Modernization	2,900	2,900	2,900	2,900
Naval Western Oceanography Center, Pearl Harbor				
Meteorological Building	4,500	4,500	4,500	4,500
Navy Public Works Center, Pearl Harbor				
Electrical Distribution System Improvements	13,700	13,700	13,700	13,700
AIR FORCE				
Hickam Air Force Base				
Facility Energy Improvements	480	480	480	480
Wheeler Air Force Base				
Gymnasium	2,200	2,200	0	0
Various Aircraft Maintenance and Support Facilities	2,850	2,850	2,850	2,850
AIR NATIONAL GUARD				
Barbers Point				
Communications/Electronics Training Complex	3,450	3,450	3,450	3,450
Total, HAWAII	95,320			93,120
IDAHO				
AIR FORCE				
Mountain Home Air Force Base				
Control Tower	2,200	2,200	2,200	2,200
Over-the-Horizon-B Radar Operations-Software Support Facility	12,400	12,400	12,400	12,400
NAVY AND MARINE CORPS RESERVE				
Naval and Marine Corps Reserve Center, Boise				
Reserve Training Building	4,250	4,250	4,250	4,250
AIR NATIONAL GUARD				
Boise Airport				
Add to and Alter Jet Fuel Storage-Petroleum, Oil, and Lubricants Operations Facility	2,120	2,120	2,120	2,120
Total, IDAHO	20,970			20,970

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
ILLINOIS				
ARMY				
Rock Island Arsenal				
Modernize Manufacturing Facility-REARM	29,000	29,000	29,000	29,000
Savanna Army Depot				
Ammunition Container Loading Yard	510	510	510	510
Fort Sheridan				
Unaccompanied Enlisted Personnel Housing	3,500	3,500	3,500	3,500
NAVY				
Naval Training Center, Great Lakes				
Unaccompanied Enlisted Personnel Housing	10,600	10,600	0	10,600
Diesel Engineman Training Facility Addition	4,360	4,360	0	4,360
Physical Fitness Center	5,780	5,780	0	5,780
AIR FORCE				
Chanute Air Force Base				
Add to and Alter Aircraft Engine Training Facility	1,400	1,400	1,400	1,400
Medical War Reserve Materiel Facility	330	330	330	330
Scott Air Force Base				
Add to and Alter Consolidated Computer Facility	0	7,800	0	7,800
Administrative Facility	550	550	550	550
Scott Air Force Base (Cont.)				
Alter Unaccompanied Enlisted Personnel Housing	4,000	4,000	4,000	4,000
Land Easement	530	530	530	530
Satellite Communications Ground Terminal	4,270	4,270	4,270	4,270
Family Housing Improvements	(1,591)	(1,591)	(1,591)	(1,591)
ARMY NATIONAL GUARD				
Beardstown				
100-Person Armory	926	926	926	926
ARMY RESERVE				
Fort Sheridan				
Military Intelligence Training Facility	1,568	1.568	1,568	1,568
NAVY AND MARINE CORPS RESERVE				
Naval Air Station, Glenview				
C-9 Aircraft Hangar	3,450	3,450	3,450	3,450
Taxiway T-5 Overlay	3,500	3,500	3,500	3,500
Unaccompanied Personnel Housing	0	5.000	0	0
Total, ILLINOIS	74,274			82,074
INDIANA				
ARMY				
Fort Benjamin Harrison				
Unaccompanied Enlisted Personnel Housing	5,300	5,300	5,300	5,300
Family Housing Improvements	(3,950)	(3,950)	(3,950)	(3,950)
Indiana Army Ammunition Plant				
Convert Shiphouses to Explosive Storage	210	210	210	210
Newport Army Ammunition Plant				
Binary Component Production Facility	39,000	0	8,000	8,000

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
INDIANA (Cont.)				
AIR FORCE				
Grissom Air Force Base				
Base Civil Engineer Complex - Phase II	1,700	1,700	1,700	1,700
Family Housing Improvements	(108)	(108)	(108)	(108)
ARMY NATIONAL GUARD				
Camp Atterbury				
800-Person Armory	3,980	3,980	3,980	3,980
Combined Support Maintenance Shop	1,822	1,822	1,822	1,822
ARMY NATIONAL GUARD (Cont.)				
Camp Atterbury (Cont.)				
Organizational Maintenance Shop	812	812	812	812
Unit Training Equipment Site	1,527	1,527	1,527	1,527
AIR NATIONAL GUARD				
Fort Wayne Municipal Airport				
Aircraft Weapons Calibration Shelter	800	800	800	800
AIR FORCE RESERVE				
Grissom Air Force Base				
Aircraft Maintenance Hangar - Shops	8,604	8,604	8,604	8,604
Total, INDIANA	63,755			32,755
IOWA				
ARMY				
Iowa Army Ammunition Plant				
Storm Drainage Improvements - Yard L	810	810	810	810
ARMY NATIONAL GUARD				
Carroll				
60-Person Armory	590	590	590	590
Cedar Rapids				
Armory Addition	631	631	631	631
ARMY RESERVE				
Davenport				
Add to and Alter Reserve Center/Maintenance Facility	4,178	4,178	4,178	4,178
Total, IOWA	6,209			6,209
KANSAS				
ARMY				
Kansas Army Ammunition Plant				
Rehabilitate Raw Water Intake	570	570	570	570
Fort Leavenworth				
Dining Facility Modernization	4,350	4,350	4,350	4,350
Health Clinic	2,550	2,550	2,550	2,550
Fort Riley				
Aircraft Maintenance Hangar	7,600	7,600	7,600	7,600
Aircraft Maintenance Hangar	8,800	8,800	8,800	8,800
Battalion Headquarters	1,100	1,100	1,100	1,100
Company Operations and Supply	1,950	1,950	1,950	1,950
Dental Clinic	3,300	3,300	3,300	3,300
Electrical Upgrade	790	790	790	790
Hardstand	2,100	2,100	2,100	2,100
Military Operations on Urbanized Terrain	5,000	5,000	5,000	5,000
Tactical Equipment Shop	10,000	10,000	10,000	10,000
Tactical Equipment Shop	9,500	0	0	0

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
KANSAS (Cont.)				
ARMY (Cont.)				
Tactical Equipment Shop	2,750	2,750	2,750	2,750
Tactical Equipment Shop Addition	2,800	2,800	2,800	2,800
Tactical Equipment Shop	3,100	3,100	3,100	3,100
Family Housing, New Construction (50 Mobile Home Spaces)	(700)	(700)	(700)	(700)
Family Housing Improvements	(3,584)	(3,584)	(3,584)	(3,584)
Sunflower Army Ammunition Plant				
Guanidine Nitrate Ship-Out Facility	210	0	210	0
AIR FORCE				
McConnell Air Force Base				
B-1 Add to and Alter Avionics Maintenance Facility	2,100	2,100	0	2,100
B-1 Add to and Alter Operations and Support Facility	3,500	3,500	0	3,500
B-1 Add to and Alter Communications and Support Facility	1,310	1,310	0	1,310
B-1 Alter Utilities Systems	1,000	1,000	0	1,000
B-1 Area Security Improvements and Alert Pavements	7,300	7,300	0	7,300
B-1 Hydrant Fueling with Consolidated Aircraft Support System Provisions	18,400	18,400	0	18,400
B-1 Integrated Maintenance Facility	6,400	6,400	0	6,400
B-1 Support Equipment and Storage Facility	1,900	1,900	0	1,900
B-1 Two-Bay Aircraft Maintenance Hangar	17,000	17,000	0	17,000
B-1 Warhead Maintenance - Inspection Facility	750	750	0	750
B-1 Weapons Convoy Roads	3,700	3,700	0	3,700
B-1 Weapons Storage Area and Igloos	6,300	6,300	0	6,300
B-1 Field Training Facility	1,830	1,830	0	1,830
B-1 General Reduction	0	0	0	- 5,000
DEFENSE LOGISTICS AGENCY				
Defense Property Disposal Office, Fort Riley				
Covered Storage	965	965	965	965
AIR NATIONAL GUARD				
McConnell Air Force Base				
Add to and Alter Hangar Building 41	2,500	2,500	0	2,500
Aerospace Ground Equipment Shop	670	670	0	670
Fire Suppression System	775	775	0	775
Weapons Calibration Facility	1,500	1,500	0	1,500
Total, KANSAS	144,370			129,660
KENTUCKY				
ARMY				
Fort Campbell				
Flight Simulator Building	2,550	2,550	2,550	2,550
Multi-purpose Range Complex - Light	16,000	16,000	16,000	16,000
Physical Fitness Training Center	5,900	5,900	0	0
Radiant Heaters	430	430	0	0
Railroad Track Acquisition	450	450	450	450
Tactical Equipment Shop	7,200	7,200	7,200	7,200
Family Housing, New Construction (50 Mobile Home Spaces)	(689)	(689)	(689)	(689)
Fort Knox				
Child Care Center	4,500	4,500	0	4,500
Company Operations and Supply	870	870	870	870
Dining Facilities Modernization	1,300	1,300	1,300	1,300
Tactical Equipment Shop	5,300	5,300	5,300	5,300
Vehicular Bridge	8,800	8,800	8,800	8,800
Family Housing Improvements	(12,558)	(12,558)	(12,558)	(12,558)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
KANSAS (Cont.)				
NAVY				
Naval Ordnance Station, Louisville				
Gun Shop and Land Acquisition	4,210	4,210	4,210	4,210
Plating Shop Modernization	12,740	12,740	12,740	12,740
Total, KENTUCKY	70,250			63,920
LOUISIANA				
ARMY				
Louisiana Army Ammunition Plant				
Herbicide and Pesticide Building	270	270	270	270
Replace Explosion Protection Barricade	370	370	370	370
Fort Polk				
Battalion Headquarters	1,050	1,050	1,050	1,050
Battalion Headquarters	1,150	1,150	1,150	1,150
Battalion Headquarters	1,250	1,250	1,250	1,250
Company Operations and Supply	3,600	3,600	3,600	3,600
Campany Operations and Supply	2,200	2,200	2,200	2,200
Company Operations and Supply	980	980	980	980
Physical Fitness Training Center	7,000	7,000	0	7,000
Tactical Equipment Shop	10,000	10,000	10,000	10,000
Tactical Equipment Shop	11,200	0	0	0
AIR FORCE				
Barksdale Air Force Base				
Alter Fuel System Maintenance Dock	1,400	1,400	1,400	1,400
England Air Force Base				
Alter Unaccompanied Enlisted Personnel Housing	1,400	1,400	1,400	1,400
Base Civil Engineer Administrative Facility	2,300	2,300	0	0
Security Police Operations Facility	1,200	1,200	1,200	1,200
ARMY NATIONAL GUARD				
Baton Rouge				
Organizational Maintenance Shop	597	597	597	597
NAVY AND MARINE CORPS RESERVE				
Naval Support Activity, New Orleans				
Family Services Center	570	570	570	570
AIR FORCE RESERVE				
New Orleans Naval Air Station				
Squadron Operations Facility	2,120	2,120	2,120	2,120
Total, LOUISIANA	48,657			35,157
MAINE				
NAVY				
Naval Air Station, Brunswick				
Patrol Aircraft Maintenance Training Building	3,040	3,040	3,040	3,040
Naval Security Group Activity, Winter Harbor				
Ocean Surveillance Building Addition	2,400	2,400	2,400	2,400
Public Works Shop	880	880	880	880
Total, MAINE	6,320			6,320

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
	MARYLAND			
ARMY				
Aberdeen Proving Ground				
Dining Facilities Modernization	4,400	4,400	4,400	4,400
Lighting Modifications	270	270	270	270
Family Housing Improvements	(2,762)	(2,762)	(2,762)	(2,762)
Fort Detrick				
Operations Building	7,600	7,600	7,600	7,600
Fort Meade				
Record Fire Range Upgrade	930	930	930	930
Satellite Communications Terminal Building	18,000	18,000	18,000	18,000
Family Housing Improvements	(10,324)	(10,324)	(10,324)	(10,324)
NAVY				
Naval Academy, Annapolis				
Brigade Activities Center	21,600	0	21,600	16,600
Public Works Shops and Storage	1,880	1,880	1,880	1,880
Naval Electronic Systems Engineering Activity, St. Inigoes				
Combatant Communications Assembly and Test Facility	4,560	4,560	4,560	4,560
Command, Control, and Communications Laboratory	7,850	7,850	7,850	7,850
Utilities Improvements	3,140	3,140	3,140	3,140
Naval Medical Clinic, Annapolis				
Naval Hospital	12,540	12,540	12,540	12,540
Naval Ordnance Station, Indian Head				
Unaccompanied Officer Personnel Housing Modernization	1,570	1,570	1,570	1,570
AIR FORCE				
Andrews Air Force Base				
Alter Communications Facility	3,350	3,350	3,350	3,350
Alter Unaccompanied Enlisted Personnel Housing	4,550	4,550	4,550	4,550
Facility Energy Improvements	420	420	420	420
Fire Protection-Various Facilities	1,800	1,800	1,800	1,800
NATIONAL SECURITY AGENCY				
Fort Meade				
OUTDWELLER	6,000	6,000	6,000	6,000
Research and Engineering Facility	75,064	0	21,364 1/	21,364 1/
Support Activity Building 2 - Equipment Platform	450	450	450	450
Test Pad	628	628	628	628
ARMY RESERVE				
Fort Meade				
Add to and Alter Reserve Center/ Maintenance Facility	4,887	4,887	4,887	4,887
AIR NATIONAL GUARD				
Andrews Air Force Base				
Support Equipment-Nondestructive Inspection-Petroleum, Oil, and Lubricants Operations Facility	1,800	1,800	1,800	1,800

1/ Authorized for full $74,064,000; Authorization of Appropriations $21,364,000.

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
MARYLAND (Cont.)				
AIR FORCE RESERVE				
Andrews Air Force Base				
Add to and Alter Aircraft Maintenance Hangar	3,800	3,800	3,800	3,800
Alter Aircraft Maintenance Shops	500	500	500	500
Avionics/Deputy Chief, Maintenance Facility	2,000	2,000	2,000	2,000
Total, MARYLAND	189,589			130,889
MASSACHUSETTS				
ARMY				
Army Materials and Mechanics Research Center				
Water Pollution Abatement	770	770	0	770
Family Housing, New Construction (1 unit)	(154)	(154)	(0)	(0)
Fort Devens				
Nuclear, Biological, Chemical Defense Instruction Facility	610	610	0	610
Family Housing, New Construction (20 Mobile Home Spaces)	(317)	(317)	0	(317)
Family Housing Improvements	(4,075)	(4,075)	(4,075)	(4,075)
NAVY				
Naval Air Station, South Weymouth				
Defense Access Roads	(370)	(370)	(370)	(370)
AIR FORCE				
Cape Cod				
Pave Paws Electromagnetic Pulse Protection	600	600	600	600
Hanscom Air Force Base				
Alter Central Heat Plant	13,700	13,700	13,700	13,700
Library and Education Center	2,450	2,450	0	0
Systems Management Engineering Facility	11,000	11,000	11,000	11,000
Family Housing Construction (13 units)	(0)	(14,200)	(0)	(0)
Family Housing Improvements	(684)	(684)	(684)	(684)
ARMY NATIONAL GUARD				
Boston				
Armory Addition and Modification	1,031	1,031	1,031	1,031
AIR NATIONAL GUARD				
Barnes Municipal Airport				
Composite Medical Training and Administration/Telecommunications/Security Police Facility	2,100	2,100	2,100	2,100
Total, MASSACHUSETTS	32,261			29,811
MICHIGAN				
ARMY				
Detroit Arsenal				
Window Replacement	320	320	320	320
AIR FORCE				
K.I. Sawyer Air Force Base				
(ALCM - Air-Launched Cruise Missile)				
ALCM - Alter Operations Facilities	360	360	360	360
ALCM - Munitions Upload Training Facility	6,500	6,500	6,500	6,500
ALCM - Support Equipment Corrosion Control Facility	650	650	650	650
ALCM - Support Equipment Maintenance Shop	1,400	1,400	1,400	1,400
ALCM - Unarmed Weapons Storage Facility	710	710	710	710
ALCM - Vehicle Parking Facility	310	310	310	310
ALCM - Weapons Convoy Roads	2,650	2,650	2,650	2,650

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
MICHIGAN (Cont.)				
AIR FORCE (Cont.)				
K.I. Sawyer Air Force Base (Cont.)				
ALCM - Weapons Storage Igloos	6,600	6,600	6,600	6,600
ALCM - Alter Unaccompanied Enlisted Personnel Housing	3,400	3,400	3,400	3,400
Family Housing Improvements	(1,576)	(1,576)	(1,576)	(1,576)
Wurtsmith Air Force Base				
Add to and Alter Unaccompanied Enlisted Personnel Housing	5,300	5,300	5,300	5,300
Family Housing Improvements	(620)	(620)	(620)	(620)
ARMY NATIONAL GUARD				
Camp Grayling				
Mobilization and Training Equipment Site	6,008	6,008	6,008	6,008
Motor Pool-Training Site	976	976	976	976
Winterize Training Facilities-Phase I	833	833	833	833
Sault Ste. Marie				
Motor Vehicle Storage Building	676	676	676	676
AIR NATIONAL GUARD				
Phelps-Collins Airport				
Jet Fuel Storage Complex	2,500	2,500	2,500	2,500
Winterize Dormitories	0	1,800	0	1,800
Selfridge Air National Guard Base				
Refueler Vehicle Maintenance/Petroleum, Oil and Lubricant Operations/Vehicle Parking	1,080	1,080	1,080	1,080
Squadron Operations/Maintenance Control Facility	2,200	2,200	2,200	2,200
W. K. Kellogg Regional Airport				
Fuel Systems Maintenance Dock	1,700	1,700	0	1,700
Total, MICHIGAN	44,173			45,973
MINNESOTA				
ARMY NATIONAL GUARD				
Appleton				
Organizational Maintenance Shop	426	426	426	426
Brooklyn Park				
200-Person Armory	1,124	1,124	1,124	1,124
Camp Ripley				
Range	391	391	391	391
U.S. Property and Fiscal Officer Warehouse	1,484	1,484	1,484	1,484
NAVY AND MARINE CORPS RESERVE				
Navy and Marine Corps Reserve Center, Twin Cities				
Reserve Training Building Addition	600	600	600	600
Total, MINNESOTA	4,025			4,025
MISSISSIPPI				
NAVY				
Naval Air Station, Meridian				
Road Improvements	450	450	450	450
Defense Access Roads	(1,140)	(1,140)	(1,140)	(1,140)
Naval Construction Battalion Center, Gulfport				
Seabee Equipment Maintenance Facility	2,550	2,550	2,550	2,550
Defense Access Roads	(200)	(200)	(200)	(200)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
MISSISSIPPI (Cont.)				
NAVY (Cont.)				
Naval Construction Training Center, Gulfport				
Seabee Training Buildings	2,460	2,460	2,460	2,460
AIR FORCE				
Keesler Air Force Base				
Alter Unaccompanied Enlisted Personnel Housing	8,400	8,400	8,400	8,400
Electronic Assembly and Checkout Facility	2,100	2,100	2,100	2,100
Family Housing Improvements	(2,440)	(2,440)	(2,440)	(2,440)
ARMY NATIONAL GUARD				
Camp McCain				
Land Acquisition	0	3,300	0	3,300
Camp Shelby				
Land Acquisition - Phase IV	330	330	330	330
Gulfport				
Aviation Classification Repair Activity Depot	5,277	5,277	5,277	5,277
Jackson				
Organizational Maintenance Shop	423	423	423	423
AIR NATIONAL GUARD				
Key Field				
Jet Fuel Storage/Dispensing System	1,900	1,900	1,900	1,900
Total, MISSISSIPPI	23,890			27,190
MISSOURI				
ARMY				
Lake City Army Ammunition Plant				
Enclose Warehouse Loading Docks	930	930	930	930
Industrial Wastewater Treatment	19,000	19,000	0	0
Fort Leonard Wood				
General Instruction Building	1,150	1,150	1,150	1,150
General Instruction Building	2,800	2,800	2,800	2,800
Reception Center	0	8,400	0	8,400
AIR FORCE				
Whiteman Air Force Base				
Add to and Alter Gymnasium	2,400	2,400	0	2,400
Fire Station	2,250	2,250	2,250	2,250
ARMY NATIONAL GUARD				
Harrisonville				
100-Person Armory	884	884	884	884
Jefferson City/Lexington				
DISCOM Headquarters	0	2,186	0	2,186
ARMY RESERVE				
Fort Leonard Wood				
Add to and Alter Reserve Center/ Maintenance Facilities	2,018	2,018	2,018	2,018
NAVY AND MARINE CORPS RESERVE				
Navy and Marine Corps Reserve Center, Kansas City				
Alter and Repair Reserve Training Building	4,000	4,000	4,000	4,000
Total, MISSOURI	35,432			27,018

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
	MONTANA			
AIR FORCE				
Malmstrom Air Force Base				
Facility Energy Improvements	1,300	1,300	1,300	1,300
Family Housing Improvements	(110)	(110)	(110)	(110)
ARMY NATIONAL GUARD				
Chinook				
Organizational Maintenance Shop	428	428	428	428
Fort William Henry Harrison				
Combined Support Maintenance Shop	1,959	1,959	1,959	1,959
ARMY RESERVE				
Billings				
Add to and Alter Reserve Center/ Maintenance Facilities	1,314	1,314	1,314	1,314
AIR NATIONAL GUARD				
Great Falls International Airport				
Base Engineer Maintenance Facility	990	990	990	990
Total, MONTANA	5,991			5,991
	NEBRASKA			
AIR FORCE				
Offutt Air Force Base				
Add to and Alter Enlisted Housing/ Dining Facility	3,400	3,400	3,400	3,400
Energy Recovery Systems	360	360	360	360
Headquarters Command Post	5,700	0	5,700	5,700
Peacekeeper - Add to and Alter Air Launch Control Center	430	430	430	430
Unaccompanied Enlisted Personnel Housing-Silver Creek	550	550	550	550
Family Housing Improvements	(633)	(633)	(633)	(633)
Total, NEBRASKA	10,440			10,440
	NEVADA			
NAVY				
Naval Air Station, Fallon				
Aircraft Parking Apron	8,230	8,230	8,230	8,230
Control Tower	2,350	2,350	2,350	2,350
Naval Air Station, Fallon (Cont.)				
Range Improvements	12,000	12,000	12,000	12,000
Strike Warfare Training Building	7,350	7,350	7,350	7,350
Utility Systems Improvements	6,570	6,570	6,570	6,570
AIR FORCE				
Indian Springs Auxiliary Field				
Family Housing Improvements	(1,027)	(1,027)	(1,027)	(1,027)
Nellis Air Force Base				
Alter Aircraft Corrosion Control Facility	2,050	2,050	2,050	2,050
Consolidated Support Center	6,000	0	0	0
Precision Launch Strike System-Software Support Facility	2,800	2,800	2,800	2,800
Red Flag Support Facilities	2,800	2,800	2,800	2,800
Sound Suppressor Support	610	610	610	610
Unaccompanied Enlisted Personnel Housing	9,600	9,600	9,600	9,600
Family Housing Improvements	(982)	(982)	(982)	(982)
Add to and Alter Base Access Roads	(3,200)	(3,200)	(3,200)	(3,200)
Total, NEVADA	60,360			54,360

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
NEW HAMPSHIRE				
AIR FORCE				
Pease Air Force Base				
Heating, Ventilation and Air Conditioning	610	610	610	610
Refueling Vehicle Heated Storage Facility	590	590	590	590
Family Housing Improvements	(280)	(280)	(280)	(280)
DEFENSE LOGISTICS AGENCY				
Defense Fuel Support Point, Newington				
Fire Protection	1,040	1,040	1,040	1,040
Total, NEW HAMPSHIRE	2,240			2,240
NEW JERSEY				
ARMY				
Fort Dix				
Automated Field Fire Range	3,000	3,000	3,000	3,000
Dining Facility Modernization	330	330	330	330
Main Library	1,850	1,850	1,850	1,850
Vehicle Maintenance Instruction Facility	920	920	920	920
Family Housing Improvements	(7,310)	(7,310)	(7,310)	(7,310)
Military Ocean Terminal, Bayonne				
Boiler and Refrigeration Plant Automation	1,000	1,000	1,000	1,000
Insulation and Weatherstripping	2,200	2,200	2,200	2,200
Picatinny Arsenal				
Insulate Steam Lines	1,000	1,000	1,000	1,000
Fort Monmouth				
Family Housing Improvements	(6,610)	(6,610)	(6,610)	(6,610)
NAVY				
Naval Air Engineering Center, Lakehurst				
Energy Monitoring and Control System	600	600	600	600
Naval Weapons Station, Earle				
Mine Assembly Facility	780	780	780	780
Weapons Handling Facility	2,940	2,940	2,940	2,940
Family Housing, New Construction (200 units)	(15,400)	(15,400)	(15,400)	(15,400)
AIR FORCE				
McGuire Air Force Base				
Add to and Alter Gymnasium	1,550	1,550	0	0
Aerial Refueling Part Task Training Facility	1,050	1,050	1,050	1,050
Aircraft Maintenance Hangar	7,300	7,300	7,300	7,300
Alter Unaccompanied Enlisted Personnel Housing	6,200	6,200	6,200	6,200
ARMY NATIONAL GUARD				
Fort Dix				
Training Center	4,299	4,299	4,299	4,299
Hackettstown				
Armory Addition/Alteration	741	741	741	741
Trenton				
Direct Support Logistics Facility-Division	1,172	1,172	1,172	1,172
Teaneck				
Organizational Maintenance Shop	426	426	426	426
Total, NEW JERSEY	37,358			35,808

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
NEW MEXICO				
ARMY				
Fort Wingate				
Ammunition Container Loading Yard	490	490	0	490
AIR FORCE				
Cannon Air Force Base				
Melrose Range-Land Acquisition	12,500	0	12,500	12,500
Family Housing Improvements	(1,732)	(1,732)	(1,732)	(1,732)
Holloman Air Force Base				
Add to and Alter Radar Target Scatter Complex	13,700	13,700	13,700	13,700
Base Civil Engineer Maintenance Shops	1,300	1,300	1,300	1,300
Vehicle Maintenance Shop	1,850	1,850	1,850	1,850
Kirtland Air Force Base				
Alter Unaccompanied Enlisted Personnel Housing	5,000	5,000	5,000	5,000
Communication Duct System	1,300	1,300	1,300	1,300
Computer-Vault Facility	4,300	4,300	4,300	4,300
Dangerous Cargo Pad	1,900	1,900	1,900	1,900
Facility Energy Improvements	830	830	830	830
Munitions Storage Complex	47,000	47,000	47,000	47,000
Family Housing Improvements	(1,024)	(1,024)	(1,024)	(1,024)
ARMY NATIONAL GUARD				
Gallup				
60-Person Armory	716	716	716	716
Hobbs				
Construct Armory	0	755	0	755
Raton				
60-Person Armory	716	716	716	716
ARMY RESERVE				
Albuquerque				
Add to and Alter Armed Forces Reserve Center	2,442	2,442	2,442	2,442
NAVY AND MARINE CORPS RESERVE				
Armed Forces Reserve Center, Albuquerque				
Reserve Training Building Addition	470	470	470	470
Total, NEW MEXICO	94,514			95,269
NEW YORK				
ARMY				
Fort Drum				
Child Care Center	2,000	2,000	0	2,000
Fire Station	990	990	0	990
Family Housing, New Construction (800 units)	(67,500)	(67,500)	(0)	(67,500)
Utilities	(0)	(82,500)	(0)	(82,500) 3/
Seneca Army Depot				
Ammunition Container Loading Yard	460	460	460	460
Energy Monitoring and Control System	360	360	360	360
Vapor Barrier Addition	590	590	590	590

3/ Authorization only.

(amounts in thousands of dollars)

Installation and project	Budget Request	House. recommendation	Senate recommendation	Conference Agreement
NEW YORK (Cont.)				
ARMY (Cont.)				
U.S. Military Academy				
Boiler Conversion	8,600	8,600	8,600	8,600
Chemistry Laboratory Modernization	1,400	1,400	1,400	1,400
Energy Monitoring System Expansion	5,900	5,900	5,900	5,900
Expand Academic Facility	5,300	5,300	5,300	5,300
General Instruction Building	7,300	0	7,300	7,300
Modified Record Fire Range	2,500	2,500	2,500	2,500
Family Housing Improvements	(1,631)	(1,631)	(1,631)	(1,631)
Watervliet Arsenal				
Family Housing Improvements	0	(1,521)	(0)	(1,521)
NAVY				
Naval Station, New York				
Berthing Pier/Bulkhead	0	39,700 2/	0	0
Dredging	(11,700) 1/	(11,700) 1/	(11,700) 1/	(11,700) 1/
Land Acquisition	2,940	2,940	2,940	2,940
Mess Hall	0	1,900	0	0
Site Improvements	3,920	3,920	3,920	3,920
Unaccompanied Enlisted Personnel Housing	0	8,200	0	0
Utilities and Site Improvements	0	14,600	0	14,600
AIR FORCE				
Griffiss Air Force Base				
Air-Launched Cruise Missile Igloo	1,100	1,100	1,100	1,100
Tempest Secure Intelligence Laboratories	1,210	1,210	1,210	1,210
Refueling Vehicle Heated Storage Facility	430	430	430	430
Family Housing Improvements	(15)	(15)	(15)	(15)
Plattsburgh Air Force Base				
Facility Energy Improvements	1,050	1,050	1,050	1,050
Family Housing Improvements	(535)	(535)	(535)	(535)
DEFENSE LOGISTICS AGENCY				
Defense Fuel Support Point, Verona				
Fuel Tank Roofs	(1,395)	(1,395)	(1,395)	(1,395)
ARMY NATIONAL GUARD				
Camp Smith				
Enlisted Women's Barracks	403	403	403	403
Clinton County				
100-Person Armory	954	954	954	954
AIR NATIONAL GUARD				
Hancock Field				
Aircraft Engine Inspection and Repair Shop	1,485	1,485	1,485	1,485
Stewart Airport				
Aircraft Parking Apron - Site Preparation	15,500	15,500	15,500	15,500
Aircraft Maintenance Shops	3,000	3,000	3,000	3,000
Automotive Maintenance Shop	900	900	900	900
Fuel Systems Maintenance Hangar	10,000	10,000	10,000	10,000
Jet Fuel Storage	6,600	6,600	6,600	6,600
Total, NEW YORK	86,287			100,887

1/ Authorized at $11,700,000 but not authorized for appropriation.
2/ Authorized at $43,000,000 but authorized for appropriation at $39,700,000.

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
NORTH CAROLINA				
ARMY				
Fort Bragg				
Aircraft Maintenance Hangar	9,400	9,400	9,400	9,400
Ammunition Storage	490	490	490	490
Anti-armor Range	4,050	4,050	4,050	4,050
Aviation Fuel Storage Facility	2,550	2,550	2,550	2,550
Battalion Headquarters	1,500	0	1,500	0
Company Operations and Supply	1,650	0	1,650	0
Division Headquarters	6,700	6,700	6,700	6,700
Energy Monitoring System Expansion	2,750	2,750	2,750	2,750
Flight Simulator Building	3,100	3,100	3,100	3,100
Physical Fitness Training Center	2,000	2,000	0	2,000
Runway Extension	770	770	770	770
Sniper Training Range	1,200	1,200	1,200	1,200
Tactical Equipment Shop	11,000	11,000	11,000	11,000
Test Equipment Calibration Facility	570	570	570	570
Unaccompanied Enlisted Personnel Housing	2,950	0	0	0
Land Acquisition	0	10,800	0	10,800
Unaccompanied Enlisted Personnel Housing	13,000	13,000	13,000	13,000
Family Housing, New Construction (50 Mobile Home Spaces)	(637)	(637)	(637)	(637)
Family Housing Improvements	(4,712)	(4,712)	(4,712)	(4,712)
Sunny Point Army Terminal				
Road and Staging Area Paving	1,200	1,200	1,200	1,200
NAVY				
Marine Corps Air Station, Cherry Point				
Aircraft Engine Blade Rework Facility	0	15,900	0	0
Aviation Supply Warehouse	5,100	5,100	5,100	5,100
Unaccompanied Enlisted Personnel Housing	19,100	19,100	19,100	19,100
Child Care Center	1,490	0	0	0
Maintenance Hangar Modifications	3,190	3,190	3,190	3,190
Operations, Training and Maintenance Facilities	3,970	3,970	3,970	3,970
Parachute and Survival Equipment Shop Addition	490	490	490	490
Vertical Take-off and Landing Pads	4,600	4,600	4,600	4,600
Family Housing Improvements	(1,261)	(1,261)	(1,261)	(1,261)
Marine Corps Air Station, New River				
Aviation Ready Fuel Storage	2,000	2,000	2,000	2,000
Ground Support Equipment Facility	1,130	1,130	1,130	1,130
Helicopter Maintenance Hangar	7,650	7,650	7,650	7,650
Marine Corps Base, Camp Lejeune				
Combat Vehicle Maintenance Shop	2,740	2,740	2,740	2,740
Electronics and Communications Maintenance Shop	3,280	3,280	3,280	3,280
Light Armored Vehicle Maintenance Shop	4,850	4,850	4,850	4,850
Sewage System Improvements	1,220	1,220	1,220	1,220
Unaccompanied Enlisted Personnel Housing	9,500	9,500	9,500	9,500
Vehicle Mechanics Training Building	2,550	2,550	2,550	2,550
Naval Air Rework Facility, Cherry Point				
Hazardous and Flammable Storage Facility	1,720	1,720	1,720	1,720
Navy Facility, Radio Island				
Equipment Washdown Facility and Land Acquisition	17,640	17,640	0	0

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
NORTH CAROLINA (Cont.)				
AIR FORCE				
Pope Air Force Base				
Combat Arms Training and Maintenance Facility	440	440	440	440
Family Housing Improvements	(690)	(690)	(690)	(690)
Seymour-Johnson Air Force Base				
Heating, Ventilation, and Air Conditioning	1,220	1,220	1,220	1,220
KC-10 Blast Deflectors and Apron Lighting	1,100	1,100	1,100	1,100
DEPENDENTS SCHOOLS (SEC. 6)				
Fort Bragg				
Bowley Elementary School Replacement	5,660	0	5,660	5,660
Camp Lejeune				
High School	8,400	0	8,400	8,400
ARMY NATIONAL GUARD				
Jefferson				
60-Person Armory	545	545	545	545
Murphy				
60-Person Armory	519	519	519	519
Salisbury				
Army Aviation Support Facility Addition	812	812	812	812
Total, NORTH CAROLINA	175,796			161,366
NORTH DAKOTA				
AIR FORCE				
Cavalier				
Perimeter Acquisition Radar Attack Characterization System-Power Reliability Enhancements	950	950	950	950
Grand Forks Air Force Base				
B-1 Add to and Alter Aircraft Maintenance Hangar	9,200	9,200	9,200	9,200
B-1 Add to and Alter Field Training and Site Activation Task Force	960	960	960	960
B-1 Alter Avionics Maintenance Facility	560	560	560	560
B-1 Alter Field Maintenance Facility	930	930	930	930
B-1 Alter Utilities Systems	3,600	3,600	3,600	3,600
B-1 Area Security Improvements	5,200	5,200	5,200	5,200
B-1 Hydrant Fuel with Consolidated Aircraft Support System Provisions	14,300	14,300	14,300	14,300
B-1 Power Check Pad	580	580	580	580
B-1 Three-bay Maintenance Hangar and Apron	25,000	25,000	25,000	25,000
B-1 Weapons Bay Fuel Tank Storage Facility	700	700	700	700
Facility Energy Improvements	1,700	1,700	1,700	1,700
Family Housing Improvements	(850)	(850)	(850)	(850)
Minot Air Force Base				
Security Police Operations Facility	5,000	5,000	5,000	5,000
Family Housing Improvements	(846)	(846)	(846)	(846)
AIR NATIONAL GUARD				
Hector Field				
Base Engineer Maintenance Facility	1,200	1,200	1,200	1,200
Upgrade Hangar	700	700	700	700
Total, NORTH DAKOTA	70,580			70,580

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
	OHIO			
NAVY				
Naval Finance Center, Cleveland				
Data Processing Center Addition	2,940	2,940	2,940	2,940
AIR FORCE				
Wright-Patterson Air Force Base				
Add to and Alter Precision Measurement Equipment Laboratory	920	920	920	920
Add to and Alter Storm Drainage System	3,950	3,950	3,950	3,950
Add to and Alter Air Force Institute of Technology Science Engineering Support Complex	12,800	12,800	12,800	12,800
Add to and Alter High Power Research Laboratory	1,950	1,950	1,950	1,950
Alter Electrical Distribution System	1,500	1,500	1,500	1,500
Entomology Shop	770	770	770	770
AIR NATIONAL GUARD				
Rickenbacker Air National Guard Base				
Alter Fuel System Maintenance Dock (Joint)	630	630	630	630
Springfield Municipal Airport				
Approach Lighting System	720	720	720	720
AIR FORCE RESERVE				
Rickenbacker Air National Guard Base				
Alter Fuel System Maintenance Dock (Joint)	630	630	630	630
DEFENSE LOGISTICS AGENCY				
Defense Supply Depot, Columbus				
Family Housing Improvements	(32)	(32)	(32)	(32)
Total, OHIO	26,810			26,810
	OKLAHOMA			
ARMY				
Fort Sill				
Hospital Upgrade and Addition	29,000	29,000	29,000	29,000
Trainee Barracks	23,000	23,000	23,000	23,000
Family Housing Improvements	(2,240)	(2,240)	(2,240)	(2,240)
McAlester Army Ammunition Plant				
Addition to Line-A	0	2,300	0	2,300
AIR FORCE				
Altus Air Force Base				
Base Supply Administration Facility	1,900	1,900	0	1,900
Recreation Center	1,710	1,710	0	0
Unaccompanied Enlisted Personnel Housing	3,800	3,800	3,800	3,800
Vehicle Maintenance Shop	3,200	3,200	3,200	3,200
Weapons Systems Maintenance Management Facility	2,550	2,550	2,550	2,550
Family Housing Improvements	(2,337)	(2,337)	(2,337)	(2,337)
Tinker Air Force Base				
Add to and Alter Recreation Center	1,600	1,600	0	0
Add to and Alter Heating Plant	6,400	6,400	6,400	6,400
Alter Aircraft Corrosion Control Facility	4,650	4,650	4,650	4,650
Alter Petroleum, Oil and Lubricants Storage Complex	3,650	3,650	3,650	3,650
Alter Unaccompanied Enlisted Personnel Housing	3,100	3,100	3,100	3,100
E-3A Maintenance Hangar	6,800	6,800	6,800	6,800
Transient Munitions Facility-Land Acquisition	6,900	6,900	6,900	6,900
Family Housing Improvements	(1,261)	(1,261)	(1,261)	(1,261)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
OKLAHOMA (Cont.)				
AIR FORCE (Cont.)				
Vance Air Force Base				
Central Life Support Equipment Facility	660	660	660	660
Mission Support Facility	0	3,550	0	3,550
ARMY NATIONAL GUARD				
Camp Gruber				
Training Facility-Phase II	1,199	1,199	1,199	1,199
Unit Training Equipment Site	1,243	1,243	1,243	1,243
Lexington				
Auto-Rotation Lane Extension	437	437	437	437
AIR NATIONAL GUARD				
Tulsa International Airport				
Add to Munitions Maintenance and Storage Facility	800	800	800	800
Fire Suppression System	850	850	850	850
Will Rogers World Airport				
Composite Squadron Operations-Telecommunications Facility	2,120	2,120	2,120	2,120
Total, OKLAHOMA	105,569			108,109
OREGON				
ARMY				
Umatilla Army Depot				
Ammunition Container Loading Yard	260	260	260	260
ARMY NATIONAL GUARD				
Camp Rilea				
Unit Training Equipment Site	1,545	1,545	1,545	1,545
Camp Withycombe				
U.S. Property and Fiscal Officer Warehouse	895	895	895	895
Salem				
U.S. Property and Fiscal Officer Office	769	769	769	769
AIR NATIONAL GUARD				
Kingsley Field				
Add to and Alter Aircraft Engine Inspection and Repair Shop	640	640	640	640
Add to and Alter Support Equipment Shop	520	520	520	520
Fuel Cell Maintenance Hangar	1,800	1,800	1,800	1,800
Squadron Operations - Operations Training Facility	2,000	2,000	2,000	2,000
Portland International Airport				
Medical Training and Administration Facility	1,400	1,400	1,400	1,400
Telecommunications Center	750	750	750	750
AIR FORCE RESERVE				
Portland International Airport				
Add to Squadron Operations Facility	1,060	1,060	1,060	1,060
Fuel System/Organizational Maintenance Hangar	4,200	4,200	4,200	4,200
Total, OREGON	15,839			15,839
PENNSYLVANIA				
ARMY				
Fort Indiantown Gap				
Centralized Wash Facility	5,300	5,300	5,300	5,300

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
PENNSYLVANIA (Cont.)				
ARMY (Cont.)				
Letterkenny Army Depot				
Ammunition Truck Loading and Blocking	1,550	0	0	0
New Cumberland Army Depot				
Eastern Distribution Center	88,000	15,000 1/	0	15,000 1/
NAVY				
Naval Air Development Center, Warminster				
Navigation Equipment Laboratory	4,220	4,220	0	4,220
Aviation Supply Office, Philadelphia				
Family Housing, New Construction (1 unit)	(170)	(170)	(170)	(170)
DEFENSE LOGISTICS AGENCY				
Defense Depot, Mechanicsburg				
Fumigation Facility	470	470	470	470
ARMY RESERVE				
Reading				
Army Reserve Center/Maintenance Facilities	3,614	3,614	3,614	3,614
ARMY NATIONAL GUARD				
Scranton/Wilkes Barre				
Safety Facilities	0	7,565	0	7,565
NAVY AND MARINE CORPS RESERVE				
Naval Air Station, Willow Grove				
Enlisted Dining Facility	2,400	2,400	2,400	2,400
Combined Fire/Rescue Station	1,800	1,800	1,800	1,800
Personnel Support Activity	1,200	1,200	1,200	1,200
Unaccompanied Enlisted Personnel Housing	4,650	4,650	4,650	4,650
AIR NATIONAL GUARD				
Harrisburg International Airport				
Operations and Training, Dining Hall, Medical, Band Facility	3,600	3,600	3,600	3,600
Support Equipment Shop	450	450	450	450
Naval Air Station, Willow Grove				
Fuel System Maintenance Dock	1,110	1,110	1,110	1,110
AIR FORCE RESERVE				
Willow Grove Air Reserve Facility				
Aerial Port Training Facility	1,420	1,420	1,420	1,420
Total, PENNSYLVANIA	119,784			52,799
RHODE ISLAND				
NAVY				
Naval Education and Training Center, Newport				
Construction Battalion Unit Complex	1,180	1,180	1,180	1,180
Facility Energy Improvements	1,570	1,570	1,570	1,570
Fire Fighting Training Facility	8,800	8,800	8,800	8,800
Municipal Sewer Connection	4,600	4,600	4,600	4,600
Senior Enlisted Academy	3,430	3,430	3,430	3,430
Unaccompanied Officer Personnel Housing	8,700	0	8,700	0
Total, RHODE ISLAND	28,280			19,580

1/ Authorized, but only $15,000,000 authorized for appropriation.

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
SOUTH CAROLINA				
ARMY				
Fort Jackson				
Dining Facilities Modernization	6,600	0	6,600	6,600
NAVY				
Fleet and Mine Warfare Training Center, Charleston				
Mine Warfare Training Facility	1,180	1,180	1,180	1,180
Marine Corps Air Station, Beaufort				
Air Combat Training Facility	1,080	1,080	1,080	1,080
Aircraft Parking Apron	570	570	570	570
Child Care Center	900	0	0	0
Fuel Pier Extension	685	685	685	685
Hazardous Waste Facility	420	420	420	420
Ordnance Handling Pad	4,150	4,150	4,150	4,150
Family Housing Improvements	(7,762)	(7,762)	(7,762)	(7,762)
Marine Corps Recruit Depot, Parris Island				
Clothing Issue Building	2,630	2,630	2,630	2,630
Recruit Training Building	980	980	980	980
Naval Station, Charleston				
Storm Sewer	360	360	360	360
Unaccompanied Enlisted Personnel Housing	9,600	9,600	9,600	9,600
Naval Weapons Station, Charleston				
Ammunition Overhaul Shop	3,230	3,230	3,230	3,230
Gymnasium	840	840	0	840
Polaris Missile Facility, Atlantic, Charleston				
Fire Protection Water Tank	1,620	1,620	1,620	1,620
AIR FORCE				
Charleston Air Force Base				
Aerial Refueling Part Task Training Facility	1,140	1,140	1,140	1,140
Petroleum, Oil and Lubricants Facility	480	480	480	480
Myrtle Beach Air Force Base				
Add to and Alter Support Equipment Shop	430	430	430	430
Shaw Air Force Base				
Add to and Alter Special Operations Facility	2,000	2,000	2,000	2,000
Add to and Alter Weapons Maintenance Management Facility	1,100	1,100	1,100	1,100
Aircraft Maintenance Area Lighting	840	840	840	840
Consolidated Support Center	6,450	6,450	6,450	6,450
Heating, Ventilation, and Air Conditioning	360	360	360	360
Medical War Reserve Material Facility	450	450	450	450
Wing Headquarters	2,100	2,100	2,100	2,100
DEPENDENTS SCHOOLS (SEC. 6)				
Myrtle Beach Air Force Base				
Add to and Alter Woodlawn Park School	1,400	0	1,400	1,400
ARMY NATIONAL GUARD				
Moncks Corner				
60-Person Armory	754	754	754	754
Mullins				
400-Person Armory	1,422	1,422	1,422	1,422
Total, SOUTH CAROLINA	53,771			52,871

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
SOUTH DAKOTA				
AIR FORCE				
Belle Fourche Air Force Station				
Strategic Training Range Complex (Site 4) and Land Acquisition	4,080	4,080	4,080	4,080
Family Housing, New Construction (50 units)	(4,000)	(4,000)	(4,000)	(4,000)
Ellsworth Air Force Base				
B-1 Add to and Alter Operations and Maintenance Facilities	710	710	710	710
B-1 Add to and Alter Alert Aircraft Parking Area	7,600	7,600	7,600	7,600
B-1 Add to and Alter Field Maintenance Facility	6,300	6,300	6,300	6,300
B-1 Add to and Alter Helicopter Aircrew Enhancement Facilities	2,850	2,850	2,850	2,850
B-1 Add to and Alter Organizational Aircraft Maintenance Shop	270	270	270	270
B-1 Aircraft Parking Apron and Taxiways	10,600	10,600	10,600	10,600
B-1 Alter Aircraft Maintenance Hangars	12,400	12,400	12,400	12,400
B-1 Alter Engine Inspection and Repair Shop	450	450	450	450
B-1 Alter Integrated Maintenance Facility	210	210	210	210
B-1 Alter Utilities Systems	990	990	990	990
B-1 Area Security Improvements	3,450	3,450	3,450	3,450
B-1 Blast Deflectors	2,850	2,850	2,850	2,850
B-1 Central Aircraft Support System Equipment and Installation	3,000	3,000	3,000	3,000
B-1 Flight Simulator Training Facility	3,400	3,400	3,400	3,400
B-1 Weapons Preload Facilities and Roads	7,384	7,384	7,384	7,384
KC-135 Cockpit Procedural Trainer Simulator Facility	770	770	770	770
Peacekeeper-Add to and Alter Air Launch Control Center	730	730	730	730
Unaccompanied Enlisted Personnel Housing	8,100	8,100	8,100	8,100
Total, SOUTH DAKOTA	76,144			76,144
TENNESSEE				
ARMY				
Holston Army Ammunition Plant				
Backup Electric Power	1,350	0	1,350	0
Fire Protection Sprinkler Systems	320	320	320	320
NAVY				
Naval Air Station, Memphis				
Air Traffic Controller Training Building	2,740	2,740	2,740	2,740
Aviation Mechanics Training Buildings	6,750	6,750	6,750	6,750
Brig	3,180	0	3,180	0
Naval Legal Service Building	1,370	1,370	1,370	1,370
Radar Operational Facility	835	835	835	835
AIR FORCE				
Arnold Engineering Development Center				
Engineering Analysis Facility	16,900	0	0	0
DEFENSE LOGISTICS AGENCY				
Defense Depot, Memphis				
Hazardous Material Warehouse	(7,345)	(7,345)	(7,345)	(7,345)
Upgrade Water Distribution System	740	740	740	740
Family Housing Improvements	(5)	(5)	(5)	(5)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
TENNESSEE (Cont.)				
ARMY NATIONAL GUARD				
Fort Campbell (Kentucky)				
Unit Training Equipment Site	678	678	678	678
Jamestown				
60-Person Armory	714	714	714	714
Lafayette				
60-Person Armory	626	626	626	626
McKenzie				
60-Person Armory	609	609	609	609
Paris				
200-Person Armory	908	908	908	908
Sparta				
100-Person Armory	674	674	674	674
NAVY AND MARINE CORPS RESERVE				
Naval Reserve Center, Memphis				
Reserve Training Building Addition	1,400	1,400	1,400	1,400
AIR NATIONAL GUARD				
Memphis International Airport				
Composite Squadron Operations Facility	2,400	2,400	2,400	2,400
Fire Station	650	650	650	650
Total, TENNESSEE	50,189			28,759
TEXAS				
ARMY				
Fort Bliss				
Barracks Modernization	5,500	5,500	5,500	5,500
Barracks Modernization	10,000	10,000	10,000	10,000
Child Care Center	2,350	2,350	0	2,350
Fire Station	0	710	0	710
Hardstand	11,000	11,000	11,000	11,000
Physical Fitness Training Center	2,200	2,200	0	2,200
Corpus Christi Army Depot				
Helicopter Blade Facility	4,400	4,400	4,400	4,400
Fort Hood				
Administration and Test Support Facility	8,300	8,300	8,300	8,300
Aircraft Maintenance Facilities	29 000	29,000	29,000	29,000
Aircraft Maintenance Facility	15,000	15,000	15,000	15,000
Armored Moving Target Range	0	4,600	0	4,600
Dining Facilities Modernization	0	1,550	0	0
Storage Facility	0	7,200	0	7,200
Tactical Equipment Shop	1,050	1,050	1,050	1,050
Tactical Equipment Shop	7,700	7,700	7,700	7,700
Tactical Equipment Shop	5,600	5,600	5,600	5,600
Red River Army Depot				
Ammunition Container Loading Yard	820	820	820	820
Fort Sam Houston				
Energy Monitoring System Expansion	940	940	940	940
Heat Recovery System	500	500	500	500
Family Housing Improvements	(1,092)	(1,092)	(1,092)	(1,092)
NAVY				
Naval Air Station, Corpus Christi				
Electrical Switching Station	2,400	2,400	2,400	2,400
Land Acquisition	1,960	1,960	1,960	1,960

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
TEXAS (Cont.)				
AIR FORCE				
Bergstrom Air Force Base				
Commercial Transportation Facility	770	770	770	770
Brooks Air Force Base				
Vehicle Maintenance Shop	2,500	2,500	2,500	2,500
Carswell Air Force Base				
Chapel Center	2,150	2,150	0	0
Willis-Cartwright School Acquisition/ Renovation	1,000	1,000	1,000	1,000
Family Housing Improvements	(447)	(447)	(447)	(447)
Dyess Air Force Base				
B-1 Add to and Alter Field Training Facility	1,300	1,300	1,300	1,300
B-1 Add to and Alter Maintenance Facilities	1,500	1,500	1,500	1,500
B-1 Blast Deflectors	950	950	950	950
B-1 Central Aircraft Support System Equipment and Installation	4,350	4,350	4,350	4,350
B-1 Flight Simulator Training Facility	5,600	5,600	5,600	5,600
B-1 Munitions Igloos	2,300	2,300	2,300	2,300
Heating, Ventilation, and Air Conditioning	950	950	950	950
Goodfellow Air Force Base				
Dining Facility	3,000	3,000	3,000	3,000
Operations Intelligence Training Facility	13,500	13,500	13,500	13,500
Recreation Center	2,450	2,450	0	0
Unaccompanied Enlisted Personnel Housing	11,000	11,000	11,000	11,000
Kelly Air Force Base				
Add to and Alter Engine Test Cell Complex	6,500	6,500	6,500	6,500
Add to and Alter Visiting Officer Quarters	1,950	1,950	0	0
Alter Electrical Distribution System	1,100	1,100	1,100	1,100
Approach Lighting	1,450	1,450	1,450	1,450
Dental Clinic	2,800	2,800	2,800	2,800
Depot Machine Shop	11,500	11,500	11,500	11,500
Emergency Back-up Power	2,500	2,500	2,500	2,500
Hydrant Fueling System	4,600	4,600	4,600	4,600
Integration Support Facility	9,299	9,299	9,299	9,299
Lackland Air Force Base				
Dining Hall	5,000	5,000	5,000	5,000
Satellite Communications Ground Terminal	2,950	2,950	2,950	2,950
Unaccompanied Enlisted Personnel Housing	14,800	14,800	14,800	14,800
Laughlin Air Force Base				
Water Supply Mains-Land Acquisition	1,900	1,900	1,900	1,900
Randolph Air Force Base				
Vehicle Maintenance Complex	3,200	3,200	3,200	3,200
Reese Air Force Base				
Vehicle Maintenance Complex	3,250	3,250	3,250	3,250
Sheppard Air Force Base				
Medical Logistics Facility	2,150	2,150	2,150	2,150
Medical Training Facility	14,000	14,000	14,000	14,000
DEFENSE MAPPING AGENCY				
Mineral Wells National Guard Center				
Reproducible Materials Secure Storage Facility	900	900	900	900

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
TEXAS (Cont.)				
DEFENSE LOGISTICS AGENCY				
Defense Property Disposal Office, Texarkana				
Storage Facility	2,635	2,635	2,635	2,635
ARMY NATIONAL GUARD				
Austin				
Armory Expansion	907	907	907	907
Army Aviation Support Facility Addition	981	981	981	981
Camp Swift				
Unit Training Equipment Site	651	651	651	651
Mineral Wells				
Unit Training Equipment Site	695	695	695	695
ARMY RESERVE				
Fort Bliss				
Army Reserve Center/Maintenance Facilities	4,278	4,278	4,278	4,278
Brownsville				
Army Reserve Center/Add to and Alter Maintenance/Storage	1,428	1,428	1,428	1,428
NAVY AND MARINE CORPS RESERVE				
Naval Reserve Center, Tyler				
Acquisition of Reserve Training Building	450	450	450	450
Naval Air Station, Dallas				
Unaccompanied Personnel Housing	0	5,000	0	0
AIR NATIONAL GUARD				
Ellington Air National Guard Base				
Aircraft Engine Inspection and Repair Shop	1,100	1,100	1,100	1,100
Add to Squadron Operations/Weapons Security Facility	1,500	1,500	1,500	1,500
Medical Training/Dining Hall/Telecommunications Facility	2,000	2,000	2,000	2,000
AIR FORCE RESERVE				
Kelly Air Force Base				
Aerospace Ground Equipment Shop/Storage Facility	760	760	760	760
Apron and Hydrant Fueling System	8,760	8,760	8,760	8,760
Avionics Facility	1,600	1,600	1,600	1,600
Fuel System Maintenance Dock	5,900	5,900	5,900	5,900
Squadron Operations Facility	3,200	3,200	3,200	3,200
Total, TEXAS	288,734			294,694
UTAH				
ARMY				
Dugway Proving Ground				
Ammunition Storage	1,350	1,350	1,350	1,350
Munitions Processing and Assembly Facility	2,150	2,150	2,150	2,150
Operations Building	3,600	3,600	3,600	3,600
Photo-Optics Maintenance Facility	1,550	1,550	1,550	1,550
Family Housing, New Construction (104 units)	(8,323)	(8,323)	(8,323)	(8,323)
Family Housing, New Construction (24 Mobile Home Spaces)	(351)	(351)	(351)	(351)
Family Housing Improvements	(6,094)	(6,094)	(6,094)	(6,094)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
UTAH (Cont.)				
ARMY (Cont.)				
Tooele Army Depot				
Ammunition Container Loading Yard	550	550	550	550
Building Insulation	700	700	700	700
Chemical Agent Munitions Disposal System Laboratory	3,200	3,200	3,200	3,200
Health Clinic	2,000	2,000	2,000	2,000
Insulate Dock Doors	600	600	600	600
Research and Development Science and Technology Facility	4,200	4,200	4,200	4,200
Storm Windows	240	240	240	240
AIR FORCE				
Hill Air Force Base				
Add to and Alter Aircraft Corrosion Control Facility	13,400	13,400	13,400	13,400
Depot Explosive Storage Complex	2,600	2,600	2,600	2,600
Facility Energy Improvements	3,980	3,980	3,980	3,980
Peacekeeper-Transporter Repair Facility	8,300	8,300	8,300	8,300
DEFENSE LOGISTICS AGENCY				
Defense Property Disposal Office, Hill Air Force Base				
Facility Rehabilitation	750	750	750	750
Defense Depot, Ogden				
Hazardous Material Warehouse	(3,315)	(3,315)	(3,315)	(3,315)
Steam Distribution System	510	510	510	510
Family Housing Improvements	(3)	(3)	(3)	(3)
ARMY NATIONAL GUARD				
Camp Williams				
Bachelor Officers Quarters	555	555	555	555
ARMY RESERVE				
Fort Douglas				
Alter Reserve Center/Maintenance Facility	5,425	5,425	5,425	5,425
Total, UTAH	58,975			58,975
VERMONT				
ARMY NATIONAL GUARD				
Ethan Allen				
200-Person Armory	804	804	804	804
Mountain Warfare School/Military Academy/ Complex	2,017	2,017	2,017	2,017
Total, VERMONT	2,821			2,821
VIRGINIA				
ARMY				
Fort A.P. Hill				
General Purpose and Cold Storage Warehouse	2,350	2,350	2,350	2,350
Heating System	3,500	3,500	3,500	3,500
Water Distribution System	600	600	600	600
Fort Belvoir				
Automated Data Processing Facility	4,300	4,300	4,300	4,300
Intelligence Command and Control Facility	30,000	0	30,000	30,000
Physical Fitness Training Center	2,800	2,800	0	0
Humphreys Engineer Center				
Topographic Laboratory	11,000	11,000	11,000	11,000

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
VIRGINIA (Cont.)				
ARMY (Cont.)				
Fort Lee				
Applied Instruction Facility	1,200	1,200	1,200	1,200
Automated Record Fire Ranges	1,750	1,750	1,750	1,750
General Instruction Building	9,100	9,100	9,100	9,100
Brigade Operations Center	0	1,032	0	1,032
Recreation Center	0	2,389	0	0
Family Housing Improvements	(1,550)	(1,550)	(1,550)	(1,550)
Fort Myer				
Administration Facility	8,300	8,300	8,300	8,300
Family Housing, New Construction (6 units)	(596)	(596)	(596)	(596)
Family Housing Improvements	(765)	(765)	(765)	(765)
Fort Pickett				
Chemical Decontamination Training Area	420	420	420	420
Radford Army Ammunition Plant				
Alter Building for Nitrocellulose Weighing	520	520	520	520
Replace Air Compressor - Building 4333	390	390	390	390
Replace Explosion Protection Barricade	2,000	2,000	2,000	2,000
Fort Story				
Hardstand	1,950	1,950	1,950	1,950
Vint Hill Farms Station				
Equipment Testing and Evaluation Facility	5,900	0	0	0
Warehouse Addition	950	0	0	0
NAVY				
Fleet Combat Training Center Atlantic, Dam Neck				
Chapel and Religious Education Building	2,490	2,490	0	2,490
Radarman Training Building	7,150	7,150	7,150	7,150
Marine Corps Camp Detachment Camp Elmore, Norfolk				
Combat Vehicle Maintenance Facility	715	715	715	715
Fleet Marine Force Support Warehouse	3,280	3,280	3,280	3,280
Marine Corps Development and Education Command, Quantico				
Sewerage System	1,860	1,860	1,860	1,860
Unaccompanied Enlisted Personnel Housing	5,200	5,200	5,200	5,200
Family Housing Improvements	(222)	(222)	(222)	(222)
Naval Air Rework Facility, Norfolk				
Hazardous and Flammable Storage Facility	1,910	1,910	1,910	1,910
Heavy Processes Shop	11,170	11,170	11,170	11,170
Naval Air Station, Norfolk				
Helicopter Maintenance Hangar	7,160	7,160	7,160	7,160
Mine Countermeasure Helicopter Training Building	1,130	1,130	1,130	1,130
Oil Spill Prevention	1,570	1,570	1,570	1,570
Warning Aircraft Training Building Addition	815	815	815	815
Naval Air Station, Oceana				
Land Acquisition	5,100	5,100	5,100	5,100
Maintenance Hangar	11,000	11,000	11,000	11,000
Steam and Condensate Systems	840	840	840	840
Naval Amphibious Base, Little Creek				
Combat Swimmer Training Facility	4,070	4,070	0	4,070
Explosive Ordnance Disposal Group Complex	4,560	4,560	4,560	4,560
Unaccompanied Enlisted Personnel Housing	7,740	7,740	7,740	7,740

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
VIRGINIA (Cont.)				
NAVY (Cont.)				
Naval Amphibious School, Little Creek				
Amphibious Force Training Building Improvements	420	420	420	420
Naval Electronic Systems Engineering Center, Portsmouth				
Communications Systems Laboratory Addition	825	825	825	825
Shipboard Electronics Support Laboratory	880	880	880	880
Utilities Improvements	1,550	1,550	1,550	1,550
Naval Mine Warfare Engineering Activity, Yorktown				
Mine Warfare Systems Laboratory	4,120	4,120	4,120	4,120
Naval Security Group Activity Northwest, Chesapeake				
Storage Facilities and Public Works Shop	835	835	835	835
Unaccompanied Enlisted Personnel Housing Modernization	550	550	550	550
Naval Shipyard Norfolk, Portsmouth				
Dockside Work Center Addition	530	530	530	530
Mess Hall Addition	560	560	560	560
Unaccompanied Officer Personnel Housing	5,600	5,600	5,600	5,600
Naval Space Command, Dahlgren				
Command and Control Center	4,700	4,700	4,700	4,700
Naval Station, Norfolk				
Dredging	800	800	800	800
Defense Access Roads	(50)	(50)	(50)	(50)
Naval Supply Center, Norfolk				
Warehouse Modernization	2,350	2,350	2,350	2,350
Navy Regional Data Automation Center, Norfolk				
Data Processing Center	10,880	10,880	10,880	10,880
AIR FORCE				
Langley Air Force Base				
Sound Suppressor Support	480	480	480	480
Unaccompanied Enlisted Personnel Housing	8,200	8,200	8,200	8,200
Family Housing Improvements	(90)	(90)	(90)	(90)
DEPENDENTS SCHOOLS (SEC. 6)				
Quantico				
Elementary School	3,500	0	3,500	3,500
DEFENSE LOGISTICS AGENCY				
Defense Property Disposal Office, Richmond				
Conforming Storage Facility	650	650	650	650
Defense General Supply Center, Richmond				
Compressed Gas Storage Facility	(3,400)	(3,400)	(3,400)	(3,400)
Expand Mechanized Freight Terminal	1,955	1,955	1,955	1,955
ARMY NATIONAL GUARD				
Blackstone				
200-Person Armory	1,117	1,117	1,117	1,117
Danville				
Organizational Maintenance Shop	353	353	353	353

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
VIRGINIA (Cont.)				
ARMY RESERVE				
Fort Belvoir				
Add to and Alter Reserve Center/Maintenance Facility	3,015	3,015	3,015	3,015
Fort Pickett				
Storage Facility	1,425	1,425	1,425	1,425
Richmond				
Add to and Alter Armed Forces Reserve Center/Maintenance Facility	4,582	4,582	4,582	4,582
NAVY AND MARINE CORPS RESERVE				
Naval Air Reserve Unit, Norfolk				
Hangar Rehabilitation	1,400	1,400	1,400	1,400
Total, VIRGINIA	229,467			220,849
WASHINGTON				
ARMY				
Fort Lewis				
Aircraft Maintenance Hangar	10,800	10,800	10,800	10,800
Aircraft Maintenance Hangar	3,350	3,350	3,350	3,350
Barracks with Dining Facility	4,850	0	0	0
Barracks with Dining Facility	15,200	12,600	12,600	12,600
Battalion Headquarters	1,250	1,250	1,250	1,250
Battalion Headquarters	630	630	630	630
Battalion Headquarters	2,500	2,500	2,500	2,500
Child Care Center	7,800	7,800	0	6,700
Company Operations and Supply	4,800	4,800	0	0
Group Headquarters	2,100	2,100	2,100	2,100
Madigan Army Medical Center, Phase II	26,000	26,000 1/	26,000 1/	26,000 1/
Military Operations on Urbanized Terrain	4,000	4,000	4,000	4,000
Tactical Equipment Shop	3,000	3,000	3,000	3,000
Tactical Equipment Shop	6,100	6,100	6,100	6,100
Tactical Equipment Shop	11,600	11,600	11,600	11,600
Tactical Equipment Shop	4,650	4,650	4,650	4,650
Tactical Equipment Shop	5,100	5,100	5,100	5,100
Tactical Equipment Shop	2,700	2,700	2,700	2,700
Unaccompanied Enlisted Housing Complex	21,000	21,000	21,000	21,000
Utilities	6,900	6,900	6,900	6,900
Family Housing Improvements	(2,441)	(2,441)	(2,441)	(2,441)
Yakima Firing Center				
Multi-purpose Range Complex -Light	15,800	15,800	15,800	15,800
Range Operations Facility	630	630	630	630
NAVY				
Naval Air Station, Whidbey Island				
Maintenance Hangar Improvements	2,650	2,650	2,650	2,650
Naval Hospital, Oak Harbor				
Hospital Addition	13,900	13,900	13,900	13,900
Naval Shipyard Puget Sound, Bremerton				
Electrical Distribution System Improvements and Land Acquisition	20,650	20,650	20,650	20,650
Inactive Submarine Mooring	620	620	620	620
Municipal Sewer Connection	7,950	7,950	7,950	7,950
Underwater Equipment Laboratory Addition	960	960	960	960
Waterfront Security Lighting	765	765	765	765

1/ Project fully authorized at $338,000,000 in FY 1985. $26,000,000 authorized for appropriation as Phase II funding increment.

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
WASHINGTON (Cont.)				
NAVY (Cont.)				
Naval Submarine Base, Bangor				
Unaccompanied Enlisted Personnel Housing	5,200	5,200	5,200	5,200
Naval Supply Center, Bremerton				
Petroleum, Oil and Lubricants Storage Facilities	1,520	1,520	1,520	1,520
Naval Station, Everett				
Land Acquisition	17,640	17,640	17,640	17,640
Naval Undersea Warfare Engineering Station, Keyport				
Hazardous and Flammable Storehouse	1,780	1,780	1,780	1,780
Torpedo Assembly Building	660	660	660	660
Naval Station, Seattle				
Brig	3,480	0	3,480	0
AIR FORCE				
Fairchild Air Force Base				
Replace Electrical Distribution System	0	12,500	0	12,500
Family Housing Improvements	(110)	(110)	(110)	(110)
McChord Air Force Base				
Add to and Alter Aerial Refueling Part Task Training Facility	940	940	940	940
Add to and Alter Aerial Port Facility	1,300	1,300	1,300	1,300
DEFENSE LOGISTICS AGENCY				
Defense Fuel Support Point, Manchester				
Lube Oil Facility	565	565	565	565
AIR NATIONAL GUARD				
Bellingham Air Guard Station				
Ground Support Equipment Shop	640	640	640	640
Camp Murray				
Communications/Electronics Training Facility	580	580	580	580
Paine Field				
Automotive Maintenance/Support Equipment Shop	1,060	1,060	1,060	1,060
AIR FORCE RESERVE				
McChord Air Force Base				
Civil Engineering Training Facility	945	945	945	945
Total, WASHINGTON	244,565			240,235
WEST VIRGINIA				
NAVY				
Naval Radio Station, Sugar Grove				
Sewerage System	785	785	785	785
AIR NATIONAL GUARD				
Eastern West Virginia Regional Airport, Martinsburg				
Add to Aircraft Parking Apron	1,900	1,900	1,900	1,900
Fire Suppression-Alarm System	800	800	800	800
Kanawha County Airport				
Fire Suppression System	1,400	1,400	1,400	1,400
Total, WEST VIRGINIA	4,885			4,885

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
WISCONSIN				
ARMY				
Fort McCoy				
Ammunition Storage	940	940	940	940
AIR FORCE				
Billy Mitchell Field				
Administrative Facility	500	500	0	500
AIR NATIONAL GUARD				
Truax Field				
Base Supply Administration and Warehouse Facility	2,500	2,500	2,500	2,500
Total, WISCONSIN	3,940			3,940
WYOMING				
AIR FORCE				
F.E. Warren Air Force Base				
Alter Unaccompanied Enlisted Personnel Housing	4,900	4,900	4,900	4,900
Data Processing Facility	1,550	1,550	1,550	1,550
Facility Energy Improvements	560	560	560	560
Peacekeeper - Land Easements	2,100	1,400	2,100	2,100
Peacekeeper - Launch Facilities Site Work	6,200	4,140	6,200	6,200
Family Housing Improvements	(731)	(731)	(731)	(731)
Peacekeeper - Access Roads	(27,040)	(27,040)	(27,040)	(27,040)
DEFENSE LOGISTICS AGENCY				
Defense Property Disposal Office, F.E. Warren Air Force Base				
Covered Storage	1,020	1,020	1,020	1,020
ARMY NATIONAL GUARD				
Camp Guernsey				
Women's Barracks	427	427	427	427
AIR NATIONAL GUARD				
Cheyenne Municipal Airport				
Add to and Alter Maintenance Dock for Fuel Cell Facility	890	890	890	890
Add to and Alter Operations and Training Complex	3,690	3,690	3,690	3,690
NAVY AND MARINE CORPS RESERVE				
Naval Reserve Center, Cheyenne				
Acquisition of Reserve Training Building	570	570	570	570
Total, WYOMING	21,907			21,907
ANTIGUA				
NAVY				
Naval Facility				
Naval Facility Upgrade	2,410	0	2,410	2,410
Total, ANTIGUA	2,410			2,410
AUSTRALIA				
NAVY				
Naval Communication Station, Harold E. Holt				
Cooling Systems Conversion	2,300	2,300	2,300	2,300
Small Craft Boathouse	390	390	390	390
Total, AUSTRALIA	2,690			2,690

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
BELGIUM				
AIR FORCE				
Florennes				
(GLCM - Ground-Launched Cruise Missile)				
GLCM - Chapel Center	1,750	1,750	1,750	1,750
GLCM - Child Care Center	810	810	810	810
GLCM - Clothing Sales Store	240	240	240	240
GLCM - Consolidated Open Mess	1,950	1,950	1,950	1,950
GLCM - Warehouse	1,110	1,110	1,110	1,110
Family Housing, New Construction (400 units)	(29,200)	(29,200)	(29,200)	(29,200)
DEPENDENTS SCHOOLS				
Florennes				
Elementary and High School	7,420	7,420	7,420	7,420
Total, BELGIUM	13,280			13,280
BERMUDA				
DEPENDENTS SCHOOLS				
Naval Air Station				
Elementary School	2,290	2,290	0	0
Total, BERMUDA	2,290			0
CANADA				
NAVY				
Naval Facility, Argentia, Newfoundland				
Fire Protection System	700	700	700	700
Total, CANADA	700			700
DIEGO GARCIA				
NAVY				
Naval Air Facility				
Fire Station Addition	980	980	980	980
Maintenance Hangar	15,200	15,200	15,200	15,200
Weapons Complex	6,270	6,270	6,270	6,270
Naval Security Group Detachment, Diego Garcia				
Ocean Surveillance Building Addition	3,700	3,700	3,700	3,700
Navy Support Facility				
Antenna Support Facilities	1,320	1,320	1,320	1,320
Fleet Support Warehouse	2,500	2,500	2,500	2,500
Laundry Building Addition	3,280	3,280	3,280	3,280
Lighted Navigational Aids	510	510	510	510
Unaccompanied Officer Personnel Housing	8,920	8,920	8,920	8,920
AIR FORCE				
Diego Garcia				
Munitions Storage Facility, Phase II	5,300	5,300	5,300	5,300
Total, DIEGO GARCIA	47,980			47,980
GERMANY				
ARMY				
Amberg				
Ammunition Storage	850	850	850	850

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
GERMANY (Cont.)				
ARMY (Cont.)				
Ansbach				
Dining Facilities Modernization	2,400	2,400	2,400	2,400
Dispensary/Dental Clinic	1,900	1,900	1,900	1,900
Tactical Equipment Shop	9,400	9,400	9,400	9,400
Tactical Site Facilities	690	690	690	690
Aschaffenburg				
Family Housing Improvements	(1,004)	(1,004)	(1,004)	(1,004)
Augsburg				
Family Housing Improvements	(4,649)	(4,649)	(4,649)	(4,649)
Bad Kreuznach				
Child Care Center	1,100	1,100	1,100	1,100
Family Housing Improvements	(1,031)	(1,031)	(1,031)	(1,031)
Bad Toelz				
Dispensary/Dental Clinic	1,850	1,850	1,850	1,850
Bamberg				
Boiler Plant Automation	6,000	6,000	6,000	6,000
Hardstand and Equipment Storage	490	490	490	490
Family Housing New Construction (106 units)	(7,209)	(7,209)	(7,209)	(7,209)
Baumholder				
Child Care Center	900	900	900	900
Family Housing Improvements	(951)	(951)	(951)	(951)
Darmstadt				
Ammunition Storage, Phase I	600	600	600	600
Battalion Headquarters	1,700	1,700	1,700	1,700
Dining Facility	1,300	1,300	1,300	1,300
Tactical Equipment Shop	4,400	4,400	4,400	4,400
Tactical Equipment Shop	3,650	3,650	3,650	3,650
Tactical Equipment Shop	8,300	8,300	8,300	8,300
Unaccompanied Enlisted Personnel Housing	4,750	4,750	4,750	4,750
Unaccompanied Enlisted Personnel Housing	4,500	4,500	4,500	4,500
Family Housing Improvements	(1,031)	(1,031)	(1,031)	(1,031)
Frankfurt				
Battalion Headquarters	990	990	990	990
Battalion Headquarters	990	990	990	990
Physical Fitness Training Center	1,850	1,850	1,850	1,850
Tactical Equipment Shop	3,500	3,500	3,500	3,500
Tactical Equipment Shop	2,300	2,300	2,300	2,300
Unaccompanied Enlisted Personnel Housing	3,850	3,850	3,850	3,850
Utilities Modernization	5,200	5,200	5,200	5,200
Family Housing Improvements	(6,441)	(6,441)	(6,441)	(6,441)
Friedberg				
Battalion Headquarters	950	950	950	950
Unaccompanied Enlisted Personnel Housing	8,200	8,200	8,200	8,200
Fulda				
Community Center	2,250	2,250	2,250	2,250
Unaccompanied Enlisted Personnel Housing	4,950	4,950	4,950	4,950
Family Housing Improvements	(1,806)	(1,806)	(1,806)	(1,806)
Giessen				
Physical Fitness Training Center	1,700	1,700	1,700	1,700
Family Housing Improvements	(3,719)	(3,719)	(3,719)	(3,719)

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(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
GERMANY (Cont.)				
Goeppingen				
Child Care Center	1,100	1,100	1,100	1,100
Tactical Equipment Shop	3,800	3,800	3,800	3,800
Unaccompanied Enlisted Personnel Housing	2,850	2,850	2,850	2,850
Unaccompanied Officer Housing	2,500	2,500	2,500	2,500
Grafenwoehr				
Automated Record Fire Range	2,450	2,450	2,450	2,450
Haingruen				
Troop Ready Building	680	680	680	680
Hanau				
Battalion Headquarters	810	810	810	810
Child Care Center	780	780	780	780
Dispensary/Dental Clinic	1,850	1,850	1,850	1,850
Hardstand	1,850	1,850	1,850	1,850
Tactical Equipment Shop	4,050	4,050	4,050	4,050
Tactical Equipment Shop	8,200	8,200	8,200	8,200
Tactical Equipment Shop	3,350	3,350	3,350	3,350
Tactical Equipment Shop	21,000	21,000	21,000	21,000
Unaccompanied Enlisted Personnel Housing	3,600	3,600	3,600	3,600
Unaccompanied Enlisted Personnel Housing	2,650	2,650	2,650	2,650
Family Housing Improvements	(1,031)	(1,031)	(1,031)	(1,031)
Heidelberg				
Child Care Center	3,550	3,550	3,550	3,550
Operations Building	1,800	1,800	1,800	1,800
Tactical Equipment Shop	3,450	3,450	3,450	3,450
Family Housing Improvements	(1,292)	(1,292)	(1,292)	(1,292)
Heilbronn				
Hardstand	750	750	750	750
Hardstand	2,200	2,200	2,200	2,200
Hohenfels				
Applied Instruction Facility	1,600	1,600	1,600	1,600
Automated Record Fire Ranges	1,450	1,450	1,450	1,450
Military Operations on Urbanized Terrain	3,250	3,250	3,250	3,250
Kaiserslautern				
Tactical Equipment Shop	3,450	3,450	3,450	3,450
Karlsruhe				
Battery Shop	2,000	2,000	2,000	2,000
Child Care Center	470	470	470	470
Tactical Equipment Shop	1,550	1,550	1,550	1,550
Family Housing Improvements	(1,635)	(1,635)	(1,635)	(1,635)
Mainz				
Ammunition Storage	820	820	0	0
Family Housing Improvements	(1,833)	(1,833)	(1,833)	(1,833)
Mannheim				
Family Housing Improvements	(4,252)	(4,252)	(4,252)	(4,252)
New Ulm				
Child Care Center	1,000	1,000	1,000	1,000
Nuernberg				
Ammunition Storage	860	860	0	0
Battalion Headquarters	2,300	2,300	2,300	2,300
Child Care Center	1,850	1,850	1,850	1,850
Modified Record Fire Range	2,850	2,850	2,850	2,850
Tactical Equipment Shop	1,500	1,500	1,500	1,500
Family Housing Improvements	(3,750)	(3,750)	(3,750)	(3,750)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
GERMANY (Cont.)				
ARMY (Cont.)				
Pirmasens				
Electronics Maintenance Facility	14,000	14,000	14,000	14,000
Schoeningen				
Power Distribution Upgrade	700	700	700	700
Schweinfurt				
Ammunition Storage	3,050	3,050	3,050	3,050
Barracks with Dining Facility	13,000	13,000	13,000	13,000
Battalion Headquarters	1,100	1,100	1,100	1,100
Rotary Wing Aircraft Parking	690	690	690	690
Stuttgart				
Communications Security Support Facility	1,050	1,050	1,050	1,050
Unaccompanied Enlisted Personnel Housing	3,450	3,450	3,450	3,450
Vilseck				
Child Care Center	2,350	2,350	2,350	2,350
Community Center	3,200	3,200	3,200	3,200
Headquarters	890	890	890	890
Tactical Equipment Shop	3,850	3,850	3,850	3,850
Family Housing, New Construction (370 units)	(26,830)	(26,830)	(26,830)	(26,830)
Wiesbaden				
Flight Simulator Building	2,900	2,900	2,900	2,900
Family Housing Improvements	(4,575)	(4,575)	(4,575)	(4,575)
Wildflecken				
Multi-purpose Training Ranges	20,000	20,000	20,000	20,000
Worms				
Family Housing Improvements	(810)	(810)	(810)	(810)
Wuerzburg				
Ammunition Storage	650	650	650	650
Battalion Headquarters	1,500	1,500	1,500	1,500
Child Care Center	2,050	2,050	2,050	2,050
Consolidate Heating Plants	5,600	5,600	5,600	5,600
Dining Facility	2,650	2,650	2,650	2,650
Hardstand	1,250	1,250	1,250	1,250
Hospital Upgrade and Addition	31,000	31,000	31,000	31,000
Sewer System Upgrade	3,050	3,050	3,050	3,050
Tactical Site Facilities	320	320	320	320
Family Housing Improvements	(3,319)	(3,319)	(3,319)	(3,319)
Zweibrucken				
Family Housing Improvements	(1,070)	(1,070)	(1,070)	(1,070)
Various Locations				
Pershing II Security Upgrades	0	(101,000) 1/	0	(101,000) 1/
Family Housing, New Construction (98 units)	(6,120)	(6,120)	(6,120)	(6,120)
AIR FORCE				
Ahlhorn Air Base				
Aircraft Maintenance Unit Facility	350	350	350	350
Bitburg Air Base				
Alter Unaccompanied Enlisted Personnel Housing	3,250	3,250	3,250	3,250
Unaccompanied Enlisted Personnel Housing	3,600	3,600	3,600	3,600
Weapons System Maintenance Control	2,200	2,200	2,200	2,200
Family Housing Improvements	(2,370)	(2,370)	(2,370)	(2,370)

1/ Authorization only.

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
GERMANY (Cont.)				
AIR FORCE (Cont.)				
Einsiedlerhof				
Visiting Officer Quarters	2,900	2,900	2,900	2,900
Hahn Air Base				
Alter Control Tower	560	560	560	560
Alter Unaccompanied Enlisted Personnel Housing	2,800	2,800	2,800	2,800
Chapel Center	2,100	2,100	2,100	2,100
Unaccompanied Enlisted Personnel Housing	2,700	2,700	2,700	2,700
Family Housing Improvements	(942)	(942)	(942)	(942)
Family Housing, New Construction (440 units)	(33,000)	(33,000)	(33,000)	(33,000)
Hessisch				
Base Engineer Maintenance Shop	490	490	490	490
Warehouse	740	740	740	740
Kapaun				
Telecommunications Facility	900	900	900	900
Lahr Air Base				
Chemical Warfare Protection Squadron Operations	1,600	1,600	1,600	1,600
Leipheim Air Base				
Aircraft Maintenance Unit Facility	350	350	350	350
Marienfelde Communications Station				
Add to and Alter Electronic Systems Command Operations Area	2,550	2,550	2,550	2,550
Norvenich Air Base				
Aircraft Maintenance Unit Facility	350	350	350	350
Pruem Air Station				
Operations Facility	540	540	540	540
Warehouse	710	710	710	710
Family Housing Improvements	(515)	(515)	(515)	(515)
Ramstein Air Base				
Alter Control Tower	360	360	360	360
Alter Unaccompanied Enlisted Personnel Housing	2,750	2,750	2,750	2,750
Composite Alert Facility	2,050	2,050	2,050	2,050
Dining Hall	1,600	1,600	1,600	1,600
Facility Energy Improvements	960	960	960	960
Indoor Swimming Pool	2,800	2,800	0	0
Munitions Storage	850	850	850	850
Rapid Runway Repair Equipment Storage Facility	1,000	1,000	1,000	1,000
Unaccompanied Enlisted Personnel Housing	3,200	3,200	3,200	3,200
Warehouse	1,900	1,900	1,900	1,900
Family Housing Improvements	(3,595)	(3,595)	(3,595)	(3,595)
Family Housing, New Construction (400 units)	(30,000)	(30,000)	(30,000)	(30,000)
Rhein-Main Air Base				
Add to and Alter Air Passenger Terminal	10,100	10,100	0	0
Cold Storage Facility	570	570	570	570
Flight Simulator Training Facility	2,000	0	2,000	0
Religious Education Facility	930	930	930	930
Sembach Air Base				
Alter Control Tower	360	360	360	360
Alter Unaccompanied Enlisted Personnel Housing	6,100	6,100	6,100	6,100
Family Housing Improvements	(470)	(470)	(470)	(470)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
GERMANY (Cont.)				
AIR FORCE (Cont.)				
Spangdahlem Air Base				
Alter Unaccompanied Enlisted Personnel Housing	2,900	2,900	2,900	2,900
Base Roads and Utilities	2,750	2,750	2,750	2,750
Field Training Facility	2,100	2,100	2,100	2,100
Passive Defense Equipment Storage Facility	530	530	530	530
Rapid Runway Repair Equipment Storage Facility	910	910	910	910
Telecommunications Facility	820	820	820	820
Unaccompanied Enlisted Personnel Housing	3,450	3,450	3,450	3,450
Warehouse	1,400	1,400	1,400	1,400
Family Housing Improvements	(900)	(900)	(900)	(900)
Various Locations - Germany				
Precision Launch Strike System - Navigation Beacon Sites	360	360	360	360
Ground-Launched Cruise Missile - Vehicle Corrosion Control Facility	580	580	580	580
Vogelweh				
Child Care Center	1,250	1,250	1,250	1,250
Family Housing Improvements	(275)	(275)	(275)	(275)
Wenigerath				
Road/Railroad Siding	1,700	1,700	1,700	1,700
Zweibrucken Air Base				
Add to and Alter Fire Station	1,350	1,350	1,350	1,350
European Distribution System-Forward Storage Warehouse	1,150	0	1,150	0
European Distribution System - Unaccompanied Enlisted Personnel Housing	2,450	2,450	2,450	2,450
Telecommunications Facility	750	750	750	750
DEPENDENTS SCHOOLS				
Babenhausen				
Elementary School Addition	760	760	760	760
Bamberg				
Elementary School Addition	3,390	3,390	3,390	3,390
Middle and High School Addition	2,410	2,410	2,410	2,410
Butzbach				
Elementary School Addition	3,420	3,420	3,420	3,420
Hanau				
Middle School	7,480	7,480	7,480	7,480
Heidelberg				
Elementary School No. 2 Addition	1,910	1,910	1,910	1,910
Heilbronn				
Elementary/Junior High School Addition	2,520	2,520	2,520	2,520
Pirmasens				
Elementary/Junior High School Additions	1,630	1,630	1,630	1,630
Schweinfurt				
Junior High School	3,930	3,930	3,930	3,930
Sembach Air Base				
Elementary School Addition	2,170	2,170	2,170	2,170
Vilseck				
Elementary School	6,680	6,680	6,680	6,680

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
GERMANY (Cont.)				
DEFENSE LOGISTICS AGENCY				
Defense Property Disposal Office, Kaiserslautern				
Administrative Facility	360	360	360	360
Total, GERMANY	435,360			417,630
GREECE				
ARMY				
Greece				
Upgrade Multi-purpose Building	640	640	640	640
Upgrade Operations and Supply Building	800	800	800	800
Total, GREECE	1,440			1,440
GREENLAND				
AIR FORCE				
Sondrestrom Air Base				
Consolidated Port Facility	2,550	2,550	2,550	2,550
Laundry	2,200	2,200	2,200	2,200
Refueling Vehicle Heated Storage Facility	1,000	1,000	1,000	1,000
Thule Air Base				
Add to and Alter Satellite Communications Ground Terminal Support Facility	5,800	5,800	5,800	5,800
Alter Unaccompanied Enlisted Personnel Housing	2,250	2,250	2,250	2,250
Cold Storage Facility	4,300	4,300	4,300	4,300
Total, GREENLAND	18,100			18,100
GUAM				
NAVY				
Navy Communications Area Master Station, West Pacific, Guam				
Child Care Center Addition	615	615	0	615
Unaccompanied Enlisted Personnel Housing Modernization	8,330	8,330	8,330	8,330
Naval Magazine, Guam				
Unaccompanied Enlisted Personnel Housing and Mess Hall	4,700	4,700	4,700	4,700
Wharf Utilities	6,570	6,570	6,570	6,570
Naval Ship Repair Facility, Guam				
Sand Storage Silo	990	990	990	990
Naval Station, Guam				
Fleet Hospital Support Facilities	10,200	10,200	10,200	10,200
Naval Supply Depot, Guam				
Cold Storage Warehouse Addition	6,550	6,550	6,550	6,550
Navy Public Works Center, Guam				
Steam System Improvements	1,080	1,080	1,080	1,080
AIR FORCE				
Andersen Air Force Base				
Family Housing Improvements	(2,468)	(2,468)	(2,468)	(2,468)
ARMY RESERVE				
Barrigada				
Add to and Alter Reserve Center	1,747	1,747	1,747	1,747
Total, GUAM	40,782			40,782

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
GUANTANAMO BAY, CUBA				
NAVY				
Naval Station, Guantanamo Bay				
Communications Facilities	2,750	2,750	2,750	2,750
Unaccompanied Enlisted Personnel Housing-New and Modernization	10,060	10,060	10,060	10,060
Unaccompanied Officer Personnel Housing	9,600	9,600	9,600	9,600
Total, GUANTANAMO BAY, CUBA	22,410			22,410
ICELAND				
NAVY				
Naval Station, Keflavik				
Aircraft Acoustical Enclosure Support Facilities	1,270	1,270	1,270	1,270
Airfield Improvements	20,510	0	20,510	20,510
Total, ICELAND	21,780	1,270	21,780	21,780
ITALY				
ARMY				
Camp Darby				
Child Care Center	1,350	1,350	1,350	1,350
Veterinary Facility	500	500	500	500
NAVY				
Naval Air Station, Sigonella				
Administrative and Security Facilities	3,680	3,680	3,680	3,680
Operations Vehicle Garage	2,250	- 2,250	2,250	2,250
Naval Support Activity, Naples				
Supply Facilities	7,750	7,750	7,750	7,750
AIR FORCE				
Aviano Air Base				
Telecommunications Facility	920	920	920	920
Visiting Officers Quarters	4,150	4,150	4,150	4,150
Comiso Air Base				
(GLCM - Ground-Launched Cruise Missile)				
GLCM - Consolidated Open Mess	3,000	3,000	3,000	3,000
GLCM - Exchange Complex	3,280	3,280	3,280	3,280
Decimomannu Air Base				
Visiting Airmen Quarters	1,900	1,900	1,900	1,900
Visiting Officers Quarters	900	900	900	900
San Vito Air Station				
Add to and Alter Water Treatment System	1,100	1,100	1,100	1,100
Education Center	490	490	490	490
Family Housing Improvements	(227)	(227)	(227)	(227)
DEPENDENTS SCHOOLS				
Sigonella				
Elementary and High School Addition	5,360	5,360	5,360	5,360
Total, ITALY	36,630			36,630

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
JAPAN				
ARMY				
Kawakami				
Medical Supply Warehouse	1,050	1,050	1,050	1,050
Sagamihara Dependent Housing Area				
Family Housing Improvements	(429)	(429)	(429)	(429)
NAVY				
Marine Corps Air Station, Futenma, Okinawa				
Ground Support Equipment Shop Addition	1,670	1,670	1,670	1,670
Refueling Vehicle Shop	1,320	1,320	1,320	1,320
Marine Corps Air Station, Iwakuni				
Aviation Armament Shop	1,130	1,130	1,130	1,130
Operational Trainer Facility	645	645	645	645
Marine Corps Base, Camp Butler, Okinawa				
Heavy Gun Shop	2,250	2,250	2,250	2,250
Naval Communication Station, Yokosuka				
Fleet Operational Control Center	21,490	0	0	0
Navy Public Works Center, Yokosuka				
Electrical Distribution System Improvements	4,400	4,400	4,400	4,400
AIR FORCE				
Camp Zama				
Add to and Alter Satellite Communications Ground Terminal	1,500	1,500	1,500	1,500
Kadena Air Base				
Add to Engine Inspection and Repair Shop	5,400	5,400	5,400	5,400
Aircraft Maintenance Facilities - Phase I	12,600	12,600	12,600	12,600
Jet Fuel Storage (JP-4)	6,100	6,100	6,100	6,100
Sound Suppressor Support	600	600	600	600
Tactical Control Operations Facility	2,950	2,950	2,950	2,950
Family Housing Improvements	(3,868)	(3,868)	(3,868)	(3,868)
Misawa				
Commando Port III - Above-Ground Storage Magazine	2,150	2,150	2,150	2,150
Commando Port III - Concrete Arch Igloo-Magazine	2,850	2,850	2,850	2,850
Commando Port III - Jet Fuel Storage	4,500	4,500	4,500	4,500
Family Housing Improvements	(1,283)	(1,283)	(1,283)	(1,283)
Yokota				
Base Supply Administrative Facility	3,350	3,350	0	0
Heating, Ventilation and Air Conditioning	1,900	1,900	1,900	1,900
Hydrant Fueling System	8,500	8,500	8,500	8,500
Family Housing Improvements	(2,212)	(2,212)	(2,212)	(2,212)
DEPENDENTS SCHOOLS				
Misawa Air Base				
Elementary School Addition	4,780	4,780	4,780	4,780
Okinawa				
Elementary School (Jennings)	445	0	445	0
High School Addition (Kadena)	300	300	300	300
DEFENSE LOGISTICS AGENCY				
Defense Fuel Support Point, Chimu Wan, Okinawa				
Fuel Tankage	(8,160)	(8,160)	(8,160)	(8,160)
Defense Fuel Support Point, Tsurumi				
Fuel Pier	2,800	0	2,800	0
Total, JAPAN	102,840			74,755

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
KOREA				
ARMY				
Camp Carroll				
Battalion Headquarters	1,950	1,950	1,950	1,950
Calibration Laboratory	1,600	1,600	1,600	1,600
Controlled Humidity Warehouses	19,500	0	19,500	0
Field Maintenance Addition and Paint Shop	1,800	1,800	1,800	1,800
Hardstand	1,000	1,000	1,000	1,000
Medical Maintenance and Optical Shop	1,150	1,150	1,150	1,150
Medical Supply Operations Building	980	980	980	980
Medical Supply Warehouse	4,500	4,500	0	4,500
Satellite Communications Terminal Building	2,600	2,600	2,600	2,600
Unaccompanied Personnel Housing	9,800	9,800	9,800	9,800
Camp Casey				
Canvas/Tent Repair Facility	440	440	440	440
Company Operations and Supply	350	350	350	350
Company Operations and Supply	370	370	370	370
Company Operations and Supply	360	360	360	360
Dental Clinic	2,350	2,350	2,350	2,350
Dining Facility	1,350	1,350	1,350	1,350
Tactical Equipment Shop	2,450	2,450	2,450	2,450
Tactical Equipment Shop	950	950	950	950
Unaccompanied Personnel Housing	3,600	3,600	3,600	3,600
Warehouse	700	700	700	700
Camp Castle				
Unaccompanied Enlisted Personnel Housing	1,100	1,100	1,100	1,100
Camp Colbern				
Unaccompanied Officer Housing	550	550	550	550
Camp Edwards				
Company Operations and Supply	360	360	360	360
Tactical Equipment Shop	730	730	730	730
Camp Gary Owens				
Unaccompanied Officer Housing	580	580	580	580
Camp Giant				
Unaccompanied Personnel Housing	1,050	1,050	1,050	1,050
Camp Greaves				
Moving Target Simulator Building	420	420	420	420
Camp Hovey				
Unaccompanied Personnel Housing	8,300	8,300	8,300	8,300
Camp Howze				
Moving Target Simulator Building	430	430	430	430
Tactical Equipment Shop	800	800	800	800
Tactical Equipment Shop	750	750	750	750
Camp Humphreys				
25-Meter Firing Range	700	700	700	700
Flight Simulator Building	1,850	0	1,850	1,850
Unaccompanied Enlisted Personnel Housing	2,450	2,450	2,450	2,450
Unaccompanied Enlisted Personnel Housing	2,900	2,900	2,900	2,900
Unaccompanied Officer Housing	3,700	3,700	3,700	3,700
Camp Kittyhawk				
Unaccompanied Enlisted Personnel Housing	1,600	1,600	1,600	1,600
Camp Kyle				
Tactical Equipment Shop	930	930	930	930
Warehouses	2,650	2,650	2,650	2,650

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
KOREA (Cont.)				
ARMY (Cont.)				
Camp Liberty Bell				
Dining Facility	800	800	800	800
Camp Market				
Tactical Equipment Shop	710	710	710	710
Camp Page				
Aircraft Maintenance Hangar	7,200	7,200	7,200	7,200
Airfield Operations Facilities	2,100	2,100	2,100	2,100
Central Heating and Cooling Plant	4,550	4,550	4,550	4,550
Dispensary/Dental Clinic	1,550	1,550	1,550	1,550
Electrical Distribution System Upgrade	2,350	2,350	2,350	2,350
Fuel Storage and Dispensing Facility	4,250	4,250	4,250	4,250
Tactical Equipment Shop	1,050	1,050	1,050	1,050
Unaccompanied Personnel Housing	6,400	6,400	6,400	6,400
Water and Sewer Upgrade	3,200	3,200	3,200	3,200
Camp Pelham				
Unaccompanied Enlisted Personnel Housing	2,400	2,400	2,400	2,400
Camp Red Cloud				
Company Operations and Supply	330	330	330	330
Tactical Equipment Shop	1,400	1,400	1,400	1,400
Camp Stanley				
Dispensary	1,150	1,150	1,150	1,150
Unaccompanied Personnel Housing	4,350	4,350	4,350	4,350
K-16 Army Airfield				
Flight Simulator Building	1,700	0	1,700	0
Paint Shop	900	900	900	900
Tactical Equipment Shop	840	840	840	840
Unaccompanied Enlisted Personnel Housing	610	610	610	610
Location 177				
Multi-purpose Activity Center	740	740	740	740
Power Upgrade	1,550	1,550	0	1,550
Pusan				
Family Housing Improvements	(358)	(358)	(358)	(358)
Yongin				
Unaccompanied Enlisted Housing Complex	2,550	2,550	2,550	2,550
Yongson				
Barracks and Movement Control Center	2,150	2,150	2,150	2,150
Chapel and Religious Education Facility	2,150	2,150	2,150	2,150
Provost Marshall Command Control Facility	1,450	1,450	1,450	1,450
Unaccompanied Enlisted Personnel Housing	2,000	2,000	2,000	2,000
Warehouse Addition	2,050	2,050	2,050	2,050
Family Housing Improvements	(1,390)	(1,390)	(1,390)	(1,390)
AIR FORCE				
Kimhae Air Base				
Medical Contingency Complex	10,400	10,400	10,400	10,400
Kunsan Air Base				
Add to and Alter Electrical Distribution System - Phase I	3,900	3,900	3,900	3,900
Aircraft Maintenance Unit Facility	1,950	1,950	1,950	1,950
Consolidated Support Facility	2,850	2,850	2,850	2,850
Portable Modular Facility Support	300	300	300	300

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
KOREA (Cont.)				
AIR FORCE (Cont.)				
Kwang-ju Air Base				
Add to and Alter Water Treatment-Storage-Distribution System	1,450	1,450	1,450	1,450
Portable Modular Facility Support	260	260	260	260
Quick Turn Facility	9,000	9,000	9,000	9,000
Unaccompanied Enlisted Personnel Housing	4,950	4,950	4,950	4,950
Unaccompanied Officer Personnel Housing	650	650	650	650
Osan Air Base				
Aircraft Shelters	6,800	6,800	6,800	6,800
Alter Unaccompanied Officer Personnel Housing	3,150	3,150	3,150	3,150
Korean Combat Operations Intelligence Center-Allied Support-Phase II	500	500	500	500
Munitions Maintenance and Storage Facility, Phase I	7,000	7,000	7,000	7,000
Portable Modular Facility Support	860	860	860	860
Squadron Operations Facilities	6,200	6,200	6,200	6,200
Family Housing Warehouse/Management Office	(1,200)	(1,200)	(1,200)	(1,200)
Sachon				
Portable Modular Facility Support	310	310	310	310
DEPENDENTS SCHOOLS				
Osan Air Base				
Elementary School Addition	2,780	2,780	2,780	2,780
Pusan				
Elementary and High School Addition	1,540	1,540	1,540	1,540
Taegu				
Elementary and High School Addition	730	730	730	730
DEFENSE LOGISTICS AGENCY				
Defense Fuel Support Point, Pyongtaek				
Fuel Tankage	(5,820)	(5,820)	(5,820)	(5,820)
Defense Fuel Support Point, Uijongbu				
Fuel Tankage	(6,200)	(6,200)	(6,200)	(6,200)
Total, KOREA	229,730			206,680
KWAJALEIN				
ARMY				
Kwajalein				
Aircraft Maintenance Hangar	7,100	7,100	7,100	7,100
Shore Erosion Control	2,400	2,400	2,400	2,400
Upgrade Airfield	5,100	5,100	5,100	5,100
Total, KWAJALEIN	14,600			14,600
MOROCCO				
AIR FORCE				
Various Locations				
Southwest Asia - Alter Maintenance Hangar	550	550	550	550
Southwest Asia - Apron Lighting	2,050	2,050	2,050	2,050
Southwest Asia - Water Storage	500	500	500	500
Total, MOROCCO	3,100			3,100

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
NETHERLANDS				
AIR FORCE				
Camp New Amsterdam				
Add to and Alter Aircraft General Purpose Maintenance Complex	1,850	1,850	1,850	1,850
Chemical Warfare Protection-Avionics Shop	1,450	1,450	1,450	1,450
Telecommunications Facility	860	860	860	860
Family Housing, New Construction (140 units)	(11,000)	(11,000)	(11,000)	(11,000)
Keizerveer				
Digital European Backbone Facility	270	270	270	270
Vught				
Digital European Backbone Facility	310	310	310	310
Woensdrecht Air Base				
(GLCM - Ground-Launched Cruise Missile)				
GLCM - Add to and Alter Communications Equipment Facility	720	0	0	0
GLCM - Boundary Fence	280	0	280	280
GLCM - Command Control Safety Measures	1,900	0	1,900	1,900
GLCM - Fire Station	1,100	0	0	0
GLCM - High Frequency Facility	1,500	0	0	0
GLCM - Site Activation Support Facilities	10,000	0	10,000	10,000
GLCM - Telecommunications Center	400	0	0	0
GLCM - Tower Support	300	0	0	0
GLCM - Utilities, Pavements, and Roads	6,500	0	3,800	3,800
DEPENDENTS SCHOOLS				
Soesterberg Air Base				
Elementary School	4,460	4,460	4,460	4,460
Total, NETHERLANDS	31,900			25,180
PANAMA				
ARMY				
Corozal				
Barracks Modernization	4,550	4,550	4,550	4,550
Heating, Ventilation, Air Conditioning Systems Modifications	930	930	930	930
Unaccompanied Enlisted Personnel Housing	2,200	0	2,200	0
Various Locations				
Family Housing Improvements	(3,893)	(3,893)	(3,893)	(3,893)
AIR FORCE				
Howard Air Force Base				
Add to Aircraft Apron	21,000	0	21,000	0
Facility Energy Improvements	2,172	2,172	2,172	2,172
Total, PANAMA	30,852			7,652
PHILIPPINES, REPUBLIC OF				
NAVY				
Naval Air Station, Cubi Point				
Maintenance Hangar	19,200	0	19,200	0
Naval Magazine, Subic Bay				
Fire Protection	250	250	250	250
Naval Ship Repair Facility, Subic Bay				
Shipfitting Shops	4,070	4,070	4,070	4,070
Wharf Electrical Distribution System Improvements	9,200	9,200	9,200	9,200

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
PHILIPPINES, REPUBLIC OF (Cont.)				
NAVY (Cont.)				
Navy Public Works Center, Subic Bay				
Family Housing, New Construction (300 units)	(24,180)	(24,180)	(24,180)	(24,180)
AIR FORCE				
Clark Air Base				
Add to and Alter Maintenance Management and Operations Facilities	1,750	1,750	1,750	1,750
Add to and Alter Water Distribution System	800	800	800	800
Alter Unaccompanied Enlisted Personnel Housing	3,650	3,650	3,650	3,650
Clark Air Base (Cont.)				
Consolidated Support Facilities, Phase II	4,400	4,400	4,400	4,400
Emergency Backup Power	2,800	2,800	2,800	2,800
Security and Safety Improvements	1,650	1,650	1,650	1,650
Family Housing, New Construction (450 units)	(37,900)	(37,900)	(37,900)	(37,900)
Family Housing Improvements	(2,343)	(2,343)	(2,343)	(2,343)
DEPENDENTS SCHOOLS				
Clark Air Base				
High School (Wagner)	7,190	7,190	7,190	7,190
Total, PHILIPPINES, REPUBLIC OF	54,960			35,760
PORTUGAL				
AIR FORCE				
Ground-Based Electro-optical Deep Space Surveillance Site 5				
Composite Support Facility	2,250	2,250	2,250	2,250
Spacetrack Observation Facility	12,400	12,400	12,400	12,400
Lajes Field				
Add to and Alter Chapel	1,850	1,850	1,850	1,850
Add to and Alter Cold Storage Facility	1,650	1,650	1,650	1,650
Child Care Center	1,100	1,100	1,100	1,100
Petroleum, Oil and Lubricants Storage Tanks	19,435	19,435	19,435	19,435
Refueling Vehicle Maintenance Shop	1,250	1,250	1,250	1,250
Total, PORTUGAL	39,935			39,935
PUERTO RICO				
NAVY				
Atlantic Fleet Weapons Training Facility, Roosevelt Roads				
Range Operations Center	3,000	3,000	3,000	3,000
Underwater Range Operations Center	4,100	4,100	4,100	4,100
Naval Station, Roosevelt Roads				
Unaccompanied Officer and Enlisted Personnel Housing	14,700	14,700	14,700	14,700
DEPENDENTS SCHOOLS (SEC. 6)				
Fort Buchanan				
High School	9,753	0	9,753	9,753
Naval Station, Roosevelt Roads				
High School Improvements	1,200	0	1,200	1,200
Total, PUERTO RICO	32,753			32,753

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
SPAIN				
NAVY				
Naval Communication Station, Rota				
Operational Storage	395	0	395	0
Naval Station, Róta				
Fire Alarm System	1,030	0	1,030	0
AIR FORCE				
Torrejon Air Base				
Aircraft Corrosion Control Facility	1,850	0	1,850	0
Aircraft Maintenance Unit Complex	2,550	0	2,550	0
Alter Electric Substation	2,637	0	2,637	0
Child Care Center	1,000	0	1,000	0
Facility Energy Improvements	900	0	900	0
Steam and Condensate System	350	0	350	0
Medical Contingency Complex	2,900	0	2,900	2,900
Zaragoza Air Base				
Control Tower	1,650	0	1,650	0
Support Equipment Shop	1,100	0	1,100	0
DEPENDENTS SCHOOLS				
Rota				
Elementary and High School Addition	2,870	0	2,870	0
Total, SPAIN	19,232			2,900
TURKEY				
ARMY				
Various Locations				
Power Upgrade	5,200	5,200	5,200	5,200
Solid Waste Incinerator	540	540	540	540
Unaccompanied Officer Housing	1,150	1,150	1,150	1,150
Warehouse	550	550	550	550
AIR FORCE				
Ankara				
Transient Lodging Facility	950	950	950	950
Incirlik Air Base				
Alter Unaccompanied Enlisted Personnel Housing	2,250	2,250	2,250	2,250
Consolidated Support Center	4,500	4,500	4,500	4,500
Chemical Warfare Protection-Squadron Operations	1,400	1,400	1,400	1,400
Lighting Systems	300	300	300	300
Medical Contingency Complex	1,150	1,150	1,150	1,150
Satellite Communications Ground Terminal	2,600	2,600	2,600	2,600
Telecommunications Facility	770	770	770	770
Karatas				
Unaccompanied Enlisted Personnel Housing	2,330	2,330	2,330	2,330
Pirinclik				
Satellite Communications Ground Terminal	2,600	2,600	2,600	2,600
Total, TURKEY	26,290			26,290
UNITED KINGDOM				
NAVY				
Naval Activities, London				
Fleet Hospital Support Facilities	6,850	6,850	6,850	6,850
Support Building Acquisition	785	785	785	785
Personnel Support Activity, London				
Pay and Personnel Support Office	450	450	450	450

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
UNITED KINGDOM (Cont.)				
AIR FORCE				
Fylingdales - Ballistic Missile Early Warning Site				
System III				
Satellite Communications Ground Terminal	3,100	3,100	3,100	3,100
Royal Air Force Alconbury				
Add to and Alter Fire Station	1,600	1,600	1,600	1,600
Add to Water Distribution System	360	360	360	360
Add to and Alter Warehouse	1,700	1,700	1,700	1,700
Alter Electrical Distribution System	1,450	1,450	1,450	1,450
Base Operations Facility	900	900	900	900
Facility Energy Improvements	2,650	2,650	2,650	2,650
Flight Simulator Training Facility	1,150	1,150	1,150	1,150
Sound Suppressor Support	400	400	400	400
TR-1 Add to and Alter Squadron Operations Facility	1,050	1,050	1,050	1,050
TR-1 Chemical Warfare Protection-Avionics Maintenance Facility	2,200	2,200	2,200	2,200
TR-1 Chemical Warfare Protection-Sensor Maintenance Facility	1,850	1,850	1,850	1,850
TR-1 Unaccompanied Enlisted Personnel Housing	5,600	5,600	5,600	5,600
Family Housing Improvements	(1,615)	(1,615)	(1,615)	(1,615)
Royal Air Force Bentwaters				
Add to Aircraft Engine Inspection and Repair Shop	2,100	2,100	2,100	2,100
Add to and Alter Unaccompanied Enlisted Personnel Housing	2,800	2,800	2,800	2,800
Aircraft Maintenance Facility	900	900	900	900
Vehicle Maintenance Complex	4,050	4,050	4,050	4,050
Warehouse	2,200	2,200	2,200	2,200
Family Housing Improvements	(115)	(115)	(115)	(115)
Royal Air Force Chicksands				
Add to and Alter Clinic	830	830	830	830
Child Care Center	800	800	800	800
Family Housing Improvements	(29)	(29)	(29)	(29)
Royal Air Force Fairford				
Clinic/Dental Clinic	7,400	7,400	7,400	7,400
Royal Air Force Feltwell				
Family Housing Improvements	(308)	(308)	(308)	(308)
Royal Air Force Greenham Common				
(GLCM - Ground-Launched Cruise Missile)				
GLCM - Alter Arts and Crafts Shop	300	300	0	0
GLCM - Auto Hobby Shop	340	340	0	0
GLCM - High Frequency Communications Facility	1,400	1,400	1,400	1,400
GLCM - Youth Center	800	800	800	800
Royal Air Force Lakenheath				
Add to and Alter Vehicle Maintenance Shop	2,870	2,870	2,870	2,870
Gymnasium	2,500	2,500	2,500	2,500
Munitions Storage Igloos	2,250	2,250	2,250	2,250
Warehouse	2,700	2,700	2,700	2,700
Family Housing Improvements	(375)	(375)	(375)	(375)
Royal Air Force Mildenhall				
Consolidated Support Center	4,150	4,150	0	0
Dangerous Cargo Pad	900	900	900	900
Unaccompanied Enlisted Personnel Housing	2,580	2,580	2,580	2,580
Weatherization	600	600	600	600

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
UNITED KINGDOM (Cont.)				
AIR FORCE (Cont.)				
Royal Air Force Molesworth				
(GLCM - Ground-Launched Cruise Missile)				
GLCM - Add to Post Office (RAF Alconbury)	530	530	530	530
GLCM - Communications Equipment Facility	410	410	410	410
GLCM - Dining Hall	1,550	1,550	1,550	1,550
GLCM - Fire Station	860	860	860	860
GLCM - Helicopter Pad	430	430	430	430
GLCM - High Frequency Communications Facility	1,400	1,400	1,400	1,400
GLCM - Medical Aid Station	490	490	490	490
GLCM - Security Police Operations Facility	1,150	1,150	1,150	1,150
GLCM - Small Arms Training Range	1,100	1,100	1,100	1,100
GLCM - Telecommunications/Meteorology Facility	640	640	640	640
GLCM - Tower Support	340	340	340	340
GLCM - Utilities and Pavements	7,213	7,213	7,213	7,213
GLCM - Vehicle Maintenance Shop (RAF Alconbury)	4,050	4,050	4,050	4,050
GLCM - Vehicle Corrosion Control Facility	700	700	700	700
GLCM - Vehicle Operations Complex	200	200	200	200
Royal Air Force Sculthorpe				
Munitions Storage Igloos	2,350	2,350	2,350	2,350
Royal Air Force Upper Heyford				
Alter Water Distribution System	1,900	1,900	1,900	1,900
Facility Energy Improvements	910	910	910	910
Religious Education Facility	1,200	1,200	1,200	1,200
Telecommunications Facility	630	630	630	630
Family Housing Improvements	(115)	(115)	(115)	(115)
Various Locations - United Kingdom				
Northern Europe Tracking Station	3,600	3,600	3,600	3,600
DEPENDENTS SCHOOLS				
Bicester				
Elementary School	4,570	4,570	4,570	4,570
Upwood				
Elementary School Addition	3,240	3,240	3,240	3,240
Woodbridge Royal Air Force Station				
Elementary School Addition	1,060	1,060	1,060	1,060
Total, UNITED KINGDOM	115,008			110,298
VARIOUS LOCATIONS				
ARMY				
Unspecified Minor Construction	31,000	31,000	31,000	31,000
Planning and Design	136,100	136,100	144,300	136,100
Community Impact Assistance	(0)	(2,000)	(0)	(500)
Family Housing Support	(1,255,730)	(1,275,730)	(1,276,030)	(1,255,730)
Family Housing Planning and Design	(19,020)	(19,020)	(19,020)	(19,020)
Family Housing Debt Reduction	(15,064)	(15,064)	(15,064)	(15,064)
Classified Location Inside U.S.				
Classified Project	3,000	3,000	3,000	3,000
General Reduction for Savings	0	-67.000	- 187,000	-152,710
Inside U.S.		(-50,000)	(-117,000)	(-112,710)
Outside U.S.		(-17,000)	(1 70,000)	(- 40,000)

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
VARIOUS LOCATIONS (Cont.)				
NAVY				
Unspecified Minor Construction	21,560	21,560	21,560	21,560
Planning and Design	139,260	139,260	149,860	139,260
Community Impact Assistance	(0)	(3,000)	(0)	(500)
Family Housing Support	(568,500)	(568,500)	(569,600)	(568,500)
Family Housing Planning and Design	(6,930)	(6,930)	(6,930)	(6,930)
Family Housing Debt Reduction	(16,239)	(16,239)	(16,239)	(16,239)
Host Nation Infrastructure Support	980	980	980	980
Various Locations				
Access Roads- Planning and Design	(600)	(600)	(600)	(600)
General Reduction, Projects Less Than $1 million	0	- 2,635	0	- 2,635
General Reduction	0	0	-145,346	-103,300
AIR FORCE				
Unspecified Minor Construction	22,000	22,000	22,000	22,000
Planning and Design	144,096	144,096	144,096	144,096
Family Housing Support	(715,000)	(715,000)	(700,800)	(715,000)
Family Housing Planning and Design	(5,000)	(5,000)	(5,000)	(5,000)
Family Housing Debt Reduction	(14,298)	(14,298)	(14,298)	(14,298)
Unspecified Locations Inside U.S.				
Other Support Facilities	55,000	55,000	55,000	55,000
General Reduction	0	0	-107,000	- 68,000
B-1B Support Facilities	0	+ 71,490	0	0
Base Thirty-Four				
(ALCM - Air-Launched Cruise Missile)				
ALCM - Integrated Maintenance Facility	7,200	7,200	7,200	7,200
ALCM - Missile Roll-Transfer and Storage	1,400	1,400	1,400	1,400
ALCM - Site Activation Task Force Facility	320	320	320	320
Base Twenty-Four				
C-130 - Add to and Alter Electronic Countermeasures Avionics Maintenance Facilities	1,200	1,200	1,200	1,200
C-130 - Corrosion Control Facility	1,300	1,300	1,300	1,300
C-130 - Add to Parking Apron	1,500	1,500	1,500	1,500
C-130 - Organizational Maintenance Shop	820	820	820	820
C-130 - Squadron Operations Facility	1,350	1,350	1,350	1,350
Overseas Classified				
Base Thirty				
TR-1 - Add to and Alter Dining Hall	330	330	330	330
TR-1 - Ground Station	4,500	4,500	4,500	4,500
Base Thirty-three				
C-130 - Aircraft Maintenance Complex	7,250	7,250	7,250	7,250
C-130 - Security Fence	600	600	600	600
C-130 - Site Support Work	1,600	1,600	1,600	1,600
Base Twenty-five				
Satellite Communications Ground Terminal	4,500	4,500	4,500	4,500
Base Twenty-nine				
Precision Launch Strike System-Operations and Maintenance Facilities	1,100	1,100	1,100	1,100
Precision Launch Strike System-Unaccompanied Enlisted Personnel Housing	2,400	2,400	2,400	2,400
Overseas Various Locations				
General Reduction - Currency Revaluation	0	- 3,000	-32,000	-32,000

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
VARIOUS LOCATIONS (Cont.)				
NATIONAL SECURITY AGENCY				
Classified Location				
Emergency Generator	2,500	2,500	2,500	2,500
MARCHER	4,650	4,650	4,650	4,650
Family Housing, New Construction	(1,800)	(1,800)	(1,800)	(1,800)
Family Housing Improvements	(70)	(70)	(70)	(70)
DEFENSE AGENCIES				
Unspecified Minor Construction	4,000	4,000	4,000	4,000
Planning and Design	30,000	27,400	30,000	30,000
Family Housing Support				
Defense Mapping Agency	(87)	(87)	(87)	(87)
National Security Agency	(6,835)	(6,835)	(6,835)	(6,835)
Defense Intelligence Agency	(11,043)	(11,043)	(11,043)	(11,043)
Defense Logistics Agency	(425)	(425)	(425)	(425)
General Reduction For Savings	0	-3,000	0	0
OFFICE OF THE SECRETARY OF DEFENSE				
Classified Location				
Classified Project	12,000	12,000	12,000	12,000
Classified Location				
Classified Project	3,142	3,142	3,142	3,142
Contingency Construction				
Defense Level Activities	5,000	5,000	5,000	5,000
DEPARTMENT OF DEFENSE DEPENDENTS SCHOOLS				
General Reduction For Savings	0	- 5,000	0	- 5,000
ARMY NATIONAL GUARD				
Unspecified Minor Construction	18,917	58,917	18,917	48,917
Planning and Design	12,362	12,362	12,362	12,362
General Reduction	0	0	- 1,900	0
ARMY RESERVE				
Unspecified Minor Construction	5,800	5,800	5,800	5,800
Planning and Design	9,605	9,605	9,605	9,605
General Reduction	0	0	- 1,300	0
NAVY AND MARINE CORPS RESERVE				
Unspecified Minor Construction	1,540	1,540	1,540	1,540
Planning and Design	4,200	4;200	4,200	4,200
General Reduction	0	0	- 1,000	0
AIR NATIONAL GUARD				
Unspecified Minor Construction	8,000	8,000	8,000	8,000
Planning and Design	9,600	9,600	9,600	9,600
General Reduction	0	0	- 2,500	0
AIR FORCE RESERVE				
Unspecified Minor Construction	3,400	3,400	3,400	3,400
Planning and Design	5,000	5,000	5,000	5,000
General Reduction	0	0	- 1,300	0
NATO				
Infrastructure	98,000	55,000	38,000	38,000
Total, VARIOUS LOCATIONS	828,082			468,347
DEFENSE ACCESS ROADS				
NAVY				
Fleet Aviation Specialized Operational Training Group Pacific Detachment, Warner Springs, California	100	100	100	100

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
DEFENSE ACCESS ROADS (Cont.)				
NAVY (Cont.)				
Marine Corps Air Station, El Toro, California	200	200	200	200
Naval Construction Battalion Center, Port Hueneme, California	300	300	300	300
Naval Air Station, South Weymouth, Massachusetts	370	370	370	370
Naval Air Station, Meridian, Mississippi	1,140	1,140	1,140	1,140
Naval Construction Battalion Center, Gulfport, Mississippi	200	200	200	200
Naval Station, Norfolk, Virginia	50	50	50	50
Various Locations				
Design of Certified Access Road Improvements	600	600	600	600
SUBTOTAL NAVY	2,960	2,960	2,960	2,960
AIR FORCE				
Nellis Air Force Base, Nevada				
Add to and Alter Base Access Roads	3,200	3,200	3,200	3,200
F.E. Warren AFB, Wyoming				
Peacekeeper - Access Roads	27,040	27,040	27,040	27,040
SUBTOTAL AIR FORCE	30,240	30,240	30,240	30,240
GRAND TOTAL ACCESS ROADS	33,200	33,200	33,200	33,200
FAMILY HOUSING				
ARMY				
CONSTRUCTION				
CALIFORNIA				
Fort Ord (600)	49,559	49,559	49,559	49,559
(70) Mobile Home Spaces	(1,081)	(1,081)1/	(1,081)1/	(1,081)1/
COLORADO				
Fort Carson (50) Mobile Home Spaces	712	712	712	712
GEORGIA				
Fort Stewart (20) Mobile Home Spaces	253	253	253	253
KANSAS				
Fort Riley (50) Mobile Home Spaces	700	700	700	700
KENTUCKY				
Fort Campbell (50) Mobile Home Spaces	689	689	689	689
MASSACHUSETTS				
Army Materials and Mechanics Research Center (I)	154	154	0	0
Fort Devens (20) Mobile Home Spaces	317	317	0	317
NEW YORK				
Fort Drum (800)	67,500	67,500	0	67,500
NORTH CAROLINA				
Fort Bragg (50) Mobile Home Spaces	637	637	637	637
UTAH				
Dugway Proving Ground (104)	8,323	8,323	8,323	8,323
(24) Mobile Home Spaces	351	351	351	351

1/ Authorized but not Authorized for Appropriations

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
FAMILY HOUSING (Cont.)				
ARMY (Cont.)				
VIRGINIA				
Fort Myer (6)	596	596	596	596
GERMANY				
Bamberg (106)	7,209	7,209	7,209	7,209
Various Locations (98)	6,120	6,120	6,120	6,120
Vilseck (370)	26,830	26,830	26,830	26,830
SUBTOTAL NEW CONSTRUCTION	171,031	171,031	103,060	170,877
CONSTRUCTION IMPROVEMENTS	166,000	167,521	166,000	167,521
PLANNING	19,020	19,020	19,020	19,020
TOTAL CONSTRUCTION	356,051	357,572	288,080	357,418
OPERATING EXPENSES				
Furnishings Account	107,342	127,342	107,342	107,342
Management Account	71,645	71,645	71,945	71,645
Miscellaneous Account	1,002	1,002	1,002	1,002
Services Account	47,277	47,277	47,277	47,277
Utilities Account	287,989	287,989	287,989	287,989
SUBTOTAL OPERATING EXPENSES	515,255	535,255	515,555	515,255
LEASING	133,567	133,567	133,567	133,567
MAINTENANCE OF REAL PROPERTY	605,895	605,895	605,895	605,895
TOTAL OPERATIONS	1,254,717	1,274,717	1,255,017	1,254,717
INTEREST PAYMENTS	918	918	918	918
MORTGAGE INSURANCE PREMIUMS	95	95	95	95
DEBT REDUCTION	15,064	15,064	15,064	15,064
TOTAL DEBT	16,077	16,077	16,077	16,077
TOTAL FAMILY HOUSING, ARMY	1,626,845	1,648,366	1,559,174	1,628,212
LESS APPROPRIATION NOT REQUIRED	- 1,081	- 1,081	- 1,081	- 1,081
GRAND TOTAL FAMILY HOUSING, ARMY	1,625,764	1,647,285	1,558,093	1,627,131
NAVY				
CONSTRUCTION				
ALASKA				
Naval Air Station, Adak (100)	15,500	15,500	15,500	15,500
CALIFORNIA				
Fleet Training Group Pacific, Warner Springs (44)	4,400	4,400	4,400	4,400
Marine Corps Air Ground Combat Center, Twentynine Palms (100)	8,400	8,400	8,400	8,400
Marine Corps Air Station, El Toro (282)	29,800	29,800	29,800	29,800
Naval Complex (Navy Public Works Center), San Diego (200)	15,200	15,200	15,200	15,200
NEW JERSEY				
Naval Weapons Station, Earle (200)	15,400	15,400	15,400	15,400
PENNSYLVANIA				
Aviation Supply Office, Philadelphia (1)	170	170	170	170
PHILIPPINES				
Navy Public Works Center, Subic Bay (300)	24,180	24,180	24,180	24,180
SUBTOTAL NEW CONSTRUCTION	113,050	113,050	113,050	113,050
CONSTRUCTION IMPROVEMENTS	34,020	34,020	34,020	34,020
PLANNING	6,930	6,930	6,930	6,930
TOTAL CONSTRUCTION	154,000	154,000	154,000	154,000

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
FAMILY HOUSING (Cont.)				
NAVY (Cont.)				
OPERATING EXPENSES				
Furnishings Account	13,636	13,636	13,636	13,636
Management Account	42,155	42,155	43,295	42,155
Miscellaneous Account	420	420	420	420
Services Account	29,946	29,946	29,946	29,946
Utilities Account	181,343	181,343	181,343	181,343
SUBTOTAL OPERATING EXPENSES	267,500	267,500	268,600	267,500
LEASING	22,479	22,479	22,479	22,479
MAINTENANCE OF REAL PROPERTY	277,458	277,458	277,458	277,458
TOTAL OPERATIONS	567,437	567,437	568,537	567,437
INTEREST PAYMENTS	822	822	822	822
MORTGAGE INSURANCE PREMIUMS	241	241	241	241
DEBT REDUCTION	16,239	16,239	16,239	16,239
TOTAL DEBT	17,302	17,302	17,302	17,302
GRAND TOTAL FAMILY HOUSING, NAVY	738,739	738,739	739,839	738,739
AIR FORCE				
CONSTRUCTION				
CALIFORNIA				
Los Angeles Air Force Station, Land Acquisition	1,800	0	0	0
MASSACHUSETTS				
Hanscom AFB (163)	0	(14,200) 1/	0	0
SOUTH DAKOTA				
Belle Fourche (50)	4,000	4,000	4,000	4,000
BELGIUM				
Florennes (400)	29,200	29,200	29,200	29,200
GERMANY				
Hahn Air Base (440)	33,000	33,000	33,000	33,000
Ramstein Air Base (400)	30,000	30,000	30,000	30,000
CONSTRUCTION (Cont.)				
KOREA				
Osan Air Base - Warehouse/Family Housing Management Office	1,200	1,200	1,200	1,200
NETHERLANDS				
Camp New Amsterdam (140)	11,000	11,000	11,000	11,000
PHILIPPINES				
Clark Air Base (450)	37,900	37,900	37,900	37,900
SUBTOTAL NEW CONSTRUCTION	148,100	146,300	146,300	146,300
CONSTRUCTION IMPROVEMENTS	61,300	61,300	61,300	61,300
PLANNING	5,000	5,000	5,000	5,000
TOTAL CONSTRUCTION	214,400	226,800	212,600	212,600
OPERATING EXPENSES				
Furnishings Account	38,325	38,325	38,325	38,325
Management Account	25,514	25,514	25,514	25,514
Miscellaneous Account	4,997	4,997	4,997	4,997
Services Account	22,850	22,850	22,850	22,850
Utilities Account	241,877	241,877	241,877	241,877
SUBTOTAL OPERATING EXPENSES	333,530	333,530	333,530	333,530

1/ Transfer from support.

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
FAMILY HOUSING (Cont.)				
AIR FORCE (Cont.)				
LEASING	48,113	48,113	48,113	48,113
MAINTENANCE OF REAL PROPERTY	332,350	318,150	332,350	332,350
TOTAL OPERATIONS	713,993	699,793	713,993	713,993
INTEREST PAYMENTS	700	700	700	700
MORTGAGE INSURANCE PREMIUMS	307	307	307	307
DEBT REDUCTION	14,298	14,298	14,298	14,298
TOTAL DEBT	15,305	15,305	15,305	15,305
GRAND TOTAL FAMILY HOUSING, AIR FORCE	943,698	941,898	941,898	941,898
DEFENSE MAPPING AGENCY (DMA)				
OPERATING EXPENSES				
Furnishings Account	1	1	1	1
Services Account	22	22	22	22
SUBTOTAL OPERATING EXPENSES	23	23	23	23
LEASING	33	33	33	33
MAINTENANCE OF REAL PROPERTY	31	31	31	31
TOTAL FAMILY HOUSING, DMA	87	87	87	87
NATIONAL SECURITY AGENCY (NSA)				
NEW CONSTRUCTION - OVERSEAS				
CLASSIFIED LOCATION/PROJECT	1,800	1,800	1,800	1,800
CONSTRUCTION IMPROVEMENTS	70	70	70	70
TOTAL CONSTRUCTION	1,870	1,870	1,870	1,870
OPERATING EXPENSES				
Miscellaneous Account	543	543	543	543
SUBTOTAL OPERATING EXPENSES	543	543	543	543
LEASING	6,000	6,000	6,000	6,000
MAINTENANCE OF REAL PROPERTY	292	292	292	292
TOTAL OPERATIONS				
TOTAL FAMILY HOUSING, NSA	8,705	8,705	8,705	8,705
DEFENSE INTELLIGENCE AGENCY (DIA)				
OPERATING EXPENSES				
Furnishings Account	2,143	2,143	2,143	2,143
SUBTOTAL OPERATING EXPENSES	2,143	2,143	2,143	2,143
LEASING	8,900	8,900	8,900	8,900
TOTAL FAMILY HOUSING, DIA	11,043	11,043	11,043	11,043
DEFENSE LOGISTICS AGENCY (DLA)				
CONSTRUCTION IMPROVEMENTS	40	40	40	40
TOTAL CONSTRUCTION	40	40	40	40
OPERATING EXPENSES				
Furnishings Account	17	17	17	17
Services Account	10	10	10	10
Utilities Account	158	158	158	158
SUBTOTAL OPERATING EXPENSES	185	185	185	185
MAINTENANCE OF REAL PROPERTY	240	240	240	240
TOTAL FAMILY HOUSING, DLA	465	465	465	465
GRAND TOTAL FAMILY HOUSING, DEFENSE AGENCIES	20,300	20,300	20,300	20,300

(amounts in thousands of dollars)

Installation and project	Budget Request	House recommendation	Senate recommendation	Conference Agreement
RECAPITULATION				
ARMY	3,649,674	3,399,411	3,141,513	3,312,803
NAVY	2,886,249	2,602,234	2,345,003	2,408,184
AIR FORCE	2,917,048	2,809,561	2,624,041	2,700,991
DEFENSE AGENCIES	329,900	203,025	269,000	258,598
NATO INFRASTRUCTURE	98,000	55,000	38,000	38,000
ARMY NATIONAL GUARD	102,100	159,101	100,200	149,101
AIR NATIONAL GUARD	137,200	139,000	127,555	139,000
ARMY RESERVE	70,700	66,289	69,400	70,700
NAVAL AND MARINE CORPS RESERVE	51,800	61,800	50,800	51,800
AIR FORCE RESERVE	66,800	70,650	65,500	70,650
TOTAL MILITARY CONSTRUCTION AUTHORIZATION OF APPROPRIATIONS	10,309,471	9,550,529	8,831,012	9,199,824

LES ASPIN,
RONALD V. DELLUMS,
G.V. MONTGOMERY,
EARL HUTTO,
MARVIN LEATH,
WM. L. DICKINSON,
G. WILLIAM WHITEHURST,
KEN KRAMER,
Managers on the Part of the House.

STROM THURMOND,
JOHN W. WARNER,
GORDON J. HUMPHREY,
JOHN P. EAST,
JEFF BINGAMAN,
JOHN C. STENNIS,
GARY HART,
Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McKINNEY (at the request of Mr. MICHEL), for today, on account of illness.

Mr. HARTNETT (at the request of Mr. MICHEL), for today, on account of a death in the family.

Mr. BOLAND (at the request of Mr. WRIGHT), for today, on account of a death in the family.

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

Mr. GILMAN, for 60 minutes, today.

Mr. DELAY, for 60 minutes, today.

Mr. DORNAN of California, for 60 minutes, November 19.

Mr. DORNAN of California, for 60 minutes, November 20.

Mr. DORNAN of California, for 60 minutes, November 21.

Mr. LUNGREN, for 60 minutes, November 13.

Mr. LUNGREN, for 60 minutes, November 14.

Mr. MOLINARI, for 5 minutes, today.

Mr. FRENZEL, for 30 minutes, today.

Mr. IRELAND, for 5 minutes, November 13.

Mr. WALKER, for 60 minutes, today.

Mr. MACK, for 60 minutes, today.

Mr. BROWN of Colorado, for 15 minutes, today.

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

Mr. FORD of Tennessee, for 5 minutes, today.

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

Mr. ANNUNZIO, for 5 minutes, today.

Mr. HUTTO, for 5 minutes, today.

Mr. RANGEL, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes, today.

Mr. HUTTO, for 5 minutes, November 13.

Mr. DYMALLY, for 60 minutes, November 13.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mrs. ROUKEMA, and to include extraneous matter, immediately following her remarks during debate on H.R. 1616, in the Committee of the Whole today.

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

Mr. HENRY.

Mr. CLINGER.

Mr. LEWIS of Florida.

Mr. GINGRICH in two instances.

Mr. LAGOMARSINO in five instances.

Mr. DANNEMEYER in two instances.

Mr. MYERS of Indiana.

Mr. COURTER in five instances.

Mr. FRENZEL in five instances.

Mr. SHUSTER.

Mr. LENT.

Mr. MICHEL in two instances.

Mr. GALLO.

Mr. DIOGUARDI in two instances.

Mr. TAYLOR.

Mr. BADHAM.

Mr. MORRISON of Connecticut.

Mr. DORNAN of California.

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

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. MATSUI in two instances.

Mr. BOSCO.

Mr. EDWARDS of California.

Mr. FLORIO.

Mr. GARCIA in three instances.

Mr. APPLEGATE.

Mr. BRYANT.

Mr. STARK in three instances.

Mr. LELAND in two instances.

Mr. KOLTER.

Mr. BONKER.

Mr. WIRTH.

Mrs. SCHROEDER in two instances.

Mr. HERTEL of Michigan in two instances.

Mr. LIPINSKI in two instances.

Mr. EDGAR.

Mr. LANTOS in two instances.

Mr. WAXMAN.

Mr. SCHEUER.

Mr. MARKEY.

Mr. SOLARZ.

Mr. TORRES in two instances.

Mr. STOKES in three instances.

Mr. DYSON in two instances.

Ms. OAKAR.

Mr. MANTON.

Mr. BRUCE.
Mr. DOWNEY of New York.
Mr. BONIOR of Michigan.
Mr. DIXON.
Mr. HUBBARD.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles.

S. 1570. An act to amend the Fair Labor Standards Act of 1938 to authorize the provision of compensatory time in lieu of overtime compensation for employees of States, political subdivisions of States, and interstate governmental agencies, to clarify the application of the act to volunteers, and for other purposes, and

S.J. Res. 47. Joint resolution designating the week beginning "National Women Veterans Recongition Week."

ADJOURNMENT

Mr. BROWN of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 30 minutes p.m.) the House adjourned until tomorrow, Wednesday, November 13, 1985 at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

2236. A letter from the Secretary of Defense, transmitting the fiscal year 1984 annual report of the Reserve Forces Policy Board [RFPB], pursuant to 10 U.S.C. 133(c); to the Committee on Armed Services.

2237. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 6-101, "Georgetown University Higher Education Facilities Revenue Bond Act of 1985", and report, pursuant to Public Law 93-198, section 602(c); to the Committee on the District of Columbia.

2238. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 6-99, "Wastewater System Regulation Temporary Act of 1985," pursuant to Public Law 93-198, section 602(c); to the Committee on the District of Columbia.

2239. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 6-100, "Limitation of the Use of the Chokehold Act of 1985," and report, pursuant to Public Law 93-198, section 602(c); to the Committee on the District of Columbia.

2240. A letter from the Assistant Attorney General, Civil Rights Division, transmitting a report on activities of the council, pursuant to Public Law 93-112, section 507 (92 Stat. 2983); to the Committee on Education and Labor.

2241. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of the agreement between the United States and the Government of Australia concerning the pricing of military training, pursuant to 22 U.S.C. 2761(g); to the Committee on Foreign Affairs.

2242. A letter from the Acting Archivist of the United States, transmitting notice of a new Federal records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2243. A communication from the Clerk, U.S. House of Representatives, transmitting his quarterly report of receipts and expenditures of appropriations for the period July 1, 1985, through September 30, 1985, pursuant to 2 U.S.C. 104a (H. Doc. No. 99-125); to the Committee on House Administration and ordered to be printed.

2244. A letter from the Corporation Agent, Legion of Valor of the United States of America, Inc., transmitting the annual report and financial audit dated April 30, 1985, pursuant to Public Law 88-504, section 3 (36 U.S.C. 1103); to the Committee on the Judiciary.

2245. A letter from the Special Counsel, U.S. Merit Systems Protection Board, transmitting a report on the results of the Secretary of Agriculture's investigation into allegations of violations of law and regulations, mismanagement and abuse of authority by officials of the Food Safety and Inspection Service, pursuant to 5 U.S.C. 1206(b)(5)(A) (92 Stat. 1125); to the Committee on Post Office and Civil Service.

2246. A letter from the Administrator, Federal Aviation Administration, transmitting the semiannual report on effectiveness of procedures for screening passengers and property for weapons, pursuant to Public Law 85-726, section 315(a) (88 Stat. 415); to the Committee on Public Works and Transportation.

2247. A communication from the Assistant Secretary of the Army (Civil Works), transmitting a report dated February 5, 1985, from the Chief of Engineers, Department of the Army, on Lorain Harbor, OH, together with other pertinent reports (H. Doc. No. 99-124); to the Committee on Public Works and Transportation and ordered to be printed.

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. FASCELL: Committee on Foreign Affairs. S.J. Res. 228. A resolution relating to the proposed sales of arms to Jordan (Rept. 99-364). Referred to the Committee of the Whole House on the State of the Union.

Ms. OAKAR: Committee on House Administration. H.R. 1609. A bill to authorize the Smithsonian Institution to plan and construct facilities for the Cooper-Hewitt Museum, and for other purposes. with amendments (Rept. 99-365, Pt. 1). Ordered to be printed.

Mr. DELLUMS: Committee of conference. Conference report on S. 1042 (Rept. 99-366). Ordered to be printed.

Mr. BROOKS: Committee on Government Operations. FEMA's purchase of a radiological training package: an avoidable disaster (Rept. 99-367). Referred to the Committee of the Whole House on the State of the Union.

Mr. DERRICK: Committee on Rules. H. Res. 317. A resolution providing for the consideration of H.R. 3722, a bill to extend until December 14, 1985, the application of certain tobacco excise taxes, trade adjustment assistance, certain medicare reimbursement provisions, and borrowing authority under the railroad unemployment insurance program (Rept. 99-368). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. H. Res. 318. A resolution providing for the consideration of H.R. 3721, a bill to temporarily increase the limit on the public debt and to restore the investments of the Social Security Trust Funds and other trust funds (Rept. 99-369). Referred to the House Calendar.

Mr. HOWARD: Committee on Public Works and Transportation. H.R. 2817. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and for other purposes; with an amendment (Rept. 99-253, Pt. 5). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ROSTENKOWSKI (for himself, and Mr. DUNCAN):

H.R. 3721. A bill to temporarily increase the limit on the public debt and to restore the investments of the Social Security Trust Funds and other trust funds; to the Committee on Ways and Means.

H.R. 3722. A bill to extend until December 14, 1985, the application of certain tobacco excise taxes, trade adjustment assistance, certain medicare reimbursement provisions, and borrowing authority under the railroad unemployment insurance program; to the Committee on Ways and Means.

By Mr. BRYANT:

H.R. 3723. A bill to amend the Communications Act of 1934 to require that the Federal Communications Commission hold hearings prior to the granting of any license transfer that involves a request for waiver of Commission ownership rules; to the Committee on Energy and Commerce.

By Mr. CARR:

H.R. 3724. A bill to amend the Federal Election Campaign Act of 1971 to permit political committees to designate for campaign depository purposes any organization the accounts of which are insured by the Securities Investor Protection Corporation; to the Committee on House Administration.

By Mr. DORNAN of California:

H.R. 3725. A bill to authorize assistance for the democratic resistance in Angola; to the Committee on Foreign Affairs.

By Mr. EDGAR:

H.R. 3726. A bill to limit the number of days a depository institution may restrict the availability of funds which are deposited in any account; to the Committee on Banking, Finance and Urban Affairs.

By Mr. HERTEL of Michigan:

H.R. 3727. A bill to amend the Social Security Act to prohibit premature disinvestment of obligations acquired by the Social Security trust funds except when necessary to prevent shortfalls resulting from required disbursements; to the Committee on Ways and Means.

By Mr. JEFFORDS:

H.R. 3728. A bill to amend the Internal Revenue Code of 1954 to allow a limited credit for contributions to education savings accounts established for the children of the taxpayer and to exclude amounts received from such accounts for educational ex-

penses from income tax, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS of California (for himself, and Mr. DIXON:

H.R. 3729. A bill to authorize the minting of gold bullion coins; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SCHUMER:

H.R. 3730. A bill to establish a United States Commission on Elections in the Philippines; to the Committee on Foreign Affairs.

By Mr. STARK (for himself, and Mr. FORD of Tennessee):

H.R. 3731. A bill to deny tax-exempt status for certain schools established to avoid the integration of local public schools; to the Committee on Ways and Means.

By Mr. WOLPE (for himself, Mrs. MARTIN of Illinois, Mr. BONIOR of Michigan, Mr. DELLUMS, Mr. FAUNTROY, Mr. MITCHELL, Mr. STARK, Mr. FAZIO, Mr. FRANK, Mr. FORD of Michigan, Mr. MARKEY, Mr. GEJDENSON, and Mr. HORTON):

H.R. 3732. A bill to amend title 10, United States Code, to authorize former members of the Armed Forces who are totally disabled as the result of a service-connected disability to travel on military aircraft in the same manner and the same extent as retired members of the Armed Forces are permitted to travel on such aircraft; to the Committee on Armed Services.

By Mr. WOLPE (for himself and Ms. KAPTUR):

H.R. 3733. A bill to amend chapter 11 of title 18, United States Code, to prohibit any former high-level Federal civilian officer or employee or high-ranking officer of a uniformed service from representing or advising a foreign principal for a period of at least 10 years after leaving Government service; to the Committee on the Judiciary.

By Mr. HERTEL of Michigan:

H.R. 3734. A bill to improve security for commercial passenger vessels, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries, and Foreign Affairs.

By Mrs. HOLT (for herself, Mr. EMERSON, Mr. DYSON, Mrs. BENTLEY, Ms. MIKULSKI, Mr. HOYER, Mr. MITCHELL, Mr. BARNES, Mr. MONTGOMERY, and Mrs. BYRON):

H.R. 3735. A bill to designate the pedestrian walkway crossing the Potomac River at Harpers Ferry National Historic Park as the "Goodloe E. Byron Memorial Pedestrian Walkway"; to the Committee on Interior and Insular Affairs.

By Mr. LOWERY of California:

H.R. 3736. A bill to amend the Export Administration Act of 1979 to authorize controls on the export of capital from the United States; to the Committee on Foreign Affairs.

By Mr. McCOLLUM (for himself, Mr. FISH, and Mr. LUNGREN):

H.R. 3737. A bill to amend the Immigration and Nationality Act to deter immigration-related marriage fraud and other immigration fraud; to the Committee on the Judiciary.

By Ms. OAKAR (for herself, and Mr. MYERS of Indiana):

H.R. 3738. A bill to protect the Social Security Trust Funds and other retirement funds from actions designed to avoid the public debt limit; to the Committee on Ways and Means.

By Mr. TAYLOR (for himself, Mr. DOWDY of Mississippi, Mr. RINALDO, Mr. TAUZIN, Mr. DANNEMEYER, Mr. WYDEN, Mr. TAUKE, Mr. SHELBY, Mr. RICHARDSON, Mr. SIKORSKI, Mr. SCHAEFER, Mr. LATTA, Mr. BLILEY, Mr. DARDEN, Mr. SNYDER, Mr. MOORHEAD, and Mr. WHITTAKER):

H.R. 3739. A bill to protect consumers and franchised automobile dealers from unfair price discrimination in the sale by the manufacturer of new motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DELLUMS:

H.J. Res. 448. Joint resolution to provide for the designation of the month of February, 1986, as "National Black (Afro-American) History Month"; to the Committee on Post Office and Civil Service.

By Mr. GONZALEZ (for himself, Mr. WYLIE, and Mr. McKINNEY):

H.J. Res. 449. Joint resolution to provide for the temporary extension of certain programs relating to housing and community development, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MORRISON of Washington (for himself, Mr. ADDABBO, Mr. AKAKA, Mr. BERMAN, Mr. BEDELL, Mr. BROWN of California, Mrs. BURTON of California, Mr. BEVILL, Mr. BLILEY, Mr. BOSCO, Mr. BARNES, Mrs. BENTLEY, Mr. BROYHILL, Mr. BENNETT, Mr. BORSKI, Mr. BRYANT, Mr. BUSTAMANTE, Mr. BROOMFIELD, Mr. BROOKS, Mr. BURTON of Indiana, Mr. BARNARD, Mr. BILIRAKIS, Mr. CHAPPIE, Mrs. COLLINS, Mr. COOPER, Mr. CROCKETT, Mr. CAMPBELL, Mr. CONTE, Mr. CARPER, Mr. CALLAHAN, Mr. COATS, Mr. CHAPPELL, Mr. CLINGER, Mr. COURTER, Mr. DARDEN, Mr. DEWINE, Mr. DWYER of New Jersey, Mr. DANIEL, Mr. DE LA GARZA, Mr. DORGAN of North Dakota, Mr. EMERSON, Mr. ENGLISH, Mr. FISH, Mr. FOLEY, Mr. FAZIO, Mr. FRANKLIN, Mr. FAWELL, Mr. FLIPPO, Mr. FRENZEL, Mr. FAUNTROY, Mr. GUNDERSON, Mr. GUARINI, Mr. GINGRICH, Mr. GROTBERG, Mr. GRAY of Illinois, Mr. GILMAN, Mr. HYDE, Mr. HEFTEL of Hawaii, Mr. HILER, Mr. HARTNETT, Mr. HORTON, Mrs. HOLT, Mr. HUTTO, Mr. HAYES, Mr. HOYER, Mr. HOWARD, Mr. HUNTER, Mr. HEFNER, Mr. IRELAND, Mr. JACOBS, Mr. JONES of North Carolina, Mr. KASICH, Mrs. KENNELLY, Ms. KAPTUR, Mr. KEMP, Mr. KASTENMEIER, Mr. KANJORSKI, Mr. KINDNESS, Mr. LOWERY of California, Mr. LUNGREN, Mr. LIGHTFOOT, Mrs. LLOYD, Mr. LANTOS, Mr. LOWRY of Washington, Mr. LAGOMARSINO, Mr. LEVIN of Michigan, Mr. LOEFFLER, Mr. LEWIS of California, Mr. LEHMAN of Florida, Mr. LEACH of Iowa, Mr. LENT, Mr. LUKEN, Mr. LIVINGSTON, Mr. LATTA, Mr. MRAZEK, Mr. MANTON, Mr. MURPHY, Mr. MURTHA, Mr. McGRATH, Mr. MOORE, Mr. MOAKLEY, Mr. MORRISON of Connecticut, Mrs. MEYERS of Kansas, Mr. MILLER of Washington, Mr. McEWEN, Mr. MARTIN of New York, Mr. MOLINARI, Mr. MOODY, Mr. McDADE, Mr. MACK, Mr. MAVROULES, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. NEAL, Mr. NICHOLS, Mr. OBERSTAR, Mr. OWENS, Mr. ORTIZ, Mr. O'BRIEN, Mr. PANETTA, Mr. PURSELL, Mr. QUILLEN, Mr. REID, Mr. ROWLAND of Georgia, Mr. ROBERTS, Mr. ROSE, Mr. ROE, Mr. RODINO, Mr. RICHARDSON, Mr. RINALDO, Mr. ROBINSON, Mr. RAY, Mr. RAHALL, Mr. RUSSO, Mr. STENHOLM, Mr. STOKES, Mr. SAXTON, Mr. SCHEUER, Mr. SPRATT, Mr. SAVAGE, Mr. SUNDQUIST, Mr. STANGELAND, Mr. SHAW, Mr. SNYDER, Mr. SILJANDER, Mr. ROBERT F. SMITH, Mr. SCHUMER, Mr. TALLON, Mr. TRAFICANT, Mr. TAUKE, Mr. TRAXLER, Mr. TAUZIN, Mr. TOWNS, Mr. UDALL, Mr. VENTO, Mr. VALENTINE, Mr. VOLKMER, Mr. VANDER JAGT, Mr. WAXMAN, Mr. WALGREN, Mr. WORTLEY, Mr. WIRTH, Mr. WHEAT, Mr. WOLPE, Mr. WHITLEY, Mr. WHITTAKER, Mr. YOUNG of Alaska, Mr. YATRON, Mr. PACKARD, Mr. THOMAS of Georgia, Ms. OAKAR, Mr. YOUNG of Missouri, Mrs. BOXER, Mr. AUCOIN, Mr. MINETA, Mr. HALL of Ohio, Mr. STRANG, Mr. NIELSON of Utah, Mrs. VUCANOVICH, Mr. DYMALLY, Mr. SCHUETTE, Mr. TORRICELLI, Mr. HENRY, Mr. HUGHES, Mr. ANDREWS, Mr. EVANS of Iowa, Mr. KOLTER, Mr. LEVINE of California, Mr. MONTGOMERY, Mr. FROST, Mr. WYLIE, Mr. LOTT, Mr. MACKAY, Mr. LEWIS of Florida, Mr. SOLARZ, Mr. DELLUMS, Mr. PEPPER, Mr. BEILENSON, Mr. HUCKABY, Mr. SMITH of Florida, Mr. OLIN, and Mr. LAFALCE):

H.J. Res. 450. Joint resolution to authorize and request the President to issue a proclamation designating April 20 through April 26, 1986, as "National Organ and Tissue Donor Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. SOLARZ (for himself, Mr. SOLOMON, and Mr. GILMAN):

H.J. Res. 451. Joint resolution to designate September 19, 1986, as "National P.O.W./M.I.A. Recognition Day;" to the Committee on Post Office and Civil Service.

By Mr. SOLARZ (for himself, Mr. FASCELL, Mr. BROOMFIELD, Mr. LEACH of Iowa, Mr. GEJDENSON, Mr. DYMALLY, Mr. BEREUTER, Mr. TORRICELLI, Mr. UDALL, and Mr. BARNES):

H. Con. Res. 232. Concurrent resolution expressing the sense of the Congress with respect to the restoration of democracy in the Philippines; to the Committee on Foreign Affairs.

By Mr. FASCELL (for himself and Mr. BROOMFIELD):

H. Res. 316. Resolution expressing the support of the House of Representatives for the President as he prepares to meet with Soviet General Secretary Gorbachev in Geneva, Switzerland, and expressing its hope that this summit meeting will provide a basis for a freer, more stable, and more peaceful world; to the Committee on Foreign Affairs.

By Mr. DORNAN of California:

H. Res. 319. Resolution designating Sunday, November 17, 1985, as a national day of prayer; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Ms. KAPTUR:

H.R. 3740. A bill for the relief of Bedia Atik; to the Committee on the Judiciary.

H.R. 3741. A bill for the relief of Rodialo D. Sulit; to the Committee on the Judiciary.

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ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. STALLINGS.

H.R. 161: Mr. TALLON.

H.R. 679: Mr. HILLIS, Mr. MCKERNAN, Mrs. BOXER, Mr. DORNAN of California, Mr. MATSUI, Mr. DIOGUARDI, Mr. YOUNG of Florida, Mr. MURPHY, Mr. SMITH of New Hampshire, Mr. BUSTAMANTE, and Mrs. VUCANOVICH.

H.R. 877: Mr. KOSTMAYER.

H.R. 1101: Mr. MARKEY and Mr. BATES.

H.R. 1102: Mr. BATES.

H.R. 1103: Mr. BATES.

H.R. 1104: Mr. BATES and Mr. SHUMWAY.

H.R. 1108: Mr. ALEXANDER, Mr. CLAY, Mr. DANNEMEYER, Mr. DARDEN, Mr. EMERSON, Mr. HAMMERSCHMIDT, Mr. PACKARD, Mr. SHELBY, and Mr. GINGRICH.

H.R. 1262: Mr. HUNTER.

H.R. 1287: Mr. LOWRY of Washington and Mr. SWIFT.

H.R. 1294: Mr. WORTLEY.

H.R. 1338: Mr. MORRISON of Connecticut.

H.R. 1356: Mr. MOODY, Mr. BORSKI, Mr. ROBERTS, Mr. KOSTMAYER, Mr. MCCLOSKEY, Mr. MAVROULES, and Mr. ANDREWS.

H.R. 1507: Mr. CONYERS.

H.R. 1552: Mr. BORSKI.

H.R. 1622: Mr. BEREUTER.

H.R. 1648: Mr. ROWLAND of Georgia.

H.R. 1911: Mr. HUTTO.

H.R. 2263: Mr. DURBIN, Mr. WALGREN, Mr. ERDREICH, Mr. FROST, and Mr. RANGEL.

H.R. 2295: Mr. TOWNS, Mr. SEIBERLING, Ms. MIKULSKI, and Mr. MORRISON of Connecticut.

H.R. 2440: Mr. CHAPPELL and Mr. SYNAR.

H.R. 2539: Mr. TORRICELLI, Mrs. VUCANOVICH, Mrs. BENTLEY, and Mrs. SCHROEDER.

H.R. 2576: Mr. EVANS of Illinois and Mrs. COLLINS.

H.R. 2591: Mr. MILLER of Ohio, Mr. MCDADE, Mr. AKAKA, Mr. BORSKI, Mr. CHAPPELL, Mr. CHAPMAN, Mr. DE LUGO, Mr. FOGLIETTA, Mr. FUSTER, Mr. KILDEE, Mr. MANTON, Mr. LOWRY of Washington, Mr. LEVINE of California, Mr. PERKINS, Mr. SCHUMER, Mr. SPRATT, Mr. VALENTINE, Mr. WIRTH, Mr. WOLPE, Mr. MARKEY, Mr. CARR, Mr. SCHAEFER, Mr. MOORHEAD, Mr. SOLARZ, Mr. FRANK, Mr. TORRICELLI, Mr. MAVROULES, Mr. CARPER, Mr. MURPHY, Mr. YATRON, Mr. ENGLISH, Mr. JENKINS, Mr. TRAXLER, Mr. DWYER of New Jersey, Mr. SMITH of New Hampshire, Mr. JEFFORDS, Mr. HILLIS, Mr. ORTIZ, Mr. PEPPER, Mr. STOKES, Mr. ROBERTS, Mr. DONNELLY, Mr. DOWNEY of New York, Mr. RAY, Mr. CROCKETT, Mr. MCCURDY, Mr. BOUCHER Mr. PRICE, and Mr. NELSON of Florida.

H.R. 2902: Mr. BONER of Tennessee, Mr. DWYER of New Jersey, Mr. LOWRY of Washington, Mr. RICHARDSON, and Mr. TRAFICANT.

H.R. 2909: Mr. APPLEGATE, Mr. BUSTAMANTE, Mr. VENTO, Mr. SIKORSKI, Mr. SUNIA, Mr. LUNDINE, Mr. CARNEY, Mr. KEMP, Mr. ECKERT of New York, Mr. MARTINEZ, Mr. BRYANT, Mrs. COLLINS, Mr. DYMALLY, Mr. KOLTER, Mr. CLAY, Ms. OAKAR, Mr. WILSON, Mr. GONZALEZ, Mr. GREEN, Mr. TORRES, Ms. MIKULSKI, and Mr. MRAZEK.

H.R. 2943: Mr. COELHO Mr. WISE, Mr. BENNETT, Mr. PRICE, Mr. WORTLEY, and Mr. HARTNETT.

H.R. 2985: Mr. BORSKI, Mr. APPLEGATE, Mr. LIPINSKI, Mr. EDGAR, and Mr. MCEWEN.

H.R. 3006: Mr. NIELSON of Utah.

H.R. 3042: Mr. BIAGGI and Mr. GILMAN.

H.R. 3099: Mr. MCKINNEY and Mr. ROSE.

H.R. 3172: Mr. GILMAN.

H.R. 3263: Mr. WEAVER.

H.R. 3346: Mr. MOORHEAD.

H.R. 3357: Mr. FRANKLIN, Mr. DELAY, and Mr. CLINGER.

H.R. 3498: Mr. ALEXANDER, Ms. KAPTUR, Mr. PEASE, Mr. BONIOR of Michigan, Mr. CARPER, Mr. HUGHES, and Mr. ORTIZ.

H.R. 3505: Mr. COBEY, Mr. PRICE, and Mr. ARMEY.

H.R. 3521: Mr. ROEMER, Mr. HALL of Ohio, Mr. NEAL, Mr. KASICH, and Mr. LIVINGSTON.

H.R. 3562: Mr. GINGRICH and Mr. PACKARD.

H.R. 3569: Mr. GUARINI and Mr. CARPER.

H.R. 3573: Ms. KAPTUR, Mr. PEASE, Mr. ALEXANDER, Mr. HUGHES, Mr. ORTIZ, Mr. CARPER, Mr. BONIOR of Michigan, Mr. RICHARDSON, Mr. WILSON, Mr. SEIBERLING, and Mr. MARTINEZ.

H.R. 3593: Mr. WHITEHURST, Mr. SOLOMON, Mr. LANTOS, Mr. CONYERS, Mr. SAXTON, Mr. JACOBS, Mr. DELAY, Mr. LAGOMARSINO, Mr. REID, and Mr. WILSON.

H.R. 3615: Mr. HAYES, Mr. BEVILL, Mr. GRAY of Illinois, and Mr. EMERSON.

H.R. 3634: Mr. MITCHELL, Mr. SCHUMER, Mr. SMITH of Florida, Mr. LUKEN, Mr. COBLE, Mr. RIDGE, Ms. KAPTUR, Mr. ERDREICH, Mr. RAHALL, Mr. FROST, Mr. MARTINEZ, Mr. SAXTON, Mr. SOLARZ, and Mr. HUGHES.

H.R. 3643: Mr. GINGRICH.

H.R. 3660: Mr. HAYES, Mr. EDWARDS of California, Mr. ROSE, Mr. KOSTMAYER, Mr. STUDDS, Mr. GUARINI, Mr. TOWNS, Mr. CROCKETT, Mr. OBERSTAR, Mr. MINETA, Mr. BONER of Tennessee, Mr. BONIOR of Michigan, and Mr. STAGGERS.

H.R. 3706: Mr. LELAND, Mr. FUSTER, and Mr. MORRISON of Connecticut.

H.J. Res. 6: Mr. BATES, Mr. BUSTAMANTE, Mr. DAUB, Mr. DE LA GARZA, and Mr. HUGHES.

H.J. Res. 101: Mr. PARRIS, Mr. DWYER of New Jersey, and Mr. FROST.

H.J. Res. 127: Mr. KILDEE, Mr. FIELDS, Mr. GRAY of Pennsylvania, and Mr. WALGREN.

H.J. Res. 154: Mr. BONIOR of Michigan and Mr. HYDE.

H.J. Res. 331: Mr. BILIRAKIS, Mr. GILMAN, Mr. RICHARDSON, Mr. CONYERS, Mr. HAYES, and Mr. GONZALEZ.

H.J. Res. 345: Mr. HUBBARD, Mr. COURTER, Mr. WOLF, Mr. CARNEY, Mr. PORTER, Mr. DASCHLE, Mr. FRANKLIN, Mr. DARDEN, Mr. KOLTER, Mr. CONYERS, Mr. HUTTO, Mr. GINGRICH, Mr. COUGHLIN, Mr. BONER of Tennessee, Mr. BEVILL, Mr. NIELSON of Utah, Mr. LUKEN, Mr. DYMALLY, Mr. BROWN of Colorado, Mr. BEDELL, Mr. KASTENMEIER, Mr. BATEMAN, Mr. SMITH of New Hampshire, Mr. KRAMER, Mr. DOWDY of Mississippi, and Mr. EVANS.

H.J. Res. 417: Mr. PENNY, Mr. CROCKETT, Mr. TAUKE, Mr. FISH, Mr. PORTER, Mr. MINETA, Mr. BOBSCO, Mr. SKELTON, Mr. MARTINEZ, and Mr. BOUCHER.

H.J. Res. 436: Mr. RALPH M. HALL, Mr. WATKINS, Mr. JONES of Tennessee, Mr. TRAXLER, Mr. BOUCHER, Mr. GUARINI, Mr. COLEMAN of Texas, Mr. BRUCE, Mr. YATRON, Mr. STALLINGS, Mr. STENHOLM, Mr. LEACH of Iowa, Mr. MCCOLLUM, Mr. MCCANDLESS, Mr. MCEWEN, Mr. LUNGREN, Mr. TAYLOR, Mr. WORTLEY, Mr. HAMMERSCHMIDT, Mr. MONTGOMERY, Mr. SHELBY, Mr. HOWARD, Mrs. BENTLEY, Mr. COUGHLIN, Mr. VISCLOSKY, Mr. BROOKS, Mr. MRAZEK, and Mr. MONSON.

H.J. Res. 440: Mr. ADDABBO, Mr. CROCKETT, Mr. CONYERS, Mr. SMITH of Florida, Mr. DEWINE, Mr. MORRISON of Connecticut, Mr. MCGRATH, Mr. HUGHES, and Mr. LANTOS.

H. Con. Res. 6: Mr. BORSKI.

H. Con. Res. 197: , Mr. SLATTERY.

H. Con. Res. 208: Mr. FISH, Mr. BROWN of California, Mr. HERTEL of Michigan, Mr. OBERSTAR, Mr. WIRTH, and Mr. MARTINEZ.

H. Con. Res. 212: Mr. MORRISON of Connecticut, Mr. REID, Mr. WORTLEY, Mr. ECKART of Ohio, Mr. SMITH of Florida, Mr. FRANK, Mr. GARCIA, Mr. PORTER, Mr. KASICH, Mr. SUNIA, Mr. EDWARDS of Oklahoma, Mr. MARKEY, Mr. MARTINEZ, and Mr. ECKERT of New York.

H. Con. Res. 221: Mr. MARTINEZ, Mr. MORRISON of Connecticut, Mr. MRAZEK, Mr. FUSTER, Mr. LANTOS, Mr. ROBINSON, and Mr. WILSON.

H. Con. Res. 227: Mr. WOLPE, Mr. COYNE, Mr. EMERSON, Mr. NATCHER, Mr. MARTINEZ, Mr. LAFALCE, Mr. MORRISON of Connecticut, Mrs. COLLINS, and Mr. FAWELL.

H. Res. 256: Mr. FASCELL.

H. Res. 268: Mr. HUTTO, Mr. HENDON, Mrs. BOGGS, and Mrs. HOLT.

H. Res. 269: Mr. MARTINEZ.

H. Res. 271: Mr. RINALDO, Ms. MIKULSKI, and Mrs. BENTLEY.

H. Res. 300: Mr. KEMP, Mr. BROOMFIELD, Mr. MCCAIN, Mr. SMITH of New Jersey, Mr. FRENZEL, Mr. FAUNTROY, Mr. WOLF, Mrs. VUCANOVICH, Mr. HUGHES, Mr. ZSCHAU, Mr. HENDON, Mr. EMERSON, Mr. BRYANT, Mr. GREGG, Mr. ROE, Mr. DIOGUARDI, Mr. ECKERT of New York, Mr. COURTER, Mr. ACKERMAN, Mr. HUNTER, Mr. WILSON, Mr. MCGRATH, Mr. WORTLEY, Mr. RITTER, Mr. MONSON, Mr. LANTOS, Mr. GINGRICH, Mr. LEVIN of Michigan, Mr. ROGERS, Mr. WEBER, Mr. FROST, Mr. REID, Mr. SCHUETTE, Mr. HILLIS, Mr. SILJANDER, Mr. FISH Mr. PETRI, Mr. BILIRAKIS, Mr. SOLOMON, Mr. DORNAN of California, Mr. WHITTAKER, Mr. FRANK, Mr. PORTER, Mr. CAMPBELL, Mr. MADIGAN, Mr. LEVINE of California, Mr. SKEEN, Mr. DEWINE, Mr. SAXTON, Mr. HUTTO, Mr. DAUB, Mr. SWINDALL, Mr. BURTON of Indiana, Mr. DELAY, and Mr. BEREUTER.

PETITIONS, ETC.

Under clause 1 of rule XXII, the following petition and papers were presented as follows:

250. The SPEAKER presented a petition of the Hawaii State Association of Counties, relative to the spraying of toxic herbicides; which was referred to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1616

By Mr. BROWN of Colorado:

—On page 9, at the end of line 8, add the following new section:

"SEC. 8. Sections 1 through 7 of this Act shall not apply when the notice of plant closing would adversely effect the credit available for the continued operation of the plant." And renumber the following sections accordingly.

—On page 9, at the end of line 8, add the following new section.

"SEC. 8. Sections 1 through 7 of this Act shall not apply when the notice of plant closing would adversely effect the sales of the products produced by the plant." And renumber the following sections accordingly.

—On page 9, at the end of line 8, add the following new section:

"SEC. 8. Sections 1 through 7 of this act shall not apply when the notice of the plant closing would adversely affect the sales of

the products produced by the plant and thereby endanger the continued operation of the plant."

And renumber the following sections accordingly.

H.R. 1616

(Amendment in the Nature of a Substitute)

By Mr. JEFFORDS:

—Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community and Dislocated Worker Notification and Assistance Act".

SEC. 2 DEFINTIONS.

As used in this Act, the term—

(1) "employer" means any business enterprise that employs—

(A) 200 or more employees at a single site, or

(B) 50 or more employees at a single site in an area outside of a metropolitan statisical area, as defined by the Office of Management and Budget pursuant to its authority under section 3504(d) of title 44, United States Code;

(2) "plant closing or mass layoff" means an employment loss for the greater of (A) 60 percent of the full-time employees, or (B) 50 full-time employees, of an employer at any site during any 90-day period;

(3) "representative" means an exclusive representative of employees as determined under the National Labor Relations Act (29 U.S.C. 141 et seq.) or under the Railway Labor Act (45 U.S.C. 151 et seq.);

(4) "affected employees" means employees who have been employed full-time by an employer for more than 6 months and who may reasonably be expected to experience an employment loss as a consequence of a proposed plant closing or mass layoff, but does not include any seasonal worker or other worker for whom there is no reasonable expectation of permanent employment;

(5) "employment loss" means—

(A) an employment termination, other than a discharge for cause,

(B) a layoff of indefinite duration, or

(C) a layoff of definite duration exceeding 6 months;

(6) "Secretary" means the Secretary of Labor;

(7) "Task Force" means the National Task Force on Economic Adjustment and Worker Dislocation established by section 7 of this Act.

SEC. 3. NOTICE REQUIRED BEFORE PLANT CLOSINGS AND MASS LAYOFFS.

(a) NOTICE TO EMPLOYEES.—An employer shall not order a plant closing or mass layoff until the end of a period of 60 days after the employer serves written notice of a proposal to issue such an order to the representative or representatives of the affected employees with respect to such order or, if there is no such representative, to each affected employee with respect to such order.

(b) REDUCTION OF NOTIFICATION PERIOD.—An employer may order a plant closing or mass layoff before the conclusion of the 60-day period described in subsection (a), if, as a consequence of unforeseeable business circumstances, the employer, in the exercise of prudent business judgment, must implement such order prior to the end of such period.

SEC. 4. ADMINISTRATION AND ENFORCEMENT OR REQUIREMENTS

(a) INVESTIGATIONS BY DEPARTMENT OF LABOR.—Within 10 days after receipt of a complaint alleging that an employer has ordered a plant closing or mass layoff in violation of this Act, the Secretary shall investigate the allegation. If the Secretary determines that there is reasonable cause to believe such allegation is true, the Secretary shall request the employer and the complainant and the representative of the affected employees, if any, to file formal statements in writing concerning the alleged violation.

(b) CIVIL DAMAGES.—(1) If the Secretary determines, after notice and an opportunity for a hearing, that the employer has ordered a plant closing or mass layoff in violation of this Act, the Secretary may petition any district court of the United States for any district—

(A) in which the violation is alleged to have occurred, or

(B) in which the employer transacts business,

for damages in accordance with paragraph (2).

(2) Damages under this paragraph shall be an amount not to exceed the sum of the pay and related benefits of affected employees for each day that the employer is in violation of this Act, not to exceed a total of 60 days.

(3) The remedy provided by this subsection shall constitute the exclusive remedy with respect to violations of this Act.

SEC. 5. PROCEDURES IN ADDITION TO OTHER RIGHTS OF EMPLOYEES.

The rights and remedies provided to employees by this Act are in addition to, and not in lieu of, any other contractual, statutory, or other legal rights and remedies of the employees, but the rights afforded to employees under this Act may be waived as a permissive subject of bargaining pursuant to a collective bargaining agreement entered into under the National Labor Relations Act or the Railway Labor Act.

SEC. 6. NATIONAL TASK FORCE ON ECONOMIC ADJUSTMENT AND WORKER DISLOCATION.

(a) DUTIES.—The National Task Force on Economic Adjustment and Worker Dislocation established by the Secretary shall, among other things, analyze—

(1) the personal, social, and economic costs associated with plant closings and mass layoffs;

(2) the causes of, and the nature of decisionmaking with respect to, such closings and layoffs;

(3) existing domestic and foreign governmental policies and programs for responding to such closings and layoffs;

(4) existing Federal programs directed at assisting the dislocated worker;

(5) existing and potential government programs, including potential incentives to employers, to assist business, labor, and communities to respond to the problems resulting from plant closing and dislocation; and

(6) current voluntary activities within business and industry aimed at assisting the dislocated worker in making the transition to new work opportunities.

(b) TASK FORCE REPORT.—The Task Force shall report its findings directly to the Secretary not later than December 31, 1986.

SEC. 7. WORKER READJUSTMENT AND PLACEMENT SERVICE.

(a) REGIONAL ASSISTANCE.—The Secretary shall identify individuals, who shall include but not be limited to employees of the Department of Labor, who shall be available on a regional basis to provide planning, operational, and technical assistance to worker readjustment and placement committees described in subsection (b).

(b) WORKER READJUSTMENT COMMITTEES.—(1) A worker readjustment and placement committee may be established by an employer who has provided notice as required under section 3.

(2) The purpose of the committee shall be to facilitate and coordinate the readjustment or relocation of the workers through retraining, counseling, placement, human resource, community, education, and other services.

(3)(A) The committee shall be composed of the employer or the employer's representative, representatives of the affected employees, and any other individual selected by mutual agreement between such parties.

(B) In any case in which there is no such employee representative, employees shall choose individual employees to represent them on the committee.

(c) FINANCIAL ASSISTANCE.—(1) Subject to the availability of funds for such purpose from funds appropriated after the date of enactment of this Act, including funds available for use in the Secretary's discretion from other applicable programs, the Secretary may provide financial assistance, to any worker readjustment and placement committee.

(2) Such assistance may not exceed—

(A) 50 percent of the operating costs of the committee; and

(B) 50 percent of the costs incurred by the committee in relocating affected employees.

(d) REGULATIONS.—The Secretary shall prescribe regulations establishing conditions and requirements for eligibility by worker readjustment and placement committees to the financial assistance authorized in subsection (c).

(e) VOLUNTARY PARTICIPATION.—Formation of and participation in worker readjustment and placement committees by any employer, employee representative, or employee shall be completely voluntary.

(f) NO DISCRIMINATION BASED ON EMPLOYEE REPRESENTATION.—In administering the assistance authorized under this section, the Secretary shall not discriminate on the basis of employee representation or the lack thereof.

(g) ASSISTANCE MAY NOT BE CONDITIONED ON ACCEPTANCE OF SECRETARY'S ADVICE.—In no case shall the continuation of assistance under this section be conditioned upon the acceptance of any advice or recommendation offered to a worker readjustment and placement committee by the Secretary or the Secretary's representative.

SEC. 8. EFFECTIVE DATES.

This Act shall take effect on July 1, 1987, except that sections 6 and 7 shall take effect on the date of the enactment of this Act.