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No. 98

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. TORKILDSEN].

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
June 15, 1995.

I hereby designate the Honorable PETER G. TORKILDSEN to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

### PRAYER

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

Help us, O gracious God, to translate the blessed hopes and dreams that are Your gift to us into our daily lives. May we be inspired and encouraged to live lives that are worthy in Your sight and do such good deeds that reflect the trust we have in Your providence. May the expressions of faith that we profess not be limited to the words we say, but may find a living reality in our actions and in our deeds, and may the comfort and peace and assurance that Your word proclaims be found alive in our hearts and souls. In Your name we pray. Amen.

### THE JOURNAL

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

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

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

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

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

Ms. DELAURO. 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 356, nays 49, answered "present" 2, not voting 27, as follows:

[Roll No. 380]  
YEAS—356

Ackerman  
Allard  
Andrews  
Archer  
Armey  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Baldacci  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton  
Bass  
Becerra  
Beilenson  
Bentsen  
Bereuter  
Berman  
Bevill  
Bilbray  
Bilirakis  
Bishop  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono  
Borski  
Boucher  
Brewster

Browder  
Brown (FL)  
Brown (OH)  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Cardin  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Chrysler  
Clayton  
Clement  
Clinger  
Coble  
Coburn  
Collins (GA)  
Collins (IL)  
Combest  
Condit  
Conyers  
Cooley  
Cox  
Coyne  
Cramer  
Crapo  
Cremeans

Cunningham  
Danner  
Davis  
de la Garza  
Deal  
DeLauro  
DeLay  
Dellums  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dooley  
Doolittle  
Dornan  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Eshoo  
Evans  
Everett  
Ewing  
Fawell  
Fields (LA)  
Flake  
Flanagan  
Foley  
Forbes  
Ford

Fowler  
Fox  
Frank (MA)  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Frost  
Furse  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gilchrest  
Gilman  
Gonzalez  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green  
Greenwood  
Gunderson  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hefner  
Heineman  
Hilleary  
Hinchey  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jackson-Lee  
Jefferson  
Johnson (CT)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly

Kildee  
Kim  
King  
Kingston  
Klink  
Klug  
Knollenberg  
Kolbe  
LaHood  
Lantos  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Lincoln  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lofgren  
Longley  
Lowey  
Lucas  
Luther  
Manton  
Manzullo  
Markey  
Martini  
Mascara  
Matsui  
McCarthy  
McCollum  
McCrery  
McDade  
McDermott  
McHale  
McHugh  
McInnis  
McKeon  
McNulty  
Meehan  
Meek  
Metcalf  
Meyers  
Mica  
Miller (FL)  
Mineta  
Minge  
Mink  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moorhead  
Moran  
Morella  
Murtha  
Myers  
Myrick  
Nadler

Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Obey  
Olver  
Ortiz  
Orton  
Owens  
Oxley  
Packard  
Pallone  
Parker  
Pastor  
Paxon  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Petri  
Porter  
Portman  
Poshard  
Pryce  
Quillen  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Reed  
Regula  
Rivers  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose  
Roth  
Roukema  
Royce  
Sanders  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer  
Schiff  
Schumer  
Scott  
Seastrand  
Sensenbrenner  
Serrano  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skeen  
Skelton

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H 5985

Smith (MI)	Taylor (NC)	Wamp
Smith (NJ)	Tejeda	Ward
Smith (TX)	Thomas	Watt (NC)
Solomon	Thornberry	Watts (OK)
Souder	Thurman	Weldon (FL)
Spence	Tiahrt	Weldon (PA)
Spratt	Torkildsen	Weller
Stark	Torres	White
Stearns	Torricelli	Whitfield
Stenholm	Towns	Wicker
Stokes	Trafigant	Williams
Studds	Upton	Wilson
Stump	Velazquez	Wolf
Stupak	Visclosky	Wyden
Talent	Vucanovich	Wynn
Tanner	Waldholtz	Young (FL)
Tate	Walker	Zeliff
Tauzin	Walsh	

NAYS—49

Abercrombie	Gutknecht	Rush
Brown (CA)	Hastings (FL)	Sabo
Clay	Hefley	Schroeder
Coleman	Hilliard	Skaggs
Costello	Jacobs	Slaughter
DeFazio	LaFalce	Stockman
Durbin	Levin	Taylor (MS)
Farr	Lewis (GA)	Thompson
Fazio	Maloney	Vento
Filner	Martinez	Volkmer
Foglietta	McKinney	Waters
Funderburk	Menendez	Waxman
Gephardt	Miller (CA)	Wise
Geren	Oberstar	Woolsey
Gibbons	Pickett	Zimmer
Gillmor	Pomeroy	
Gutierrez	Reynolds	

ANSWERED "PRESENT"—2

Harman	Salmon
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NOT VOTING—27

Bateman	Engel	Pombo
Bryant (TX)	Fattah	Richardson
Chapman	Fields (TX)	Riggs
Clyburn	Heger	Roybal-Allard
Collins (MI)	Johnson, Sam	Smith (WA)
Crane	Klecza	Thornton
Cubin	Leach	Tucker
Dickey	McIntosh	Yates
Dixon	Mfume	Young (AK)

□ 1023

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. TORKILDSEN). Today the Pledge of Allegiance will be led by the gentleman from Washington [Mr. WHITE].

Mr. WHITE led the Pledge of Allegiance as follows:

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

THE HOUSTON ROCKETS: BACK-TO-BACK CHAMPIONS

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

Mr. GENE GREEN of Texas. Mr. Speaker, today I take the floor to honor the 1995 National Basketball Association back-to-back champions, the Houston Rockets.

Let me take a minute out of our day because we are going to talk about the defense budget, to say that the Houston Rockets have definitively proven hard work, great coaching, great teamwork, and uncompromising drive are the best ingredients for champions,

just like our country has shown. Hakeem Olajuwon, the most valuable player in the finals for 2 consecutive years, was a teammate of Clyde Drexler, and they both played at the University of Houston during the 1980's. They can now share the world championship.

The Houston Rockets are coached by Rudy Tomjanovich. Their outstanding players include, Robert Horry from Alabama, Sam Cassell from Baltimore, Kenny Smith, who played college basketball at North Carolina, and, again, Clyde Drexler, a Houstonian and graduate of Sterling High School in Houston, and Hakeem Olajuwon, who was born in Nigeria, joined by our team owner, Les Alexander, who is actually from Florida.

They have shown each of us what hard work and teamwork and pride can do. They also demonstrated that especially immigrants have a great deal to offer to our society. Because, my fellow Members, as Americans we all come from somewhere but we also are all in this together.

Our congratulations to the 1995 Houston Rockets, again, back-to-back champions.

WHERE IS THE PRESIDENT'S NEW BUDGET?

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

Mr. SCHIFF. Mr. Speaker, I certainly welcome the fact that the President of the United States has joined the Congress in calling for a balanced budget.

I have noticed that the media has already begun a comparison of the President's new budget with the House and Senate budget resolutions. But there is a problem. The problem is there is no new Presidential budget, at least not yet.

Now, this is a budget, in fact, this is the President's budget that the President submitted to the Congress in February of this year. By its size, you can see it is a point-by-point spending plan for every Government agency and every Government program, just as the House and Senate budget resolutions provide for.

But we have seen no similar set of documents since the President's speech to the Nation the other night referring to a new budget. So, when the President says that he wants to increase spending for education, we have no idea how he intends to pay for it, and when the President says there will be a 20 percent cut in discretionary spending except for education and defense, we have no idea whether that means 20 percent across the board or whether it means an average of a 20-percent cut.

Mr. Speaker, to conclude, a famous commercial once said, "Where's the beef?" I would like to paraphrase that to say, "Where is the President's new budget?"

THE PRESIDENT'S BUDGET-BALANCING PROPOSAL

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

Mr. MINGE. Mr. Speaker, when I first ran for office in 1992, I did so in large part because I was concerned about our growing budget deficit. I am pleased that the debate in the beltway has finally caught up with the demands of the people back home. We are now properly debating how to balance the budget, not whether we should balance the budget.

I applaud the President for joining this historic effort. His proposal this week greatly improves the chances for us to find consensus on a plan to balance the budget.

The Democratic Party cannot expect to regain the majority if its Members are content to sit on the sidelines and snipe while the Republicans pass a plan to put our fiscal house in order. Republicans and Democrats ought to support the President's decision.

The American people want us to put pretty partisan politics aside and address the critical issues that confront this country.

Nothing is more of a concern than our budget deficit.

The American people are willing to accept cuts in programs that are important to them if they are convinced that everyone is being asked to sacrifice for the good of the country.

The President put politics aside and did the right and responsible thing, we need to balance the budget. We need the President's leadership. We should welcome his participation and work together.

CLINTON BUDGET NO. 2

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

Mr. JONES. Mr. Speaker, I am glad that the President has submitted Clinton budget No. 2. I am glad that he has finally realized that the American people really do want a balanced budget, and while we are still waiting on the details, I did find something very interesting in the 15-page summary the President submitted.

Clinton budget 2 does not propose to eliminate any Cabinet-level departments of the Federal Government. Mr. Speaker, this is amazing. The Republican budget cuts the huge Federal bureaucracy by eliminating three Cabinet-level departments. The Federal Government is too big and spends too much.

Republicans want to streamline the Federal Government by cutting waste and eliminating unnecessary positions. The Republican majority understands the American people want a smaller government.

## A FLAWED PICTURE

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

Mr. FARR. Mr. Speaker, what is wrong with this picture:

The Republicans want to protect interest income of the wealthy. The Democrats want to protect interest payments on students loans.

The Republicans want to provide tax cuts for millionaires. The Democrats want to provide tax cuts for middle-income families.

The Republicans want to use spending reductions to pay for tax cuts. The Democrats want to use spending reductions to pay for deficit reductions.

What is wrong with this picture, Mr. Speaker, is that under the Republican budget, all the money coming out of the system is going into the pockets of the rich and powerful, and all the money coming out of the system is coming out of the pockets of the middle class.

I sincerely hope we in Congress can find the right glidepath to a balanced budget but if it means the rich get richer while the middle class pays for it, count me out.

## CLARIFYING THE PICTURE

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

Mr. HOKE. Mr. Speaker, I will tell the previous speaker what is wrong with that picture. What is wrong with it is it appeals to the worst in the American people. It appeals to a call to class warfare. It appeals to a petty and vituperative kind of conduct, and it absolutely confuses the American people.

Because the fact is that it is the middle class that has been paying for decades. The middle class will continue to pay unless we create genuine tax relief, which is exactly what we have been working on on this side of the aisle. But that is what is wrong with the picture.

I was surprised to hear a member of the Democratic leadership yesterday say that he is upset with the President's budget because he does not think that Medicare should be talked about or touched in order to balance the budget. The reason I was surprised is because the fact is that even if we run a budget surplus in the year 2002, Medicare is going to be bankrupt. Medicare is a separate program. You cannot spend money that is outside the trust fund. You cannot take money from the general fund.

You have got to put your head in the sand if you will not do something about Medicare.

## THE ESCAPE HATCH REMAINS OPEN FOR TAX DODGERS

(Ms. DELAURO asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, let us talk about the Republican hoax. This week House Republicans promised to close the tax loophole that allows billionaires to avoid paying taxes by renouncing their U.S. citizenship.

But instead of closing this loophole, the Republicans left the escape hatch wide open.

According to the Treasury Department, this bill has the same problems as the current law that allows the super-rich to dodge paying their fair share.

While Republicans find creative ways of protecting tax benefits for the privileged few, their budget hits working middle-class families on both ends: Cutting student loans and Medicare.

Republicans love to talk about the revolution they are bringing to the House. In fact they are up to politics as usual: Big breaks for the privileged few while working middle-class families get stuck with the bill.

## INTRODUCTION OF LEGISLATION AMENDING THE FEDERAL ELECTION CAMPAIGN ACT OF 1971

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

Mr. WHITFIELD. Mr. Speaker, today I am introducing legislation which will amend the Federal Election Campaign Act of 1971 to equalize the opportunity to raise campaign funds to incumbents and challengers.

In Federal elections, under current law, political action committees can contribute \$5,000 in a primary, \$5,000 in a general election, while individuals can only contribute \$1,000 in a primary and \$1,000 in a general election.

Last year PAC's gave \$126 million to incumbents and only \$16 million to challengers, and PAC's historically have given 90 percent of their money to incumbents and very little amounts of money to challengers.

My legislation lowers the amount political action committees can contribute from \$5,000 to \$3,000, and raises the amount that individuals can contribute from \$1,000 to \$3,000.

Earlier this year, term limits failed in this body, and I have long said we do not need term limits if we have meaningful campaign finance reform. I urge Members to support this legislation, which will level the playing field and make campaigns more competitive.

## THE FUTURE OF AGRICULTURE PROGRAMS

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

Mr. VOLKMER. Mr. Speaker, Members of the House, under the agriculture program that this country has had for a good many years, since the

1930's, the American public has eaten better for less than anyplace else in the world. Less than 14 percent of disposable income goes for the great food, the quality food that we eat.

Under the Republican budget, that is not going to be the future of agriculture, because the agriculture programs under the Republican budget have to be cut drastically, over \$9 billion in the next 5 years, cut out of a budget of only about \$17 billion.

Under the President's budget, only \$4.2 billion has to be cut for our farmers and agriculture, and we can maintain that good food supply, under the President's budget. Not under the Republican budget of the House or the Senate.

The Democratic President's budget is a lot better for agriculture, for our farmers, than the Republican budget, and I say to you that if you are interested in continuing to have a wholesome food supply in this country, you would not want to support the Republican agriculture budget.

## THE LONG MARCH TOWARD BALANCING THE BUDGET

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

Mr. WHITE. Mr. Speaker, President Clinton submitted his budget this week, and I recognize that the budget is too late. He should have done it 2 years ago.

I recognize that this budget is too long. He takes 10 years to balance the budget. He should at least try to meet us and do it in 7 years. I recognize his budget has some of the wrong priorities.

But, frankly, Mr. Speaker, I think the President's budget is basically a good thing. I welcome him to this debate. We need him, and I am happy to see him taking this step.

But I want to remind the President, and I want to remind each and every one of us, that balancing the budget is not a 1-day process. We are not going to balance the budget by making a proposal, having a news conference on 1 day. We are not going to do it by passing a resolution, as this House has done.

The only way we balance the budget is to keep the faith, take the political heat, make the decisions every day, every day for 7 years, until the budget is in balance. This is not a short-term process.

Now, Mr. President, I am committed to that process. That is why earlier this week I voted against funding for the B-2 bomber, even though a lot of that funding is in our district.

Mr. President, are you committed to this process? This is a long march, not a short sprint. We need you with us all the way.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. The Chair will notify all Members that Members should address the Chair during 1-minutes.

□ 1040

## HOUSTON ROCKETS WIN CHAMPIONSHIP IN REMARKABLE PLAYOFF SWEEP OF ORLANDO MAGIC

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

Mr. BENTSEN. Mr. Speaker, as Gene Petersen, long-time voice of the Houston Rockets is fond of saying, "How Sweet It Is."

Last night the world champion Houston Rockets completed one of the most remarkable playoff runs in NBA history by sweeping the Orlando Magic. Given little respect by the so-called experts after winning their first world championship, the Rockets claimed their second consecutive world championship by rewriting NBA playoff history.

The numerous individual and team records set by the Rockets during this playoff run include: being the first team to beat 4 teams with 50 or more wins on their way to a championship; the Rockets are the first team to claim their second consecutive championship by sweeping their finals opponent; the Rockets were the lowest seeded team to ever win a championship. Some of the individual records set include Kenny Smith's seven three pointers in game one for a single game record, and Robert Horry setting a single game record for steals with seven.

And, what an accomplishment to see the return of the powerful Houston duo Clyde Drexler and Hakeem Olajuwon avenging the 1983 NCAA finals loss.

Of course, what the Rockets accomplished during this playoff run isn't about records. As Rudy "T" declared last night, it's about "the heart of a champion." We could learn a lot from this team, staring elimination in the face five separate times, the Rockets consistently rose to the challenge. As a result, they are again in their rightful place atop the basketball world.

## INTRODUCTION OF THE AMERICAN ACTION ACT FOLLOWS SUPREME COURT'S AFFIRMATIVE ACTION DECISION

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

Mr. RADANOVICH. Mr. Speaker, today I commend the Supreme Court's recent decision regarding racial preferences and quotas.

In a country where everyone asks to be treated equally, this decision moves us closer toward such a reality. As Justice Clarence Thomas stated in his

opinion, "government cannot make us equal; it can only recognize, respect, and protect us as equal before the law."

But the Court's decision does not go far enough. This Congress should work to end all discrimination, including preferences and quotas. In the spirit of equality, I am introducing legislation this week which will promote equality. The American Action Act will ban racial and sexual discrimination against any individual in employment, education, and contracting. The concept of this legislation is simple: All discrimination must end.

## THE HOUSTON ROCKETS AND THE AMERICAN DREAM

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

Ms. JACKSON-LEE. Mr. Speaker, I was almost getting ready to put on this hat this morning, but I hope my colleagues will be able to know where I am and where I stand.

Hakeem Olajuwon, Sam Cassell, Kenny Smith, Clyde Drexler, Mario Ellie, Rudy T., Les Alexander, and many, many others who stood before the American people said, "We have heart, we have soul. We have character, and we have perseverance."

Mr. Speaker, my hat is off, and sometimes it is on, to the National Basketball Association champions of 1995, the Houston Rockets.

But let me say something else. I salute the city of Houston, the State of Texas, and, yes, the Houston fans, because it is all about people gathering together, supporting folks who determine to do the right thing and never say die, never say that we cannot do it. That is the American dream. That is what this Congress is all about. That is what the Democratic Party stands for, that we believe in people.

Let me also salute those in the Houston Rockets who have given of themselves to the inner city youngsters in my district, for do my colleagues realize that the Houston Rockets have provided for basketball programs in our city parks and support our city parks by keeping them open late hours so that youngsters will have something to do?

I salute the Houston Rockets. What other team has come from out of the ashes, stood up, and said to America, "Yes, we can"?

Congratulations to the 1995 National Basketball Association champions, the Houston Rockets.

## CLINTON'S TOP 10 REASONS FOR PROPOSING A BALANCED BUDGET

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

Mr. HAYWORTH. Mr. Speaker, from the home office in Scottsdale, AZ, Bill

Clinton's top 10 reasons for proposing a balanced budget:

No. 10, Hillary: Out of town.

No. 9, I did what?

No. 8, time to really tick off GEP-HARDT.

No. 7, sneaking suspicion that Republicans have been right all along.

No. 6, tired of being irrelevant.

No. 5, if at first you don't succeed, try, try again.

No. 4, only way to get networks to cover him.

No. 3, ploy to get DAVID OBEY to join his fan club.

No. 2, too much McDonald's coffee.

And the No. 1 reason Bill Clinton proposed a balanced budget: Newt envy.

## CLINTON BUDGET: TOO LITTLE, TOO LATE, AND TOO EXPENSIVE

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

Mr. LEWIS of Kentucky. Mr. Speaker, I have yet to hear more than a handful of Democrats praise the President's budget sequel.

I believe 10 years is too long to balance the budget—especially after he promised to do it in 5.

His budget does give future Congresses, like those in the past, more chances to overspend again.

It does give little of the tax relief the House budget does.

And it does add several hundred billion dollars to our overwhelming national debt.

Still, you would think that more of our colleagues on the left would give the President credit for moving toward saving our children's future.

But come to think of it, the President did not do other liberals much of a favor.

He just undercut all the people we have heard cry wolf about Republican budgets.

Mr. Speaker, the Clinton budget sequel is too little, too late—and too expensive.

Still, I am surprised his own party has not given him a little credit for showing a little concern about balancing the budget.

## THE FARM FREEDOM ACT

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

Mr. POMEROY. Mr. Speaker, our colleagues, the gentleman from New Jersey [Mr. ZIMMER] and the gentleman from New York [Mr. SCHUMER], are sponsoring what they call the Farm Freedom Act. It is, to be kind, a very short-sighted proposal that would have a devastating impact, not just on rural America, but on urban America as well.

All of the Members of this House, urban and rural, suburban, have to understand that we are all in this together. Agriculture is our Nation's No. 1 industry. It is larger than Chrysler, Ford, and GM combined.

The ag sector provides 16 percent of our Nation's gross domestic product, and one of every six jobs.

And our ag exports are one of the few bright spots in our Nation's overall trade picture.

Mr. Speaker, adoption of this bill would cause severe economic dislocation and job losses, not just in agriculture, but throughout our entire economy. It is a very, very bad proposal.

#### THE MAGIC WILL BE BACK

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

Mr. MCCOLLUM. Mr. Speaker, I rise to congratulate the National Basketball Association champions, the Houston Rockets. Clearly this year the better team won the series that just was played between the Rockets and the Orlando Magic, but I want my colleagues to know that I and the people of Orlando are mighty proud of the Orlando Magic. They had a terrific season. They gave Orlando a wonderful experience. I have never seen our community more tightly drawn together for any one cause than they were during these playoffs around the Magic. They were the eastern division champions.

Mr. Speaker, I want to specifically congratulate: Shaquille O'Neil, Anfernee Hardaway, Horace Grant, Dennis Scott, Nick Anderson, Brian Shaw, Anthony Bowie, Jeff Turner, Donald Royal, Anthony Avent, Tree Rollins, and Brooks Thompson, the players, coach Brian Hill and his wonderful staff, and the ownership and management team of Rich DeVos and Bob Van der Weide and their group.

The Magic will be back. Wait until next year.

#### STANFORD STUDENTS SEND 20,000 LETTERS SUPPORTING STUDENT AID

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

Ms. ESHOO. Mr. Speaker, in April I addressed hundreds of students at Stanford University, which I am privileged to represent, about Republican proposals to cut Federal aid for higher education. At that time I said that if student aid was important to them, they needed to educate themselves about what was happening in Congress and become involved.

And get involved they did.

The Associated Students of Stanford University Senate allocated \$1,000 to fight Republican cuts to student aid—aid which assists over half of Stanford's student population. This effort culminated in a 48-hour letter-signing drive which generated 20,000 signed letters to budget resolution conferees protesting these ill-conceived cuts.

Mr. Speaker, I could not be prouder of the Stanford student body. I hope

my colleagues on the conference committee will reconsider these budget cuts which would undermine America's commitment to higher education, America's ability to compete in a world market, and America's investment in our future.

#### TIME TO TARGET THE IRS FOR POLITICAL REASONS

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

Mr. TRAFICANT. Mr. Speaker, the IRS says our investigation of the National Rifle Association is not politically motivated. Right. Who is kidding whom? How can the IRS make that statement with a straight face?

The truth of the matter is, Mr. Speaker, plain and simple, the Internal Revenue Service has targeted the National Rifle Association for political reasons. My colleagues know it, I know it, and the American people know it, and I want to say this:

I think it is time for the Congress of the United States to target the Internal Revenue Service for political reasons, and that political reason is very simple. Here in America the people govern, and it is time that the Internal Revenue Service get that message. Think about it.

#### INTRODUCTION OF BILL ENDING FEDERAL AFFIRMATIVE ACTION PROGRAMS

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

Mr. FUNDERBURK. Mr. Speaker, last week I introduced H.R. 1764, legislation to eliminate over 160 Federal affirmative action programs ranging from public employment to education. Mr. Speaker, affirmative action is an affront to the dignity of every American. It is an assault on the principle that no American should be handicapped or advanced simply on the basis of his skin color. It has been 40 years since Little Rock and almost 35 years since the hoses were shut down in Birmingham. As Bruce Fein points out in yesterday's Washington Times, "Special preferences for minorities and women have dominated civil rights laws for the entire adult lives of the 18 to 40 years old group."

Mr. Speaker, to continue to see America through the prism of racial entitlements reinforces the same type of dangerous thinking that led to slavery and Jim Crow. No matter what face the liberals put on it there is nothing good about racial discrimination in any form. Calling affirmative action "benign discrimination" is obscene. It is about time the liberals recognize that we are all one people in this country. We are all American. Let us do something right for our children, let us end affirmative action as we know it.

#### WHY THE REPUBLICANS ARE CUTTING MEDICARE, MEDICAID, AND SOCIAL SECURITY

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

Mr. BONIOR. Mr. Speaker, why are the Republicans cutting Medicare, Medicaid, and Social Security to pay for tax breaks for the wealthiest people in our society? We should be strengthening our Medicare system, not using it as a piggy bank or a cash cow to let the wealthiest individuals in the corporations take advantage of middle income people in America today.

If we really want to strengthen Medicare, we should shut down some of these corporate tax loopholes and expenditures totaling about \$225 billion a year and corporate pork and help our senior citizens and their families make ends meet.

I say to my colleagues, Let's give our senior citizens help with the cost of prescription drug care, with long-term care, not cut their deductibles like the Republicans want to do, or increase their premiums or raise their deductibles as the Republicans want to do. Let us do that, and let us make the wealthiest in our society pay their fair share.

#### PRESIDENT'S BUDGET DOES NOTHING TO SAVE MEDICARE

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

Mr. SCARBOROUGH. Mr. Speaker, I would like to welcome the President of the United States into the budget debate, and I commend him for at least putting forward a balanced budget on the table, even if it does go 10 years, even if it does not cure the Medicare and Medicaid crises.

I heard the last speaker speak for a second talking about how the Republicans were cutting Medicare. The fact of the matter is the President of the United States own commission came back to him and said, "Mr. President, Medicare and Medicaid are going to be bankrupt in the year 2002. You have got to do something about it." Unfortunately the President's budget does not do anything about it. It does not take care of the Medicare and Medicaid crisis. It still goes bankrupt.

Mr. Speaker, the Republican plan does take care of it, and, because of that, I think we need to move forward with the Republican plan, but at the same time I welcome the President of the United States and some of his advisers for finally standing up and showing a little courage, and daring to get into the arena and bloody themselves up instead of just saying, "No, no, no, that's not a good deal."

But we have got to do more. We have got to protect senior citizens. We have got to protect Medicare. We have got to protect Medicaid.

We invite the President of the United States and the Democratic Party to

come to the Republican side. Help us help senior citizens.

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SKYLAR BYRD, THE PRIDE OF THE  
D.C. PUBLIC SCHOOL SYSTEM

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

Ms. NORTON. Mr. Speaker, the District rarely gets the opportunity to tell the countless good stories of its residents and its children. After all, in this tabloid society, success is boring. Failure is news. But some successes shine so brightly, they both capture and captivate.

Skylar Byrd, a District of Columbia public school student, made the news recently and made some history as well. Her perfect score on her SAT's when she was 15 got the attention it deserves. Skylar is a student at Banneker High School in the District.

Skylar's smart all right. But Skylar has more than her considerable talent going for her. She has a capacity for hard work, and a loving family. She also has a public school system that deserves a lot more credit than it gets. Perhaps Skylar's success can help illuminate the accomplishments of Banneker and the District of Columbia public schools and its students as well.

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WAITING FOR THE DETAILS

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

Mr. SMITH of Michigan. Mr. Speaker, some of us in the freshman and sophomore classes this morning met with Ross Perot, really, I think, an inspiration for saying that we have got to move ahead and do the kind of things that we know are right.

Mr. Speaker, he mentioned that, if we took all of the Fortune 500 companies, and we took all of their assets, all of their money, and sold all of their investments, it would pay off a deficit spending for 1 year. I mean we have got a serious problem ahead of us.

Mr. Speaker, I think it is great that the President is now saying we should have a balanced budget. I am waiting for the details. I think it is important that he gets the details up here so our conferees on the budget can look at some of his suggestions, some of this administration's suggestions, on where he cuts. He is saying that it is going to take reductions in Medicare and in Medicaid.

I say to my colleagues, Let's work together to make sure we preserve those programs, that we save them not only for this generation, but for future generations.

□ 1100

TRANSFERRING WEALTH FROM  
MIDDLE CLASS TO WEALTHY

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

Mr. MILLER of California. Mr. Speaker, the concern with the cuts in the Medicare that are promised in the Republican budget that is now in the conference committee is that the simple fact is they are reaching into the Medicare system to make changes to slow the growth. They are using those changes and those savings that result from that to fund the tax cuts, half of which will go to the wealthiest people in this Nation.

Yesterday the Republican conference of House Members met and they reaffirmed their commitment to that tax cut. All that can tell us is they are willing to put at risk the health care of the senior citizens that are on that Medicare system today. For those families who are concerned about their own health care and the health care of their parents, it simply means that that system will not be shored up. But among the wealthiest people in this country, the savings from Medicare will be taken away from those people and transferred to those wealthy, just as they are taking away the earned income tax credit for low-income people who go to work but cannot get above the poverty line. They are going to reduce the earned income tax credit and give that to the wealthiest people.

This is the largest transfer of income and wealth from middle class to the wealthy in the history of this country, and it ought to be repudiated on Medicare and earned income tax credit.

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PRESIDENT CHANGING COURSE,  
SEES NEED FOR BALANCED  
BUDGET

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

Mr. FOLEY. Mr. Speaker, I would like to take this opportunity to sincerely congratulate the President on accepting the need for a balanced budget.

In fact, I will resolve for this day to forget any differences I may have had with the President in the past.

I will not talk about the fact that the President has constantly fought Republican proposals to downsize the Federal Government.

I will not focus on how the President has consistently bad-mouthed Republican plans to save the Medicare system—which we all agree is going broke.

And finally, I will not even think about how the President has repeatedly bemoaned Republican proposals to cut taxes for working Americans.

No, I am going to forget those things today. Because, I know that just as the President has accepted the need for a

balanced budget, someday the President will change his mind and accept the need for a smaller Government, a revitalized Medicare system, and lower taxes.

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SCARE MAIL ORGANIZATIONS  
DEFRAUDING SENIOR CITIZENS

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

Mr. EHLERS. Mr. Speaker, I rise to offer a few comments in a different vein. It arises because of concern for many of the senior citizens of this country, a group which I am on the verge of joining. Because I am on the verge of joining that group, I am beginning to get the mail which is often addressed to senior citizens, which I would call scare mail, but might more appropriately be called fraud mail.

It is mail that is intended to frighten them about what is happening in Congress and to encourage them to send these organizations money so that they can communicate to use the concern that senior citizens have about losing Medicare, about losing Social Security, about losing Federal pensions, or what have you.

It is a fraud. What brought this to mind is that recently a constituent sent me the \$5 that was intended to go to the organization that was soliciting money from him.

I want every senior citizen in this country to know, and every person in this country to know, you do not have to send money to any organization in order to get your message to us. Simply write us directly. I do not add any extra weight to a communication sent to me by one of these organizations. Constituents can write us directly and let us know. They do not have to send money to these fraudulent organizations.

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NATIONAL DEFENSE AUTHORIZATION  
ACT FOR FISCAL YEAR 1996

The SPEAKER pro tempore (Mr. TORKILDSEN). Pursuant to House Resolution 164 and rule XXIII, the chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1530.

□ 1103

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1530) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes, with Mr. EMERSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Wednesday, June 14, 1995, amendment 37 printed in part 2 of House Report 104-136 offered by the gentlewoman from New York [Ms. MOLINARI] had been disposed of.

It is now in order to consider amendment No. 1 printed in subpart F of part 1 of the report.

AMENDMENT OFFERED BY MR. MARKEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MARKEY: In section 3133:

Page 528, line 17, strike out "Funds" and all that follows through page 529, line 9, and insert in lieu thereof the following:

(1) Of the amounts authorized to be appropriated in section 3101(b), not more than \$50,000,000 shall be available for a project to provide a long-term source of tritium, subject to paragraph (2).

(2) The amount made available under paragraph (1) may not be used until such time as the Secretary of Energy has completed a record of decision on a tritium production program and congressional hearings have been conducted to determine the appropriate option, in light of the national security needs and nonproliferation and environmental consequences, for establishing a long-term source of tritium.

Page 530, strike out lines 1 through 9.

The CHAIRMAN. Pursuant to the rule, the gentleman from Massachusetts [Mr. MARKEY] will be recognized for 20 minutes, and a Member opposed will be recognized for 20 minutes.

Mr. HUNTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from California [Mr. Hunter] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MARKEY].

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

Mr. Chairman, the amendment being considered right now is a quite technical one because once the word "tritium" is uttered, I can see minds and attention spans drifting off onto other subjects. But it is a very important subject, because tritium is a gas which is used in order to ensure that we can derive the maximum potential from our nuclear weapons.

It is a critical subject, in fact. It is so critical that this amendment has been put in order, because it is important that this Congress and this country select the best way, the most economical way, the best proliferation resistant way, of producing this very important gas.

Now, this body and all who listen to it should understand some very fundamental facts. No. 1, the National Taxpayers Union supports the Markey-Ensign-Vucanovich-Dellums-Skeen-Richardson amendment. This is bipartisan, and it is the National Taxpayer Union's blessing having been placed upon it because they have determined that this is nothing more than radio-

active pork which has been built into this bill. Not because we do not want or need the tritium, we do. That is agreed upon by Democrat, Republican, liberal and conservative.

What is not agreed upon, however, is that the committee should be able to select a particular technology and to build from \$50 million more than the Department of Energy wants, than the Department of Defense wants, than the National Taxpayers Union thinks is necessary.

The decision which has been made is one which runs completely contrary to the proposition that there should be no specific earmarking of technology or location, but rather each of these decisions should be open to full competition amongst all of those who are interested in providing the best technology for the defense of this country.

That is why we bring this amendment out on the floor. It cuts out \$50 million that no one wants and cannot be justified. It is a specific earmark which benefits a Swedish company trying to get a specific earmark into this bill for South Carolina. I will have to say a word. But that is not good policy. This company ABB, the Swedish company, might as well be called, instead of ABB, just A Big Boondoggle. That is what ABB stands for. You are voting for \$50 million for a Swedish company for a technology that neither the Department of Energy, the Department of Defense, nor the National Taxpayers Union can support.

So we are going to be out here having this debate. It will be bipartisan. But if you want to find money that you can vote for that is not justified in this budget, this is it. This cannot be justified on any basis, either defense, energy, budgetary, or proliferation. It violates every one of the principles that we are concerned with. But most of all, it violates the principle against earmarking specific technologies with extra money that cannot be justified technologically until the Departments of Energy and Defense have gone through the process of evaluating them.

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

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

Mr. Chairman, my colleagues, I am glad that the gentleman from Massachusetts has stated that there is no dispute as to the requirement for tritium. The ranking member of the full committee has mentioned during our debate on the ABM treaty that we still, at least with respect to the Soviet Union, rely on our deterrents, on our strategic arsenal, our nuclear arsenal, to deter nuclear conflict. Tritium is an important component of that arsenal, and it deteriorates. The half-life of tritium is 5½ years. That means you have to keep making it. So the Clinton administration agrees with the committee that you have to keep making tritium, and they themselves put some \$50 million into this program.

The difference is, and my colleague has said you should never have earmarking of technology, the difference is for political reasons in my estimation, and this comes from conversations with many people in the administration, people who are pro-strategic weapons. The administration has decided already not to build a reactor.

Now, there are several ways to make tritium. The way that we have used in the past, the reliable, proven method, whereby we have made our tritium in the past for our strategic weapons, is a reactor, a nuclear reactor. There have been no invitations from Massachusetts. The gentleman has mentioned that South Carolina is the place where they make tritium, have made it, have had reactors, and presumably would invite reactors in the future. We have got so similar invitation from Massachusetts to build a nuclear reactor.

But nuclear reactors are the way you make tritium in a reliable fashion. There is a chance that you can make tritium with an accelerator, but it is risky, and it is not proven. Let me tell you that I personally relied on the word and the testimony of arguably the best authority in this country on the validity or the viability of reactors versus accelerators, and that is the former head of the Los Alamos Lab, who was in charge of Los Alamos during a large part of the accelerator program, who is very, very understanding of the accelerator program, a person who is on the various commissions, who has been asked to evaluate this. And let me recite to you the words of Harold Agnew, a former director of the Los Alamos Laboratory, which would get the accelerator work or a large part of it, and he is writing to the chairman of the Committee on the Budget of the other body, and he says this:

DEAR PETE: I have been serving as a member of the Joint Advisory Committee on Nuclear Weapons Surety. Recently we were asked to assess the feasibility of using an accelerator to produce the tritium required for our future nuclear weapons stockpile. Because the accelerator would presumably be designed at Los Alamos, I particularly wanted you to have my thoughts on the issue firsthand.

My concern is that while it is technically feasible, it is not economically rational. I fear that Los Alamos may come to rely on a full blown accelerator program to produce tritium only to be disappointed when the economic realities are better understood. In these days of severe budgetary constraints, a program of this magnitude will certainly receive heavy scrutiny.

Simplified, the reality is that an accelerator producing tritium would consume about \$125 million per year in electricity . . . while a reactor producing tritium would produce for other purposes about \$175 million per year. . . .

In other words, a reactor makes electricity, an accelerator uses electricity, and the difference, according to Mr. Agnew, is a difference of \$300 million per year.

He continues:

Over a lifetime of 40 years, that's a \$12 billion consideration. It is simply counter intuitive to believe a difference in energy consumption of this magnitude will be sustainable. This is particularly true when the cost of facilities—accelerator or reactor—are roughly the same. Given a projected capital cost of \$3.2 billion for the accelerator and a declining requirement for tritium, the tritium imperative is a thin reed upon which to lean.

He concludes, and this is one of the paragraphs that I think is very critical for this House to consider. He talks about an accelerator having some value if you used it for other purposes. That is to consume plutonium when it is hooked up with a reactor. So an accelerator and a reactor hooked together could do the whole thing. He says:

The accelerator is unique and can totally destroy virtually all weapons plutonium. It can do so extremely economically when combined in tandem with a deep burn reactor. The deep burn reactor using a surplus weapons plutonium as fuel could consume 90 percent of the plutonium 239 in a once through cycle. The depleted fuel element with the remaining plutonium would then be transferred to a subcritical assembly irradiated with an accelerator. The accelerator would destroy the remaining plutonium. Because there are large amounts of electricity produced when the plutonium is destroyed, there is no cost for the plutonium destruction. In fact, it makes money. The same assembly would also be able to produce tritium at the same time and at no additional cost if tritium is needed.

□ 1115

The gentleman who cited the taxpayer groups, I wish they had had a chance to sit down with one of the leaders of the Manhattan Project, Harold Agnew, the director of the Los Alamos Nuclear Laboratory and a gentleman whose colleagues would benefit and profit from an accelerator, has looked at this thing and has said, listen, if you can build a triple play reactor, that is, you can build a system that not only makes tritium but consumes plutonium and makes electricity at the same time that you can sell, thereby mitigating your costs, why not do it?

He concludes: "I could and would get firmly behind a reactor program with this objective in mind." That is, this combination with the reactor and an accelerator. "I cannot support the accelerator for the sole purpose of producing tritium because it is too expensive, its need too uncertain and there is a better way to provide the requirement while satisfying the three needs, electricity, plutonium, and tritium production for the price of one."

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

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

Mr. DELLUMS. Mr. Chairman, I have listened very carefully to the gentleman's argument and the gentleman and I have had an ongoing dialog on this matter. I understand that the gentleman believes that the Department of Energy at the end of the day will come out on the side of the accelerator.

My distinguished colleague from California believes very strongly in the superiority of the reactor approach. But let me read very briefly from the amendment of the gentleman from Massachusetts [Mr. MARKEY] because I think it addresses the gentleman's concern by placing the Congress in the loop to make a decision in the event that they disagree with the Secretary.

I will read very quickly. It says,

The amount made available under paragraph 1 may not be used until such time as the Secretary of Energy has completed a record of decision on the tritium production program and congressional hearings have been conducted to determine the appropriate option in light of the national security needs and nonproliferation and environmental consequences for establishing a long-term source of tritium.

So it provides the opportunity for my distinguished colleague, this gentleman, and others, to weigh in after the findings have been given by the Secretary.

Unless the gentleman feels that we are in some way impotent or incompetent to carry out our responsibilities, this is the way that we can address the gentleman's concern.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for his contribution.

Let me just respond in this way before I yield to other Members. The administration, in my estimation, has already done the earmarking. Members of the administration, folks who are inside the administration, I think have made it fairly clear that they have already decided, this record of decision is down the road.

They have made the decision at this point to go with the accelerator. Let me cite to my friend the letter from the Assistant Secretary of Defense, Harold P. Smith, who basically sent us a letter that gave, in my estimation, the smoking gun.

He says, "The funding request made by the Department of Energy was formulated in support of their production strategy," that is, an existing production strategy, "of primary and backup—light water reactor."

Well, if the backup is a light water reactor, what is the existing primary production strategy? It is an accelerator.

I would say to my friend, I have spent some time on this. I have had discussions with folks in the administration. The essence of it is, they do not think it is politically possible in this administration to come through with what Harold Agnew thinks is a scientifically meritorious decision, and that is a reactor.

My feeling is, they have already done the earmarking. I think this letter shows that. There has already been an earmarking by the administration. And because of that, I think we are going to waste valuable time, if we wait for them to come down with a paper decision that merely records a decision they have already made at this time, when the people that I rely on, and I think the committee justifiably relies

on, like Harold Agnew, who was the director of the facility that would benefit from an accelerator, I think to go with what we see on the merits from a scientific way and not wait for this paper decision to come down months from now that has already been made. That is the point I would make to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, if the gentleman will continue to yield, my first response is that I think it is hyperbole to refer to the Department of Energy's judgment as an earmark. All they can do is recommend. We can earmark in legislation. We write the laws.

So it is not earmarking. They may come to an option you do not agree with, but earmarking is hyperbole.

Mr. HUNTER. Mr. Chairman, I think there is an important political principle here. When you know that an agency of the Government, of the executive branch, is going to come out with what is on the face of it a decision made on the merits, but you know and you have been told has already been made and is a political decision, I think it is wrong to wait and have them utilize this decision that they have already basically broadcast to us, they telegraphed to us, it is going to be an accelerator, not for science reasons but for political reasons, to wait for that to come out months from now where that will then be used as an argument to try to weight this very important decision, where I think the scientists like Harold Agnew have already made a very clear and convincing case. That is my point.

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding to me. He has been very generous.

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

The CHAIRMAN. The gentleman from California [Mr. HUNTER] has 8 minutes remaining.

Mr. MARKEY. Mr. Chairman, I yield 3 minutes and 30 seconds to the gentleman from Nevada [Mr. ENSIGN].

Mr. ENSIGN. Mr. Chairman, I rise today in support of the Markey-Vucanovich-Ensign amendment. Let me also agree on the importance of maintaining tritium production in this country and how critical that is to our national security.

I come from a State that in the interest of national security was willing to allow bombs to be blown up underneath our ground because we care so much about national security. So I do not come at this as somebody who is anti-nuclear or anything. I am coming here in support of the amendment because I believe it is the right thing to do.

First of all, we are cutting out \$50 million in earmarked spending that will go to a Swedish company. Second of all, we have enough tritium to last approximately the year 2011 with current supplies, and if we recycle those, we can get it out to about the year 2015, 2017. So we have enough time to be able to research some of the other options.

I think there are legitimate differences within the scientific community on whether a reactor or an accelerator is the best way to go here. And what I am saying is that we should take that time and research truly what is in the best interest of national security as well as with environmental concerns.

Everyone agrees an accelerator is the best for environmental because it does not produce high-level nuclear waste. It produces low-level nuclear waste. So we are talking about accelerator technology, clearly, it is the best from an environmental standpoint.

You also mentioned that when taken into effect, the reactor could downgrade plutonium and reuse that and that an accelerator needs a reactor. That is discounting that there is other technology on the drawing board out there that is possibly developable in the future. That is using the transmutator. And that would no longer produce the high-level nuclear waste as well. It would actually recycle a lot of the nuclear waste that is out there. So there are other options out there that we can explore.

The point is that we do have some time to explore this without taking the next few years and using those years just to raise money to build this reactor. We can actually take the years and develop the technology that we will need.

The other problem that I have with this is that we have not built a reactor and the reactor that you are talking about is just as theoretical as the accelerator is. We have never built a reactor like this that can produce the tritium in the quantities we need, just like we have not built the accelerator to produce the tritium in the quantities we need. We know an accelerator will produce tritium. There is no question about that. In Los Alamos they have proven that as far as on the bench there.

The other problem that I have is that we cannot store the nuclear waste that we are producing at this time. Obviously the whole issue on Yucca Mountain on a temporary interim nuclear storage facility is because the people that are producing the nuclear waste all want to ship it to my State because they cannot house it now. The linear accelerators are, there is no question, they are proven technology. They are out there and the x-ray machine is basically a linear accelerator. They use it with radiation technicians for cancer, and Stanford has a very large linear accelerator. The linear accelerator technology is there. It is just a question of applying this technology to what we need. And I think it is the right thing to do, and I think this is the right amendment.

I urge my colleagues on the Republican side to support it.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Chairman, I rise in strong support of the Markey-

Vucanovich-Ensign amendment that has been offered by our colleagues. As currently written, H.R. 1530 increases by 100 percent or by \$50 million a program in the Department of Energy to develop a new source of tritium, a radioactive gas used to enhance the power of nuclear warheads and by doing so presumptively directs the Department of Energy to use the additional funds to not only pursue a specific technology but to award the contract to begin work on the reactor which will utilize the ABB combustion engineering concept to be built in Savannah River, Georgia to a particular contractor. This amendment eliminates these provisions and ensures that the decisionmaking process will remain open. That is the critical reason that I have come to the floor to urge that this amendment be adopted.

Secretary O'Leary noted that the Department of Energy is currently analyzing the technical, environmental, political, fiscal implications of this production technology and that, further, the analysis is nearing completion. As the previous speaker has indicated, the supply is not the issue. There is at least 15 or perhaps more years of available supply.

Therefore, it seems to me very, very persuading that we permit the Department of Energy to continue with this analysis and to come up with their recommendations.

The second aspect of the amendment, which is critical, is that rather than forestall the opportunity of Congress to have a critical role in making this decision, if we do not adopt this amendment, there will be a preemption of this opportunity by the selection of a contractor without due consideration of all of the aspects.

Furthermore, we are told that if this amendment is not approved, that the contractor, by provisions in the bill, will be allowed to spend 3 years to study the feasibility of raising the funds for this project. It seems to me, therefore, that this amendment should be passed to restore the decisionmaking to the Congress.

Mr. Chairman, I rise in strong support of the amendment to H.R. 1530 offered by Representatives ED MARKEY, BARBARA VUCANOVICH, and JOHN ENSIGN.

As currently written, H.R. 1530 increases by 100 percent—or \$50 million—the program in the Department of Energy to develop a new source of tritium, a radioactive gas used to enhance the power of nuclear warheads and presumptively directs the Department of Energy to use the additional funds to not only pursue a specific technology to produce tritium, but to award the contract to begin work on a tritium-producing reactor that will utilize the ABB combustion engineering concept and be built in Savannah River, GA to a particular contractor. The Markey-Vucanovich-Ensign amendment eliminates these provisions and, ensures that the decisionmaking process related to tritium production will remain open.

With respect to H.R. 1530 directing the Department of Energy to pursue the ABB combustion engineering concept for tritium produc-

tion, Energy Secretary Hazel O'Leary notes that the Department of Energy is currently analysing the technical, environmental, political, and fiscal implications of a range of new tritium production technologies. Secretary O'Leary also notes that the ongoing departmental analysis, including a programmatic environmental impact statement, is required under the National Environmental Policy Act. Secretary O'Leary further notes that the analysis is nearing completion and will support the selection of a preferred technology and site for tritium production.

H.R. 1530 selects the tritium-producing reactor utilizing the ABB combustion engineering concept and allows the contractor to spend 3 years to study the feasibility of raising \$6 billion in private financing and concluding multiple power purchase agreements for the sale of power to be generated. Secretary O'Leary indicates that such a contract, with its 3-year feasibility study and business plan, will delay by 3 years the development of a new tritium production source.

I urge my colleagues to support the Markey-Vucanovich-Ensign amendment because it provides the funding level requested by the Department of Energy and withholds any funding for actual tritium production until the Department of Energy has completed its analysis and reached a decision on a tritium production program and, most importantly, ensures that the Congress will be able to hold hearings on any such Department of Energy decision.

Because the establishment of a long-term source of tritium touches upon various national security, nuclear nonproliferation, and environmental issues, the Congress must play a role in the debate on tritium production. The Markey-Vucanovich-Ensign amendment ensures such a role for the Congress.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. NORWOOD].

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

Mr. NORWOOD. Mr. Chairman, I suppose quickly we need to correct a couple of things. The gentlewoman from Hawaii should know that the Savannah River site is in South Carolina. This is not a discussion about where we will build tritium but how. I thank the gentleman from Massachusetts in recognizing that we in fact do need to build tritium, and we are going to do it, need to be doing it by 2001, not 2017.

Mr. Chairman, for many years the Department of Energy has commenced many projects, spent huge amounts of money and often has little, if anything, to show for it in many cases. A perfectly good example of that, a recent example includes the high level waste repository in Nevada.

□ 1130

Mr. Chairman, as some of my colleagues stated in a news conference last week in regards to a proposal of the elimination of DOE, the Department suffers from problems of communication and contracting and management and mission.

Their latest effort to determine the future tritium production technology

and siting has many of the same problems. This is a very complicated technical issue, but let us try to simplify it just a little bit.

We know how to make a reactor. We have been doing that now for 30 years. The technology is there. If we go with a triple play reactor, we know we can privatize the construction of it. In a country that has 5 trillion dollars' worth of cash flow problems, that is important.

We know for a fact that this reactor will burn plutonium and help get rid of waste. We also know it will produce electricity, which will help, indeed, cut the costs.

What we absolutely must consider here is that the cost of using an accelerator, technology that we do not know for sure will work, will be considerably more expensive, to the tune of about \$10 billion. We talk about \$50 million, and this is a \$10 billion project, if we do not go with the triple play reactor.

Mr. Chairman, I urge all Members to vote against the Markey amendment.

Mr. Chairman, for many years the Department of Energy has commenced many projects, spent huge amounts of money and has little, if anything, to show for it in many cases. A recent example of this includes the high level waste repository in Nevada.

As some of my colleagues stated in a news conference last week regarding the proposed elimination of the DOE: The Department suffers from problems of communication, contracting, management, and mission. Their latest effort to determine the future tritium production technology and siting has many of the same problems.

I believe the action taken by the House National Security Committee to authorize funding for a privatized multipurpose reactor technology is the only logical approach for the success of the next tritium production mission. This reactor would consume our excess plutonium, produce tritium and generate electricity. The resale of this electricity would generate revenues that would directly reduce the total cost to the taxpayer. The logical siting of such a reactor is the Savannah River site in South Carolina. The site has been the leader in tritium production and other related missions for more than 30 years. The taxpayer has paid billions of dollars over these 30 years building the tritium infrastructure I speak of. Mr. Chairman, it would not be prudent to rebuild a new tritium infrastructure elsewhere at an even higher cost to the taxpayer, just to satisfy the political motives of DOE.

The action by the committee represents, Mr. Chairman, it represents sound judgment to reverse the poor decisions DOE has been making for years and to ensure we continue to maintain our nuclear weapons stockpile. It is imperative that we continue to produce tritium no later than the year 2011. If we do not, our nuclear weapons stockpile will not be maintained at the level necessary to maintain our nuclear deterrence.

Mr. Chairman, the committee's decision also represents one that will cost the American taxpayer far less money, and ensure we start producing tritium no later than the year 2011.

There is a general concern by many that disposing of excess weapons grade plutonium in this reactor is a proliferation concern. This

concern is unwarranted. The nuclear non-proliferation treaty contains specific provisions which allow the use of this material in nuclear reactors for peaceful purposes. Ridding ourselves of excess plutonium is definitely a peaceful purpose.

In conclusion, Mr. Chairman, if we allow the DOE to select an accelerator to produce this tritium; a decision I believe they have already made, we run a high degree of risk of not having a nuclear capability in the year 2011. Assuming it did work, and there is no evidence that an accelerator of the magnitude required will work, the lifecycle costs would amount to billions of dollars more than a multipurpose reactor. I am not prepared, and I am sure many of my colleagues are not prepared to take that risk.

I strongly urge my colleagues to oppose the Markey amendment.

Mr. MARKEY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for his generosity in yielding time to me.

Mr. Chairman, I rise in support of the Markey amendment. Before I go the arguments, let us define the term "earmark" so everyone understands, who is in this debate or observing this debate, what that is about.

The way the Congress of the United States earmarks is if it authorizes and appropriates dollars so it can only go to one place. Very simple. You do not have to be a brilliant rocket scientist to understand that you can write a piece of legislation in this legislative body in such fashion that there is no competition, that it goes specifically to one place. That is part of this.

Mr. Chairman, last year, as a matter of high principle, after negotiations with the other body we agreed as a group that we would move beyond the practice of earmarking, because we felt it so thoroughly distorted and perverted the legislative process that we need to be beyond that.

Mr. Chairman, I want to say very specifically this is the mother of all earmarks. The gentleman from California [Mr. HUNTER], who represents a district in southern California, has a firm that does reactor business. Whether I agree or disagree with reactor or accelerator, put that esoteric discussion for a moment off to the side. We are talking earmarking here.

The gentleman from California could not even get it modified so that there would be more than one reactor firm in the business, Mr. Chairman. This is a \$14 million earmark to a Swedish firm in one district, ultimately to the tune of \$50 million.

Mr. Chairman, I disagree with this approach on substance, because I have learned from some of my regional colleagues that "I do not have a dog in this fight," so I can stand back objectively, at arms' length, and debate this matter with clean hands.

In working with the gentleman from California, back and forth, trying to figure out whether he and I could reach some accommodation that would allow

the option to open up, so that his district could be represented in this matter, and this gentleman, who was raising broader issues that I will discuss a little later in my presentation, any effort that we had to try to dialog on this matter was resisted. The Committee on Rules did not even allow the gentleman on that side of the aisle to offer an amendment to open up competition just on the reactor side.

Mr. Chairman, we understand it has been stated that somewhere down the road, this is supposed to come down the pike in November from the Secretary of Energy, someone briefed somebody in the Congress and said "We do not think it is going to be a reactor, we think it is going to be the accelerator." So suddenly there was a rush to judgment before we could hear from informed scientific, knowledgeable sources what are the options that are available which would still allow us to exercise our responsibilities to agree or disagree.

Apparently someone said "Wait a minute, let us not wait until the Secretary gives us this informed judgment. Let us jump the gun. We are legislators. We are in control of the process."

So what happened? Earmark, Mr. Chairman, the mother of all earmarks, \$14 million to a Swedish firm to the tune ultimately of \$50 million. Mr. Chairman, I would suggest that this is an obligation of the American taxpayer to tens of millions of dollars and potentially, down the pike, it could even achieve billions.

On that basis it ought to be rejected, just on the integrity of the process itself, having nothing to do with the substantive issues like nonproliferation and these kinds of things, just the fact that we ought to reject that approach to how we do our business.

We talk here about clean hands and fair play and openness and above board. This is inappropriate. With this gentleman in the last Congress, when I stood as chairman of the former Committee on Armed Services, we stood up publicly and said "We will resist earmarking." We tried to legislate in the authorizing process to end that, because all of us in here at one time or another have been burned by the process of earmarking.

Our dignity and our self-respect and our integrity as legislators dictate that we do not go down this road, Mr. Chairman. It may be right at the end of the day, but let it be right because the process led us there, not because we exploited or manipulated it.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think it should be rejected on that basis alone.

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

Mr. DELLUMS. I yield to the gentleman from Georgia.

Mr. NORWOOD. Mr. Chairman, I think it is important to say that this authorization defense bill does not earmark where we produce tritium. It does imply how we should produce tritium, and that is because the Department of Energy has made up their mind that they want to use a faulty process in the accelerator that may not let us have the tritium we need to have a nuclear proliferation.

Mr. DELLUMS. Reclaiming my time, Mr. Chairman, the report language specifically refers to location. Everyone in here, and I would say, sir, we may disagree politically, but I choose not to insult the gentleman's intelligence. I hope he does not choose to insult mine.

I have been on the Committee on Armed Services for 20-some-years. I think that I have enough experience to know an earmark when I see one. This is in the report. We all understand it. I would tell the gentleman to ask the gentleman standing next to him. He knows it is an earmark, because his reactor company has been left out of the process.

I am 59 years old and do not have my glasses, so it is a little difficult to read here, but let me just refer the gentleman to page 305 of the report dealing with section 3133, tritium production, and about a half of the way down the page, with the paragraph starting "On March 1, 1995," there the gentleman will see the earmark.

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

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

Mr. HUNTER. Mr. Chairman, I thank the ranking member, the distinguished gentleman from California, for yielding to me.

Mr. Chairman, let me mention what the gentleman mentioned first, the gentleman from Massachusetts [Mr. MARKEY] mentioned. That was technological earmarking.

There is probably no bill that is a perfect bill, but my objection to the idea of having this record of decision come down on the technology is, to my colleague, and he is a realist and I am a realist, is it is politically impossible, in my estimation, for the Clinton administration to come down on behalf of anything except an accelerator. I think that is what they feel is politically doable, and even though everybody agrees we have to build tritium, they are non-nuclear enough to say that we do not want to be building it with a reactor.

I think the gentleman would be just as insulted by a record of decision that comes down this fall that will supposedly be based on scientific merit, but in fact it will not be based on scientific merit. It will be based on the decision that at least is implied as having already been made by the Assistant Secretary of Defense, Mr. Smith, in his letter, where he says "Our program is to go with what is," and I am paraphrasing, "the lead technology," and then there is a backup technology, which is the reactor, implying obvi-

ously the lead technology is an accelerator.

Of course I want to have my people participate and have a chance to participate in any work that is done, but I think there is an overriding goal here that in my estimation is very compelling. That is to continue to produce tritium, to do it in a reliable way, and I think everyone would agree that the only reliable way we have done it in large quantities is with a reactor.

Last, all of these arguments have been made about how scientifically we can do this with an accelerator. The director of the laboratory that would benefit from the accelerator said these words: "I cannot support the accelerator for the sole purposes of producing tritium because it is too expensive, too uncertain, and there is a better way to provide for the requirement while satisfying 3 needs," and that is electricity, tritium, plutonium.

Mr. DELLUMS. The gentleman has made that point, Mr. Chairman. It is a little redundant.

Mr. HUNTER. My point is there is just as bad earmarking on the part of the administration, earmarking technology that flies in the face of what the scientists say is needed.

Mr. DELLUMS. Mr. Chairman, if I might reclaim my time, the bill reads "\$14 billion shall be made available to private industry to begin implementation of the private advertised multipurpose reactor program plan submitted by the Department of Energy," et cetera, et cetera, to the Department.

Mr. Chairman, with respect to the gentleman's major assertion, the amendment provides the opportunity for the Congress of the United States to weigh in. This is a triumvirate form of government. The executive branch will make an option. The gentleman may disagree with it, but the gentleman and I together can hold hearings, we can make judgments, we can make determinations, we can legislate in this area. I am simply saying when we read that and we read the report language, it is an earmark.

Mr. Chairman, let me finally conclude by saying, A, the Department of Defense opposes this provision in the bill. The Department of Energy opposes this provision in the bill. The Arms Control Agency opposes this provision in the bill. Why does it? It opposes it because part of our nonproliferation strategy has been that we would not breach the firewall between civilian and commercial use of nuclear power.

The CHAIRMAN. The time of the gentleman from California [Mr. DELLUMS] has expired.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from California.

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

Mr. Chairman, an important part of our nonproliferation strategy is that we would not breach the firewall that exists between commercial and civilian

use of nuclear power and military use of nuclear power for the purposes of developing nuclear weapons. That is the moral high ground upon which we stand. That is the moral high ground that allows us to challenge North Korea and it allows us to challenge the Iranians: Do not breach that firewall.

How noble are we, then, if we embrace this approach in this bill, multipurpose reactor? It speaks to breaking that firewall. At that point, where is the high ground that allows us to say to the North Koreans, or to the Iranians, "You are doing a bad thing?" All they have to do is turn around and say "Do as you say, don't do as you do," because this is exactly what we are doing.

This is too precious for our children, too precious for the future, for us to be violating this incredible approach to nonproliferation. That is our fundamental strategy. It is for those and many other reasons, Mr. Chairman, that I argue that my colleagues support the Markey amendment.

Mr. HUNTER. Mr. Chairman, would the Chair tell us how much time we have remaining?

The CHAIRMAN. The gentleman from California [Mr. HUNTER] has 6 minutes remaining, and the gentleman from Massachusetts [Mr. MARKEY] has 4½ minutes remaining.

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

Mr. Chairman, I would remark, the gentleman mentioned that a number of authorities in the Clinton administration are against this approach. Let me just say that in my estimation, the guy who was the leading authority on the validity of reactors versus accelerators endorses this approach, and the last of his letter says "With respect to an accelerator, it is too uncertain, and there is a better way for the requirement, while satisfying three needs for the price of one." That is, the leading authority, in my estimation, on this technology endorses the idea of a triple play.

Mr. Chairman, I yield 2 minutes and 30 seconds to the gentleman from South Carolina [Mr. GRAHAM].

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

Mr. Chairman, this is probably one of the most important debates that I have followed in Congress, because I am from South Carolina, and the men and women of the Savannah River site have for the last 40 to 50 years produced tritium by reactor in my district to help win the cold war. We want to continue to do it for the country, not because I am from South Carolina, but because we have the infrastructure, we have the community commitment, we have the will to do it, and I want to do it in the most fiscally sound and conservative manner.

□ 1145

I will tell you when this administration and DOE will prefer a reactor to do anything. That is when hell freezes

over. It will not be 2011. If you want to produce tritium to maintain a national defense structure, you need to start now. Not 2011 when START II is implemented.

What I am asking my colleagues who are fiscally conservative to do is look at the numbers. This is not about millions, it is about billions. The Clinton DOE will never prefer a reactor that we know will work, that will save the construction costs. The energy costs alone are \$10 billion over the life of the reactor.

This is about politics and spending billions of dollars on technology that is pie in the sky and not going to something we know that works that can make plutonium that works and create energy and is privately financed. It is about politics.

The men and women of my district understand tritium. We understand politics and I hope my colleagues will call the National Taxpayers Union and talk to Mr. Paul Hewitt. I have. They have information about millions. That does not consider the billions. They will consider the billions.

This is politics at its worst. Let's get on with defending America. 2011 is here today. How long does it take to get any technology going? Never, with an accelerator, because it never produced tritium.

The reactor has produced tritium in this country. We need to start now because it takes a long time, because we want to be safe and we should be safe. But we need to start now to give our children a secure future financially by saving billions of dollars with technology that works.

And a secure future with the threat of Iran and Iraq is not looking at will they follow our lead, but will we have the resources to implement American policy? And not ask them to follow our lead, but we will be the biggest guy with the biggest stick on the block all the time. That is what this debate is about.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Chairman, let me clear up one thing that my friend from San Diego mentioned. The Los Alamos Laboratory wants the accelerator made. The gentleman has been referring to Harold Agnew, an official of the labs.

Harold Agnew has been out of office for 15 years and he is now a contractor with one of the companies trying to get the contract. So let me be clear. The Los Alamos Laboratory, which is an expert in this area, would like to be involved in this process, as would the States of Texas, Idaho, Nevada, and Tennessee. And because of this specific earmark, all of these States are locked out and we have a Swiss-Swedish firm getting a benefit over American companies.

That is not right. These States, and my labs in Los Alamos, are experts. Why are we making decisions that scientists should be making?

These are thousands of scientists. Ph.D.'s at Los Alamos, at DOE, at Savannah River. They should be making these decisions. And I think a Swiss-Swedish firm, they may be very competent, I don't think they should be barred, but what this Markey amendment is doing, and I must say it is a bipartisan amendment. It is the gentleman from Nevada [Mr. ENSIGN] and the gentlewoman from Nevada [Mrs. VUCANOVICH]. My name is on it. We just want an open process.

We think that this process by which there was a specific mention, an earmark, is flawed. We are saving the taxpayers money, \$50 million. But let me be absolutely clear. I represent Los Alamos. They are in my district. They are for the Markey-Ensign amendment because they want science and scientists to have a chance.

So, my good friend should not mention Harold Agnew who is a good public servant. But he was 15 years ago. He is a contractor now. Of course, he has an interest. We respect that.

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

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

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

Would the gentleman tell me what contracting firm Mr. Agnew is supposed to be working for now?

Mr. RICHARDSON. General Atomics.

Mr. HUNTER. General Atomics is excluded from being able to participate in this amendment.

I would ask how much time we have remaining, Mr. Chairman.

The CHAIRMAN. The gentleman from California [Mr. HUNTER] has 3 minutes remaining.

Mr. HUNTER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Kansas [Mr. TIAHRT] to whom we always give plenty of time.

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

Mr. TIAHRT. Mr. Chairman, I appreciate the additional time. With all due respect, I must rise in opposition to this amendment.

Since 1992, the Department of Energy has been working on this alternate source for producing tritium and they tell us they are 3 to 4 years away from doing that. It is going to cost taxpayers more money.

I want to remind the body that the Department of Energy is the same agency that the Vice President told us in the National Performance Review misses 20 percent of its milestones and is 40 percent inefficient. That means that their estimates could be longer than expected and overrun in cost.

But if we use the multipurpose reactor for the production of tritium, it represents a tried and true technology. This technology would also be the least

cost to the American taxpayer and it would guarantee that we are going to produce tritium on time.

Mr. Chairman, I, along with my other colleagues on the Committee on National Security, are concerned—but not surprised—about the lack of progress that the Department of Energy has been making toward this long-term source of tritium and it is essential if we are going to maintain our nuclear weapons for nuclear defense.

But we cannot allow our nuclear weapons capability to diminish just to satisfy an antinuclear coalition in the administration and in the Department of Energy. We need to do what is right for the American people and for the national defense.

Time is running out. And we cannot afford to wait on the Department of Energy to get its act together. I urge my colleagues to defeat the Markey amendment.

Mr. MARKEY. Mr. Chairman, I yield 30 seconds to the gentleman from Nevada [Mr. ENSIGN].

Mr. ENSIGN. Mr. Chairman, just a couple of points. First of all the multipurpose reactor, that technology has not been developed as well. We have never produced with the reactor the amount of tritium that we are talking about developing today.

Also, the tritium, as far as technologically, has been produced from an accelerator. This is false when my colleagues say it has not. Granted, I will admit that the accelerator technology is not as far along, but we have the time to see whether we can develop this technology with an accelerator. No question about it. It is environmentally the safest thing to do.

Mr. HUNTER. Mr. Chairman, I understand we have the right to close the debate.

The CHAIRMAN. The gentleman from California [Mr. HUNTER] has the right to close.

Mr. MARKEY. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BROWN].

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Massachusetts.

Mr. Chairman, I rise in strong support of the Markey-Vucanovich-Ensign amendment. What this bipartisan amendment does is very simple: It allows the existing search for the best site and the best technology for the provision of tritium to go forward. The Department of Energy has been engaged in an evaluation of five different technologies and five different sites and a decision is expected in late summer or early autumn.

H.R. 1530 threatens to derail that process. It would add \$50 million to the administration's request for tritium work and would choose a winning site—Savannah River—and a winning technology—the so-called triple play reactor proposal led by Ansea, Brown & Boveri. In choosing a winner, H.R. 1530 short-circuits

the process of technology and environmental evaluation that was intended to guarantee that the taxpayers get a tritium facility that minimizes its nuclear proliferation potential, is environmentally sound and cost effective.

I am not saying that I know that the ABB proposal is the most expensive or least attractive or that Savannah River is an inferior site. The fact is I don't know that. But that is precisely the point: No one in this body knows which technology, which consortia and which site offers the best deal for the taxpayer. There is no record of judgment by impartial experts that we can turn to for guidance because the experts are still doing their work. There are no hefty hearing volumes documenting the full and exhaustive review of this billion dollar deal to explain why we must intervene to stop that impartial review and pick our own winner.

Some of my friends on the other side of the aisle like to say that bureaucrats aren't good at picking winners and losers among technologies; I would suggest that when it comes to choosing winning technologies, Congress makes bureaucrats look like geniuses.

There is general agreement that we need a new tritium facility. But let us give our citizens a facility that is the best that their money can buy. To do that, we need to repudiate a pork-driven decision, we need to let the selection process go forward to let these technologies and sites compete. Support good government and a fair process. Vote for Markey-Vucanovich-Ensign.

Mr. MARKEY. Mr. Chairman, I yield myself my remaining time.

Mr. Chairman, let me conclude by saying this. Using the words of the gentleman from California [Mr. HUNTER], Massachusetts does not have a dog in this fight. This is not a battle that I certainly have any interest in.

My only problem with this whole debate is that after a day of sanctifying the whole concept of procurement reform just 2 days ago, we now come back out here on the floor and we allow for a single Member to earmark a specific technology that does not even exist to be the exclusive way that we are going to produce one of the most important defense technologies in our country.

Now, we keep hearing about a 3-in-1 technology. It is good for plutonium. It is good for electricity. It is good for this. It is good for that. It sounds like you are listening to an ad for a chopomatic at 3 a.m. in the morning on channel 43.

This technology does not exist. And, in fact, although we are talking about \$50 million out here, the truth is it triggers \$6 billion worth of reactor that has to be built. By the way, a reactor which has never produced tritium before.

The technology which they are selecting has never, in fact, performed this task before. Now, you hear the word linear accelerator. What does that mean? Well, it is just another fancy word for saying atom smasher. That is what a linear accelerator is.

Right now the National Academy of Sciences, the Department of Energy, the Department of Defense, are evalu-

ating linear accelerators as opposed to this new reactor which has never been tested with regard to which is the better way of going to produce tritium in this country.

Now, I do not care which technology they select, but I do know that this bill should not have \$50 million in it for a Swedish firm for a technology that ultimately triggers \$6 billion worth of expenditures before we have had a technical evaluation. That is what this whole debate is about.

And the \$50 million is opposed by the National Taxpayers Union, by the gentleman from Nevada [Mr. ENSIGN], by the gentlewoman from Nevada [Mrs. VUCANOVICH], and a cross-section of Democrats and Republicans that want a balanced budget, fairly done, with logical assessment done of each and every item. This provision violates every one of those principles.

Mr. HUNTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho the gentleman from [Mr. CRAPO].

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

Mr. CRAPO. Mr. Chairman, I rise in strong support of the committee's product. We in Idaho are doing some critical research under this proposal that will help us to develop this program.

Mr. HUNTER. Mr. Chairman, I yield our remaining time to the gentleman from Texas [Mr. THORNBERRY].

The CHAIRMAN. The gentleman from Texas [Mr. THORNBERRY] is recognized for 1½ minutes.

Mr. THORNBERRY. Mr. Chairman, the Texas panhandle is a long way from either Savannah River or from Nevada where the accelerator would be built, but I think it is very important to make these basic points.

We have no choice on tritium. Everyone has agreed with that. And we need it quickly. Now, this is a gas that deteriorates at a rate of approximately 5 percent a year. We have built none in this country since about 1988. And the longer we take, particularly with an unproven technology, the worse off it is for the security of this country.

I think the key point, however, that I want to make is this. The committee version advances both options. Currently, the Department of Energy is only looking at one option and that is an accelerator. They are not considering in any manner the sort of reactor that would be considered under this bill.

Now, I will tell my colleagues that in my district we have got a lot of excess plutonium that is building up as we dismantle weapons that we are bringing back from Europe. We have got to figure out what to do with that plutonium and the reactor is one option that we ought to consider as a way to dispose of that excess material.

The Department of Energy will not even consider it and there are no other technologies that are even close to

being considered at the current time. The committee bill gives approximately the same amount of money toward the accelerator as the gentleman's amendment would do, but it adds to that. It doubles the amount of money because of how important this gas is and it gives us another option to look at.

We are not bound to any option forever, but it does push forward the process on both counts so that we can find the best, most economical, safest way to produce tritium and that can accomplish our other security goals as well.

Mr. SPENCE. Mr. Chairman, I rise in support of the committee position and in opposition to the Markey amendment which would cut funding for a new tritium production source by 50 percent. The Markey amendment would also erect additional barriers not in even the administration's request to achieving a low-cost, reliable supply of tritium.

Tritium is needed to ensure the safety and reliability of the U.S. nuclear weapons stockpile. Because tritium decays at a rapid rate, it must be regularly replenished. However, the United States currently has no capacity to produce tritium and therefore a new production source has been in the works for years.

H.R. 1530 directs the Department of Energy to pursue the lowest cost, most mature technology to accomplish this mission—and that is a reactor. Reactor technology has produced all of the tritium currently used in U.S. nuclear weapons.

The committee also endorsed using reactor technology to burn plutonium and to generate electricity. The prospect of private sector financing could also dramatically reduce the cost of the American taxpayer of this critically important undertaking.

The Markey amendment would cut the funds added by the committee for future tritium production, and would give the Department of Energy the final say over which tritium production technology should proceed. We fear that the Department is headed in the direction of actually selecting the less mature, more costly accelerator option.

Let us do what's right to most cost-effectively ensure our ability to maintain our nuclear weapons stockpile. Let's get on with this innovative cost-saving approach to producing tritium. The only way to do this is to support the committee and vote "no" on the Markey amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. MARKEY].

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

## RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 208, not voting 12, as follows:

[Roll No. 381]

AYES—214

Abercrombie	Andrews	Barcia
Ackerman	Baessler	Barrett (WI)
Allard	Baldacci	Becerra

Beilenson	Gutierrez	Pastor	Hansen	McCollum	Shaw
Bentsen	Hamilton	Payne (NJ)	Harman	McCrery	Sisisky
Berman	Hefner	Payne (VA)	Hastert	McDade	Skelton
Bevill	Hinchee	Pelosi	Hastings (WA)	McHale	Smith (MI)
Boehlert	Hoekstra	Peterson (FL)	Hayes	McHugh	Smith (NJ)
Bonior	Holden	Peterson (MN)	Hayworth	McInnis	Smith (TX)
Borski	Hoyer	Petri	Hefley	McIntosh	Smith (WA)
Boucher	Istook	Pomeroy	Heineman	McKeon	Solomon
Brewster	Jackson-Lee	Porter	Herger	Meeke	Souder
Browder	Jacobs	Poshard	Hilleary	Mica	Spence
Brown (CA)	Jefferson	Rahall	Hilliard	Miller (FL)	Spratt
Brown (FL)	Johnson (SD)	Ramstad	Hobson	Molinari	Stearns
Brown (OH)	Johnson, E. B.	Rangel	Hoke	Mollohan	Stenholm
Bryant (TX)	Johnston	Reed	Horn	Montgomery	Stockman
Bunn	Kanjorski	Regula	Hostettler	Moorhead	Stump
Camp	Kaptur	Reynolds	Houghton	Murtha	Talent
Cardin	Kasich	Richardson	Hunter	Myrick	Tate
Chabot	Kennedy (MA)	Riggs	Hutchinson	Nethercutt	Tauzin
Christensen	Kennedy (RI)	Rivers	Hyde	Norwood	Taylor (NC)
Clay	Kildee	Roemer	Inglis	Nussle	Tejeda
Clayton	Klink	Rogers	Johnson (CT)	Ortiz	Thomas
Coble	Klug	Roth	Johnson, Sam	Packard	Thompson
Coleman	LaFalce	Roukema	Jones	Paxon	Thornberry
Collins (IL)	Lantos	Roybal-Allard	Kelly	Pickett	Tiahrt
Condit	LaTourette	Royce	Kennelly	Pombo	Traficant
Conyers	Lazio	Rush	Kim	Portman	Upton
Costello	Leach	Sabo	King	Pryce	Waldholtz
Coyne	Levin	Sanders	Kingston	Quillen	Walker
Cramer	Lewis (GA)	Sawyer	Knollenberg	Quinn	Walsh
Crane	Lincoln	Schroeder	Kolbe	Radanovich	Wamp
Danner	Lipinski	Schumer	LaHood	Roberts	Watts (OK)
DeFazio	LoBiondo	Scott	Largent	Rohrabacher	Weldon (FL)
Dellums	Lofgren	Scott	Latham	Ros-Lehtinen	Weldon (PA)
Deutsch	Lowey	Sensenbrenner	Laughlin	Rose	Weller
Dicks	Luther	Serrano	Lewis (CA)	Salmon	Whitfield
Dingell	Maloney	Shays	Lewis (KY)	Sanford	Wicker
Dixon	Manton	Skaggs	Lightfoot	Saxton	Wolf
Doggett	Manzullo	Skeen	Linder	Scarborough	Young (AK)
Dooley	Markey	Slaughter	Livingston	Schaefer	Young (FL)
Doyle	Martini	Stark	Longley	Schiff	Zeliff
Duncan	Mascara	Stokes	Lucas	Seastrand	
Durbin	Matsui	Studds	Martinez	Shadegg	
Edwards	McCarthy	Stupak			
Engel	McDermott	Tanner			
Ensign	McKinney	Taylor (MS)	Chapman	Flake	Oxley
Eshoo	McNulty	Thurman	Collins (MI)	Hastings (FL)	Shuster
Evans	Meehan	Torkildsen	Dickey	Kleccka	Thornton
Farr	Menendez	Torres	Fields (TX)	Mfume	Yates
Fattah	Metcalfe	Torrice			
Fawell	Meyers	Towns			
Fazio	Miller (CA)	Tucker			
Fields (LA)	Mineta	Velazquez			
Filner	Minge	Vento			
Foglietta	Mink	Visclosky			
Forbes	Moakley	Volkmer			
Ford	Moran	Vucanovich			
Fox	Morella	Ward			
Frank (MA)	Myers	Waters			
Franks (NJ)	Nadler	Watt (NC)			
Frelinghuysen	Neal	Waxman			
Frost	Neumann	White			
Furse	Ney	Williams			
Gallely	Oberstar	Wilson			
Gephardt	Obey	Wise			
Geren	Olver	Woolsey			
Gibbons	Orton	Wyden			
Gordon	Owens	Wynn			
Green	Pallone	Zimmer			
Greenwood	Parker				

## NOES—208

Archer	Calvert	Ehlers
Armey	Canady	Ehrlich
Bachus	Castle	Emerson
Baker (CA)	Chambliss	English
Baker (LA)	Chenoweth	Everett
Ballenger	Chrysler	Ewing
Barr	Clement	Flanagan
Barrett (NE)	Clinger	Foley
Bartlett	Clyburn	Fowler
Barton	Coburn	Franks (CT)
Bass	Collins (GA)	Frisa
Bateman	Combest	Funderburk
Bereuter	Cooley	Ganske
Bilbray	Cox	Gejdenson
Bilirakis	Crapo	Gekas
Bishop	Creameans	Gilchrest
Bliley	Cubin	Gillmor
Blute	Cunningham	Gilman
Boehner	Davis	Gonzalez
Bonilla	de la Garza	Goodlatte
Bono	Deal	Goodling
Brownback	DeLauro	Goss
Bryant (TN)	DeLay	Graham
Bunning	Diaz-Balart	Gunderson
Burr	Doolittle	Gutknecht
Burton	Dornan	Hall (OH)
Buyer	Dreier	Hall (TX)
Callahan	Dunn	Hancock

Hansen	McCollum	Shaw
Harman	McCrery	Sisisky
Hastert	McDade	Skelton
Hastings (WA)	McHale	Smith (MI)
Hayes	McHugh	Smith (NJ)
Hayworth	McInnis	Smith (TX)
Hefley	McIntosh	Smith (WA)
Heineman	McKeon	Solomon
Herger	Meeke	Souder
Hilleary	Mica	Spence
Hilliard	Miller (FL)	Spratt
Hobson	Molinari	Stearns
Hoke	Mollohan	Stenholm
Horn	Montgomery	Stockman
Hostettler	Moorhead	Stump
Houghton	Murtha	Talent
Hunter	Myrick	Tate
Hutchinson	Nethercutt	Tauzin
Hyde	Norwood	Taylor (NC)
Inglis	Nussle	Tejeda
Johnson (CT)	Ortiz	Thomas
Johnson, Sam	Packard	Thompson
Jones	Paxon	Thornberry
Kelly	Pickett	Tiahrt
Kennelly	Pombo	Traficant
Kim	Portman	Upton
King	Pryce	Waldholtz
Kingston	Quillen	Walker
Knollenberg	Quinn	Walsh
Kolbe	Radanovich	Wamp
LaHood	Roberts	Watts (OK)
Largent	Rohrabacher	Weldon (FL)
Latham	Ros-Lehtinen	Weldon (PA)
Laughlin	Rose	Weller
Lewis (CA)	Salmon	Whitfield
Lewis (KY)	Sanford	Wicker
Lightfoot	Saxton	Wolf
Linder	Scarborough	Young (AK)
Livingston	Schaefer	Young (FL)
Longley	Schiff	Zeliff
Lucas	Seastrand	
Martinez	Shadegg	

## NOT VOTING—12

Chapman	Flake	Oxley
Collins (MI)	Hastings (FL)	Shuster
Dickey	Kleccka	Thornton
Fields (TX)	Mfume	Yates

□ 1220

Messrs. ROHRABACHER, GILCHREST, GONZALEZ, LATHAM, and WHITFIELD changed their vote from "aye" to "no."

Messrs. DICKS, LAZIO of New York, METCALF, MYERS of Indiana, ROGERS, PARKER, BUNN, JEFFERSON, KENNEDY of Rhode Island, and Ms. BROWN of Florida changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in subpart G of part 1 of the report.

## AMENDMENT OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. DELAURO: Page 311, strike out lines 1 through 13, relating to section 732 (expansion of existing limitations on the use of defense funds for the performance of abortions).

The CHAIRMAN. Under the rule, the gentlewoman from Connecticut [Ms. DELAURO] and a Member opposed each will be recognized for 20 minutes.

Does the gentleman from California [Mr. DORNAN] claim the time in opposition?

Mr. DORNAN. Yes, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentlewoman from Connecticut [Ms. DELAURO] for 20 minutes, and then the gentleman from California [Mr. DORNAN] will be recognized for 20 minutes.

Ms. DELAURO. Mr. Chairman, I yield myself 2 minutes.

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

Ms. DELAURO. Mr. Chairman, I offer this bipartisan amendment on behalf of myself, the gentlewoman from Colorado [Mrs. SCHROEDER], the gentlewoman from California [Ms. HARMAN], the gentleman from Massachusetts [Mr. TORKILDSEN], and the gentleman from Kentucky [Mr. WARD]. Our amendment strikes language in this bill that would prohibit privately funded abortions from being performed at overseas military hospitals.

Mr. Chairman, this amendment preserves the right to choose for female military personnel and dependents, and it insures that these women who serve our country in uniform are not denied safe medical care simply because they are assigned to duty in other countries.

I want to emphasize several points about our amendment:

First, it simply continues current policy that allows women to use their own funds. Let me repeat that: Their own funds to pay for abortions in overseas military hospitals. These patients are charged the full reimbursement rate for same-day surgery, more than the cost for abortion services at private facilities in this country, in order to insure that no Federal funding is involved.

Second, no medical providers will be forced to perform abortions. This amendment preserves the conscience clause that already exists in all branches of the military.

Third, this is not a new policy. Privately funded abortions were allowed at overseas military facilities from 1973 to 1988, including all but a few months of the Reagan administrations, and they have been permitted again since President Clinton's executive order of January 1993. The ban that existed from October 1988 to January 1993 was the exception.

This amendment involves no special treatment or taxpayer funding. It simply assures that women who served in the armed services have access to safe medical care.

I urge the support for this amendment.

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

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DORNAN] for 20 minutes.

Mr. DORNAN. Mr. Chairman, I will have about 11 speakers, and do I understand correctly, sir, that there is 20 minutes on each side? I have come up with a strict time allocation, and I have several people from leadership. I have a medical doctor who is an Army major that will be my leadoff speaker, and I will ask the folks speaking to please understand my problem when I say I cannot yield any additional time to them. This is not one of the easiest things.

The CHAIRMAN. Does the gentleman from California [Mr. DORNAN] yield time to himself?

Mr. DORNAN. Yes, Mr. Chairman, I yield myself 1 minute, possibly 2.

The CHAIRMAN. The gentleman from California is recognized then for 1 minute.

Mr. DORNAN. Mr. Chairman, not only will I have an Army doctor, a major, one of our newest Members, the gentleman from Florida [Mr. WELDON], to speak, and those stalwarts who are all chairmen now like the gentleman from Illinois [Mr. HYDE] and the gentleman from New Jersey [Mr. SMITH]. Our whip is going to speak early on here, the gentleman from Texas [Mr. DELAY], the secretary of our conference, the gentlewoman from Nevada [Mrs. VUCANOVICH], some other freshmen, people who have been leaders in this issue, the gentleman from Missouri [Mr. VOLKMER], one of the great pro-lifers in this House on the other side of the aisle, and we are not going to have time even with all those great speakers to get into a fulsome abortion debate, but I missed the press conference this morning organized by our freshmen about, and this is what people who are pro-abortion or pro-choice do not want to discuss, called partial birth abortion, where they start the birth process, they bring the baby—it is not a fetus at this point—down into the birth canal, and then they suck its brains out. They do not want to talk about things like that. I do not want anything like that going on in military hospitals.

The CHAIRMAN. The time of the gentleman from California [Mr. DORNAN] has expired.

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

Mr. Chairman, I do not want this going on in military hospitals, nor does a single doctor, male or female, Army, Navy, Air Force, Marine Corps uses Navy doctors, want to do this. Our defense dollars are to save lives, not to flatline brain waves and not to snuff out little beating hearts.

So, with that I will just say there is going to be a lot of misinformation. These are military hospitals paid for with tax dollars, and so are the doctors.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. WELDON], an Army major, Army medical doctor.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman from California for yielding this time to me, and I will try to make my comments brief so that perhaps some of the other speakers would have the time that they need.

I would just like to share with my colleagues on both sides of the aisle that, when the Reagan policy was initiated, I was in the Army Medical Corps, and I was practicing medicine. I was actually in my residency, and I was working with many ob/gyn residents, and the general consensus, at least

amongst the people who are out there doing what we asked them to do, was that we very much appreciated the Reagan policy because the feeling amongst most physicians is that providing abortions is not medical care. Most physicians go to medical school because they want to help the sick and help the needy, and the idea of using those skills to snuff out the life of the unborn is directly in contradiction with the principles that drew them into medicine, and to have a military officer, a military medical officer of all people, involved in doing this procedure, the use of a military facility runs directly in contradiction with all of those principles that drew us, as physicians, into the Medical Corps, and we were very grateful for that policy, and I am very much wholeheartedly in support of the gentleman from California, Mr. DORNAN's, amendment. I believe that it will be upheld.

I believe the sentiment of this Congress has shifted in favor of our position, and I speak as a man of experience who has been out there taking care of military families, and speak with that experience, and I say to my colleagues that this policy is very, very much embraced by the officers in the Army Medical Corps, in the Air Force Medical Corps, who wholeheartedly support the belief that we should be in this business.

□ 1230

Ms. DELAURO. Mr. Chairman, I yield myself 10 seconds just to make a comment on what the prior speaker said.

Mr. Chairman, there is the conscience clause which is preserved, as in all branches of the military, as it is here. So there is no military personnel, professional personnel, who has to deal with performing a procedure.

Mr. Speaker, I yield 1½ minutes to a cosponsor of this amendment, the gentleman from Massachusetts [Mr. TORKILDSEN]. It is a pleasure to yield in the bipartisan spirit of this amendment.

Mr. TORKILDSEN. Mr. Chairman, I rise today in support of this amendment to protect the basic right of women to choose.

To reiterate, under the law now no military personnel can be forced to participate in an abortion if they do not choose to. There is a conscience clause which will still remain in effect if this amendment passes, and I hope this amendment passes.

We all understand, whether we agree or not, that safe and legal access to abortion is the law of the land. The provision in this bill which we are seeking to strike would deny that right to service women, to the spouses of service men, and to their dependents who are overseas.

Current defense policy does not contribute any funds for abortion services. As a supporter of the Hyde amendment, and I repeat that, I am a supporter of the Hyde amendment, I agree with that policy. Federal funding is not the issue

here. This amendment will correct a provision in the defense bill that would discriminate against women in the military.

Passage of this amendment will only allow current policy to continue. If a woman seeks to have an abortion, she can do so, but only if she uses her own funds. Let us keep that basic right and vote yes for this amendment.

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

The CHAIRMAN. The gentleman yields back 15 seconds.

Mr. DORNAN. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. DELAY], our leadership on this side, our whip.

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

Mr. Chairman, I rise in very, very strong opposition to the DeLauro pro-abortion amendment. As many of you know, the majority of Americans oppose Federal funding for abortion. However, just 4 days after his inauguration, President Clinton issued an executive memorandum allowing military facilities to perform abortions.

The DeLauro amendment takes the President's memorandum even further, to codify the use of Federal tax dollars for abortions in U.S. overseas military facilities.

Make no mistake about it. When the taxpayers spend their money to open the clinics and open the hospitals, to build the facilities and pay for the doctors, taxpayers are paying for abortions that may be paid for by the woman, but that fee in no way covers the cost of these facilities.

The Dornan language now in the bill passed overwhelmingly in committee. The Dornan language simply restores the Reagan and Bush policy that prohibited overseas military facilities from performing abortions.

As my friends on the other side of the aisle will agree, this is a very emotional issue, so let me be very clear about what is happening here. President Clinton and supporters of the DeLauro amendment are obligating men and women who have taken the Hippocratic Oath, who may find abortion morally and professionally unconscionable, to perform abortions in federally funded facilities. It is not only morally offensive, but it is an abuse of Federal tax dollars. Vote no on the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, this amendment in no way adds to current law. It simply strikes the new language in the bill. It does not go further than what current law is all about. Women pay for these costs, and it is a price determined by the military hospital, payable to the U.S. Treasury.

Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Chairman, I rise in strong support of this amendment.

Mr. Chairman, I rise in support of the DeLauro amendment to the Defense authorization bill. This amendment simply preserves the right for our female military personnel and their dependents stationed abroad to have the same constitutional rights guaranteed to women here in America.

Current policy allows women stationed overseas to use their own personal funds to obtain abortion services at military hospitals. This legislation seeks to reverse this policy and ban such privately funded abortions. This is wrong and contrary to public law. We should not discriminate against female military personnel just because they are stationed overseas.

The issue here is not taxpayer funding nor special treatment for these women. No military medical providers would be forced to perform abortions. No Federal funds would be used. This is just an issue of fairness to the women who sacrifice every day to serve our Nation. They deserve the same quality of care that women in America have access to each day.

American women here and abroad should have the right to choose. This right is protected by the Roe versus Wade Supreme Court decision and ultimately the U.S. Constitution. The DeLauro amendment simply reaffirms this right. It is an issue of fairness and equity. I urge my colleagues to support it.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I thank the gentlewoman from Connecticut for her leadership on this.

She is absolutely right. If we do not pass this amendment, what we are going to be doing is making the women who serve either as dependents, following their spouses around wherever they are ordered to go, or women in the military second class citizens.

We are sending them all over the world. They do not get to pick where they go, they are ordered where to go, all over the world to protect our freedoms, and then denying them the very same freedoms that they would be allowed at home.

Now, I think it is so important to say that their being able to exercise these freedoms impinges on no one in the military, because the conscience clause is there, alive and well, and any military medical personnel can exercise it.

Second, these fees are set the same way they are set in the private sector; that is, there is a pro rata share of the overhead assessed. So the people are paying the full cost of this.

Mr. Chairman, only 10 of these have happened since this was lifted. This is not something someone does lightly. But it is something when you are far away from home and something goes wrong with the pregnancy or something happens that the woman's life or health is in jeopardy, you would like to think they have the constitutional right and the backing of the U.S. Congress, that ordered them into this place way far away, to be able to exercise those rights and protect their health. That is what this is about.

Are we going to treat these people as full class citizens, or aren't we?

When we station military personnel we do not ask them to give up their rights to free speech, to exercise their religion, to assemble. We don't require them to give up their legal protections against illegal searches and seizures, the right to a speedy and public trial, a right to an attorney. This bill, as reported out of the subcommittee, asks military women and dependents to give up their legally protected right to choose.

Currently, active duty women stationed overseas, and dependents of military personnel stationed overseas are guaranteed the same rights that they would have if they were stationed stateside because they are allowed to pay the costs of an abortion in a military hospital out of their own pocket. Currently, no DOD funds can be used to fund abortions unless the life of the mother is in danger. Currently, no military medical personnel are required to perform an abortion if they object to doing so, unless the life of the mother is at risk.

The ban on privately paid abortions for military women overseas strips women of the very rights they were recruited to protect.

The ban on abortions at military hospitals is unfair, dangerous, and discriminatory to military personnel. Prohibiting women from using their own funds to obtain abortion services at overseas military health facilities endangers their health. Women will be forced to seek out illegal, unsafe procedures, or be forced to delay the procedure for several weeks until she can return to the States. The question for our House colleagues is whether they can justify limiting constitutionally protected rights and providing a lower standard of health care to military women and family members simply because of their geographical location. I cannot.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Nevada [Mrs. VUCANOVICH], part of our leadership.

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

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

Mr. Chairman, the men and women who serve as military doctors in our armed services take an oath to save and defend lives. Most do not want to participate in the destruction of human life. Despite the great reluctance of doctors to perform abortions—the Pentagon, under the direction of the Clinton administration, is insisting that a way be found to allow abortion on demand at our military facilities.

While women seeking an abortion must pay for the procedure—having the procedure take place at a military hospital raises concerns regarding the use of taxpayers money to subsidize abortion-related expenses.

Opponents of the Dornan provision may argue that many nations hosting U.S. military bases may have limits on abortions—making it difficult to obtain this procedure safely—however the military is bound to respect the laws of host countries including any restriction on abortions. Furthermore, U.S. women overseas may continue, as they have for years, to go to Germany

and use facilities that are just as safe as anywhere in the United States. The DeLauro amendment would strike this provision in the bill despite the fact that military doctors want nothing to do with aiding the destruction of unborn children and that the majority of the American people do not want their tax dollars to subsidize abortion either directly or indirectly. I urge my colleagues to reject the DeLauro amendment and support this Dornan provision included in H.R. 1530.

Ms. DELAURO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Chairman, let me offer my unanimous consent in support of the DeLauro-Schroeder amendment to keep freedom among our American men and women in the military and to support the right of life of women.

Mr. Chairman, President Clinton had made a positive move in affirming the importance of women's health when he lifted the Department of Defense ban that prohibited women from obtaining abortion services at military facilities overseas, even if paid for with their own private funds. Today, the Republican majority of the National Security Committee believe the ban should be reinstated. This would be a tragedy.

I rise in support of the DeLauro amendment to H.R. 1530 that would strike this provision from the bill. A woman's right to choose is constitutionally protected, and such protection is still guaranteed for U.S. citizens who are serving their country on foreign soil. The issue at hand is not about who will pay for the abortion, or whether or not it is constitutionally right, but if women who serve overseas will have access to good medical care.

Getting a safe, legal abortion in the United States is relatively simple. However, living in a foreign nation where abortion is illegal or the blood supply may be unsafe creates a considerable burden for a woman seeking sensitive medical attention—attention that could be safely administered in a U.S. military facility. It would be of no advantage to our military forces for their female service members to be exposed to medical conditions that pose a substantial risk of infection, illness, or even death.

As a recent New York Times editorial proclaimed, by including this language in the bill, the National Security Committee is sending a clear message to America's military women: "They can fight for their country. They can die for their country. But they cannot get access to a full range of medical services when their country stations them overseas."

I urge my colleagues to oppose the committee's language by voting in favor of the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield such time as he may consume to the gentleman from California.

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

Mr. FARR. Mr. Chairman, I rise in support of the amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I rise in support of the DeLauro-Harman-Torkildsen amendment, which upholds current military policy to permit American troops and dependents stationed overseas to obtain privately funded abortion services in military facilities.

We should not look at this as a pro-choice or pro-life issue. It is really a discrimination issue. Abortion is legal in the United States, and servicewomen serving the United States at a base overseas should not be denied safe reproductive health services.

As my colleagues have pointed out, we are talking about privately funded abortions. Servicewomen and their dependents use their own money to obtain an abortion. No Federal funds are involved. Furthermore, and this is just to correct something that has been said a couple of times here, medical personnel have the option to opt out and not participate in an abortion procedure.

Servicewomen and their dependents deserve to know they will have access when they are overseas to safe reproductive health service. A woman's health should not be jeopardized because she is serving the U.S. military in a country where medical facilities are inadequate or an abortion is illegal. This Congress has made great strides to get government out of people's lives. We should not take a step back. I urge a "yes" vote on the amendment.

Mr. DORNAN. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey [Mr. SMITH], one of our great pro-life leaders in the House.

Mr. SMITH of New Jersey. Mr. Chairman, the largely untold story concerning Mr. Clinton's unethical order of January 22, 1993, to turn DOD health care facilities into abortion mills is that military obstetricians, nurses, and anesthesiologists around the world adamantly refused—and continue to refuse—to comply with the death order.

In so doing, these men and women in uniform from Europe to the Pacific have demonstrated to use all that they are healers first and always, and that they regard it as inconsistent and schizophrenic with the role of healers to be butchers of innocent children.

Because of their deep convictions and reverence for human life, no one will ever say of them, when the injustice of permissive abortion is finally exposed, that they were just following orders.

The military doctors' steadfast refusal to inject children with hypodermic needle dripping with poisons or to dismember unborn babies with razor tipped knives hooked up to suction machines, only underscores how seriously these physicians regard the value, dignity, and integrity of each and every human life.

These medical people are healers. They are defenders of vulnerable kids who have been put at risk by the abortion culture. They recognize that the highest calling of their profession is to protect, nurture, safeguard all of their patients, including unborn babies.

In like manner, under the Dornan language, DOD hospitals and health care facilities, will

once again be institutions exclusively dedicated to healing.

Unless you construe an unborn child to be a tumor or cyst—and pregnancy itself a disease—abortion on demand as authorized by the DeLauro amendment has no place at these facilities.

With each passing day, Mr. Chairman, more Americans are peeling away the myths and euphemisms that cloak and sanitize abortion and are instead recognizing that abortion is child abuse.

The coverup of abortion methods is over.

Today, hearings began in the Judiciary Committee on outlawing the gruesome partial birth abortion. In this method the abortionist delivers most of the baby's body, however, the skull is cut while still inside the woman, and the brain sucked out.

Here's how Dr. Martin Haskell, who boasts of having performed over 700 partial birth abortions, described the procedure at a National Abortion Federation seminar on second trimester abortion:

The surgical assistant places an ultrasound probe on the patient's abdomen and scans the fetus, locating the lower extremities. This scan provides the surgeon information about the orientation of the fetus and approximate location of the lower extremities. The transducer is then held in position over the lower extremities.

The surgeon introduces a large grasping forcep, such as a Bierer or Hern, through the vaginal and cervical canals into the corpus of the uterus. Based upon his knowledge of fetal orientation, he moves the tip of the instrument carefully towards the fetal lower extremities. When the instrument appears on the sonogram screen, the surgeon is able to open and close its jaws to firmly and reliably grasp a lower extremity. The surgeon then applies firm traction to the instrument causing a version of the fetus (if necessary) and pulls the extremity into the vagina.

By observing the movement of the lower extremity and version of the fetus on the ultrasound screen, the surgeon is assured that his instrument has not inappropriately grasped a maternal structure.

With a lower extremity in the vagina, the surgeon uses his fingers to deliver the opposite lower extremity, then the torso, the shoulders and the upper extremities.

The skull lodges at the internal cervical os. Usually there is not enough dilation for it to pass through. The fetus is oriented dorsum or spine up.

At this point, the right-handed surgeon slides the fingers of the left hand along the back of the fetus and "hooks" the shoulders of the fetus with the index and ring fingers (palm down). Next he slides the tip of the middle finger along the spine towards the skull while applying traction to the shoulders and lower extremities. The middle finger lifts and pushes the anterior cervical lip out of the way.

While maintaining this tension, lifting the cervix and applying traction to the shoulders with the fingers of the left hand, the surgeon takes a pair of blunt curved Metzenbaum scissors in the right hand. He carefully advances the tip, curved down, along the spine and under his middle finger until he feels it contact the base of the skull under the tip of his middle finger.

Reassessing proper placement of the closed scissors tip and safe elevation of the cervix, the surgeon then forces the scissors into the

base of the skull or into the foramen magnum. Having safely entered the skull, he spreads the scissors to enlarge the opening.

The surgeon removes the scissors and introduces a suction catheter into this hole and evacuates the skull contents.

The coverup of the methods of abortion is over.

As included in the bill, Mr. DORNAN's language honors these doctors and their profession and above all, safeguards both patients—mother and child—from the exploitation of abortion on demand. By reinstating the Reagan-Bush policy of prohibiting the use of DOD facilities for abortion on demand, this Congress can save precious lives—always a laudable goal. The DeLauro amendment guts the Dornan language and will allow Mr. Clinton to force DOD facilities to get involved in the grisly abortion business.

Reject the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California [Ms. HARMAN], a cosponsor of the amendment.

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

Ms. HARMAN. Mr. Chairman, I thank the gentlewoman and salute her.

Mr. Chairman, denying servicewomen the right to choose has no place in the defense authorization bill. During subcommittee and full committee mark-ups, I repeatedly urged my colleagues not to include divisive social issues. Regrettably, a majority of the committee voted to repeal current policy and ban all privately funded abortions performed in military hospitals overseas. So now every woman on the committee, Democrat and Republican, rises today in support of striking this punitive and unconstitutional provision.

This is a matter of fairness. Servicewomen and military dependents stationed abroad do not expect special treatment, only the right to receive the same services guaranteed to American women by Roe versus Wade, at their own expense, that are available in this country. Under current policy, no Federal funds are used, and health care professionals who are opposed to performing abortions as a matter of conscience or moral principle are not required to do so.

Today's vote is part of a larger agenda to roll back a woman's right to choose. This agenda hurts military women overseas, and I urge my colleagues to depoliticize this issue and vote for equitable rights and health services for military women and military dependents serving patriotically overseas.

□ 1245

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the gentleman from Florida, Mr. CLIFF STEARNS, another great pro-life leader and an Air Force officer.

Mr. STEARNS. Mr. Chairman, I thank the gentleman from California for yielding time to me.

Mr. Chairman, I rise in support of the language offered by the gentleman

from California [Mr. DORNAN], and strongly object to the language offered by the gentlewoman from Connecticut [Ms. DELAURO].

I might point out to her and others that this identical vote occurred in the Committee on National Security on May 24, and the existing language was overwhelmingly accepted. Both Democrats and Republicans supported it, mostly Republicans supported it, except for three. In a showdown on the committee, the Dornan language was overwhelmingly supported. I think it should be supported on the House floor.

Let me say, Mr. Chairman, abortion in a tax-supported hospital is the question, nothing else. Also, when we talk about the military, there is a propensity for a professional and ethical climate. We should not allow this amendment to win. Only a scant few military physicians want to perform abortions, so we should keep that in mind. Let us vote with the military today, and vote against the amendment of the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I proudly, in the bipartisan spirit of this bill, yield 1 minute to the gentlewoman from Maryland [Mrs. MORELLA].

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

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding time to me, and for introducing this amendment, which I strongly support.

Mr. Chairman, I rise in strong support of the DeLauro amendment, which would maintain the current policy guaranteeing that women serving in our Armed Forces can exercise their full range of constitutionally protected rights.

This amendment is not about using U.S. taxpayer dollars to finance abortion. Rather, it is an effort to assure that servicewomen based in Saudi Arabia or Guatemala, or other countries that do not allow abortion, will be able to access the medical facilities which we provide for them to attend to their own medical needs as they see fit. Even if women are serving in developing countries where abortion is legal, they are not likely to find the same high standards of cleanliness, safety, and medical expertise available at a U.S. facility.

The DeLauro amendment would simply allow servicewomen to obtain the same range of health services at those facilities that they can now obtain at home. This is not a complicated issue. The amendment would assure that women of our Armed Forces that they need not sacrifice their constitutional rights in order to serve their country. It would also assure our military men that their spouses would retain their full rights.

I urge members to support the DeLauro amendment.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the gentleman from Maryland, Mr. ROSCOE BARTLETT, one of the scientists who serves in the House, and another pro-life leader.

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, H.R. 1530 contains language that returns us to the policy that stood during the Reagan and Bush years that prohibited abortions from being performed on military hospitals. Today's amendment would codify in law the radical change to this policy by the Clinton administration.

Mr. Chairman, it boggles my mind that we are even here today debating such an amendment. The purpose of our military hospitals is to save lives not to take them. Most military doctors believe this so strongly that it is next to impossible to find a military doctor who will perform an abortion. But to get around this policy, the pro-abortion forces are attempting to bring civilians onto military facilities, who they will pay large sums of money, to perform abortions. Most members of the military medical corps are so outraged by this procedure that they do not feel comfortable being on the same base where abortions are being performed.

Let us save innocent life, not take it. Let us abort the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. WARD] who is a cosponsor of the legislation.

Mr. WARD. Mr. Chairman, I rise to speak in favor of this amendment. Women who serve our country in the military overseas should have the same rights as women who serve in this country. To deny abortion services to these women which they pay for themselves is discrimination. Women would be left with no alternative, and, in a desperate situation, could risk their health and maybe their lives by seeking to terminate their pregnancy any way they can.

Mr. Chairman, an administrative ban is all that existed from 1988 to 1993. Before 1988, Defense Department policy allowed privately funded abortions, no Federal funds used, proffered for them to be available for women in the military overseas, in accordance with the law of the land as set forth in the Roe versus Wade decision of the Supreme Court.

Mr. Chairman, this is an issue of providing health care services for women who are doing their duty and serving their country.

Mr. DORNAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. BUNNING], the father of a full baseball team who is closing on 30 grandchildren.

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

Mr. BUNNING of Kentucky. Mr. Chairman, I rise in the strongest possible opposition to the DeLauro amendment to H.R. 1530, the Department of Defense authorization bill.

By seeking to force U.S. military hospitals to perform abortions, the Clinton administration is

in my view promoting elective abortions contrary to the Hyde amendment policy and Federal law.

Under Supreme Court precedent, public hospitals can choose to deny to perform elective abortions regardless of whether these abortions would be paid for with public or private funds.

But the DeLauro amendment would mandate that Government-run military hospitals have to perform this awful procedure. Period. They would have no choice in the matter.

It does not make sense to me to have one set of policies for our civilian hospitals and another for the medical installations on our military bases.

Proponents of the DeLauro amendment rely on the argument that under this proposal abortions would not be paid for with public funds. But I have to disagree with this.

These abortions would be performed on taxpayer-supported bases in taxpayer-supported medical facilities.

The DeLauro amendment might claim that these abortions would be paid for with private funds. But the inescapable fact is that whether one talks about the funds that pay the hospital utility bills or for leased land that the base occupies, taxpayer dollars do support facilities that would carry out these abortions.

This contradicts the clear, strict language of the Hyde amendment that says that no Federal dollars can be used for abortion. It's that simple.

The other side on this issue tries to get around the Hyde amendment policy with their proposal. But the fact of the matter is that no matter how hard they try, they cannot.

Mr. Chairman, section 732 of the base bill that the DeLauro amendment purports to strike is nothing new. It is simply a restoration of the pro-life policies that we had under Presidents Bush and Reagan.

It was wrongly overturned by Executive order by President Clinton, and I staunchly believe that it is time now for Congress to assert its prerogative and reinstitute the Reagan-Bush policy.

I urge my colleagues to vote against the DeLauro amendment. We should not have elective abortions in America, and we certainly should not permit them on our overseas bases. This is one thing we certainly do not need to export from America.

The National Security Committee easily defeated this amendment, and for 12 of the last 15 years our national policy has argued the exact opposite position. Now it is time to defeat the DeLauro amendment and eliminate the outrage of elective abortion from our military bases.

Mr. Chairman, I urge all of my colleagues to vote against this disturbing amendment.

Mr. DORNAN. Mr. Chairman, I happily yield 2 minutes to the distinguished gentleman from Kentucky, Mr. RON LEWIS, a member of my Subcommittee on Military Construction.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today in opposition to the DeLauro amendment, which would keep the military in the business of sanctioning the taking of innocent life.

Under the Reagan and Bush administrations, the U.S. military's fine medical personnel stationed overseas did not double as abortionists.

When Bill Clinton became President, that commonsense and family-friendly

policy was canceled by Executive order.

So much for making abortions rare.

Mr. Chairman, I believe with all my heart that abortion is wrong in every sense—unless the mother's life is threatened by her pregnancy.

A Navy commander who heads a surgical department said recently that he could not oversee an operating room that delivered babies in one room and killed them in the next.

Mr. Chairman, we should not put military doctors, who sacrifice many productive and lucrative years to serve our country, in this position.

Abortion is one of the issues that divide this Nation the most. People on both sides feel passionately about their position.

But I believe it is wrong and destructive to use the military as a wedge to divide the country further.

The fact is, our doctors and staff are overworked now, and their facilities overcrowded.

Military medical personnel are there to keep soldiers, sailors, airmen, and marines—and their families—alive and well.

They did not join the military to advance a liberal social agenda.

Mr. Chairman, the President's Executive order was wrong—and we have a chance to correct his mistake.

The military sometimes has to take a life in the defense of our country.

They should not have to take the life of an innocent baby.

I urge my colleagues to vote "no" on the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. PELOSI].

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

Ms. PELOSI. Mr. Chairman, I rise in support of the DeLauro amendment. I commend the gentlewoman for offering it and urge our colleagues to support it.

Mr. Chairman, I rise to add my voice to those in support of the DeLauro amendment to the Defense Authorization Act, to strike a provision which is a clear threat to the health of women military personnel and their families, as well as a threat to the constitutional rights of all American women.

Women stationed overseas in service to their country depend on base hospitals for medical care. These women are citizens ready and willing to sacrifice their lives for their country. Under the bill as it currently stands, however, these women are treated as second class citizens. Under this bill, these brave women would be denied access to safe medical care. These women are expected to serve without being served.

The issue here is not taxpayer funding. Women in the military currently must use their own funds to obtain abortion services at military hospitals.

The issue here is not forcing medical providers to perform abortion services. The DeLauro amendment maintains the conscience clauses already in effect.

The restrictive language in the defense authorization bill is obvious in its intent to deny women the right to choose. I urge my colleagues to have concern for the needs and safety of American women serving abroad and to support the DeLauro amendment striking the provision.

Ms. DELAURO. Mr. Chairman, again in the spirit of bipartisanship on this amendment, I yield 1 minute and 10 seconds, with pleasure, to the gentlewoman from New York [Ms. MOLINARI].

Ms. MOLINARI. Mr. Chairman, I rise today in strong support of the DeLauro amendment and the women who serve this country so diligently in the military. As James Madison once said, "Equal laws protecting equal rights (are) the best guarantee of loyalty and love of country." This amendment before us today is about equal protection under the law for all American women serving this great country.

When American women volunteered to risk their lives in order to protect our country, they did not volunteer to give up their rights, or their family's rights, to access adequate medical services and medical services available under law in our country. Many countries hosting U.S. military personnel simply do not provide the same level of health care services which make it necessary for our men and women to use military medical facilities.

By singling out abortion services and making it a crime to use your own money to pay for these services, women will undoubtedly be placed in great medical danger. If a woman serving overseas makes a personal choice to have an abortion, which is her legal right as an American citizen, she will risk an unsafe or illegal procedure.

I urge my colleagues to vote in favor of this amendment and for freedom and fairness to our military women.

Mr. DORNAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri, Mr. HAROLD VOLKMER, another outstanding pro-life leader in this Chamber on the Democratic side.

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

Mr. VOLKMER. Mr. Chairman, I rise in strong support for the life of the unborn, and in strong opposition to the amendment offered by the gentlewoman from Connecticut [Ms. DELAURO].

Mr. DORNAN. Mr. Chairman, it gives me great pleasure to yield 2 minutes to the entire delegation of the State of Wyoming, Mrs. BARBARA CUBIN, a hard charging Member and another great pro-lifer.

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

Mrs. CUBIN. Mr. Chairman, any woman who has conceived a child, carried the child for 9 months, and then given birth to that child knows that life does begin at conception. Human life begins at conception.

I have heard it said several times over and over and over here today that

a woman has a right to have an abortion. The fact is the Supreme Court declared that it was not unconstitutional to get an abortion, but it did not make abortion a right for anyone to have, although we know that everyone ought to have the right to live.

Federal funding for abortions and allowing abortions to be performed on U.S. military bases is just as wrong as taking the life of a small child. We depend upon the military might of this country to protect all its citizens, not just those who make it through the first 9 months of their life. We use the Armed Forces to protect the innocent, to protect the weak and the defenseless. Does that describe anyone that I have been talking about? That means children, Mr. Chairman. The military is there to protect the defenseless and the young from life to the grave.

We are also being asked to condone the taking of an unborn child's life on a U.S. military base, the very bases from which we are supposed to defend the lives of all Americans. That does not make much sense to me.

Mr. Chairman, as a matter of fact, the taking of an unborn child's life is totally senseless. When we consider that only 5 percent of the pregnancies that occur are a result of rape, incest, or failed birth control, that means people need to make responsible decisions about preventing pregnancies if they do not want to have a child. Mr. Chairman, I will vote "no" on this amendment, and I hope the rest of my colleagues will, too.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. NADLER].

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

Mr. NADLER. Mr. Chairman, without this amendment, the bill would prohibit abortions at Defense Department medical facilities abroad, even though no public moneys would be used to fund such abortions. It would deny American servicewomen the same constitutional rights, the same medical services available to women in the United States. The ignorant and incorrect statement of the preceding speaker notwithstanding, the Supreme Court has declared the right to abortion a fundamental constitutional right.

Mr. Chairman, remember, we are not talking here of taxpayers' funds. The servicewomen would pay for their own abortions. No doctors would be forced to perform abortions. The conscientious clause remains. This bill is an assault. It is discrimination against our Nation's servicewomen abroad, not only because we would deny them a right they are entitled to on American soil, but because we would force them to risk their lives in often standard foreign medical facilities if they wish to exercise their constitutionally guaranteed right to choose.

□ 1300

This attack on American women must not be allowed to stand. I urge

my colleagues to join me in supporting this crucial amendment.

Mr. DORNAN. Mr. Chairman, I yield myself 15 seconds.

Hold the fire on the word "ignorant," folks. He says it was ignorant. Well, I think it is ignorant to use the word "ignorant" on this House floor.

I have a wife watching, three grown daughters who are all mothers, and folks, more than 50 percent of this country is female and they respect and treasure the sacred, precious life in their womb. This is assault-on-women garbage.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. HOSTETTLER], a member of my committee, one of the best new Members of this House.

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

Mr. HOSTETTLER. Mr. Chairman, I rise in strong opposition to the DeLauro amendment. Mr. Chairman, we who serve on the National Security Committee have placed limits on the use of U.S. military facilities to make it clear those facilities should not be used to provide abortions.

Those who oppose these limits argue that their position is simply a matter of fairness.

Despite my questioning whether we can have any discussion of fairness without including the preborn, and despite my profound disagreement with the Supreme Court's reasoning in the Roe versus Wade decision, I want to concentrate on what I see as the real issue at hand.

The Supreme Court has told us that we have to allow the killings of preborn children. It has not, however, told us that government has an obligation to provide this service. The DeLauro amendment, I believe, obligates the United States to make sure abortion services and facilities are available at U.S. military bases.

There are many reasons why we should not obligate the military to provide facilities and services for abortion. For example, despite the assurances from the other side, I believe it is hard to argue there is no subsidy of abortion by U.S. taxpayers in this case. I believe there is a subsidy, though it may be indirect, because everything in our military medical systems is taxpayer-funded—from the doctor's education and availability, to the electricity powering the facility's equipment to the very building itself.

In addition, abortion—while declared legal by the Supreme Court—remains a very divisive practice, and allowing abortions to be performed on military installations would bring that discord and dissension right onto our military bases, complete with pickets and the like.

Some would also argue that it is especially offensive to make the military—an institution dedicated to preserving innocent life by deterring aggression—the provider of a procedure that ends innocent life.

While it is offensive, I see the true issue here to be whether Government has an obligation to provide a right declared by the Supreme Court to be embedded in the Constitution. I think not. In addition, Congress has the clear responsibility and right, as outlined in article 1, section 8, to provide for the rules and regulations of the military.

But I think this general principle is true beyond the unique circumstances of the military. The freedom of the press guaranteed by the first amendment, for example, does not obligate the Federal Government to provide every interested American with a printing press. Pushing this notion further, I ask, should we allow military facilities to be used for prostitution where it is otherwise legal, such as Nevada or Thailand? I think not.

It should not be the policy of the U.S. military to use those facilities to destroy an innocent preborn life.

For this reason, Mr. Chairman, I will vote against the DeLauro amendment, and urge all my colleagues to also vote against it.

Ms. DELAURO. Mr. Chairman, I yield such times as she may consume to the gentlewoman from the District of Columbia [Ms. NORTON].

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

Ms. NORTON. Mr. Chairman, I rise in strong support of the DeLauro amendment.

Mr. Chairman I rise in strong support of the DeLauro Amendment to the defense authorization bill.

One of the great landmarks in freedom for American women came when they won the right for reproductive choice. It is hard to think of a right more important, and it is unthinkable that an American woman would have that right as a civilian, but lose it in the service of her country.

There has been a great deal of misrepresentation regarding this amendment. Let me take a moment to explain the truth about what this amendment does not do. With the DeLauro amendment only the current law would be retained, nothing new would occur. No taxpayer money would be used to perform abortions, only the private funds of individual women exercising their constitutional right. No military medical personnel would be forced to perform an abortion. The conscience clause that is currently in effect would be retained. Any person who feels unable or unwilling to perform an abortion would not be required to do so.

What this amendment does do, however, is to allow servicewomen to maintain their rights abroad while fighting to retain our rights here at home. It is crucial that as these brave women serve our country, they are allowed access to the identical safe health care that the Supreme Court has decided is a right of all American women.

Therefore, I urge my colleagues to vote in favor of the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 45 seconds to the gentlewoman from Florida [Mrs. FOWLER], my colleague on the Committee on National Security.

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

Mrs. FOWLER. Mr. Chairman, I rise in support of the DeLauro amendment.

I see this as a simple matter of fairness. The women who proudly serve in the U.S. military overseas, and the dependents of U.S. military men overseas, should have access to the same quality of services that are legally available in the United States. The DeLauro amendment ensures this without causing taxpayer funds to be spent for any abortion procedure, and without requiring any health care worker who conscientiously objects to such a procedure from being compelled to participate.

Some would contend that taxpayers are footing the bill just the same because hospital utilities, administrative overhead, and the like would still be financed by the taxpayer. I believe this is a specious argument: If this is the new interpretation of the law, then any hospital in the United States that receives Medicaid or Medicare payments should be held equally accountable and forbidden from providing such services. I would contend that is wholly unenforceable and inappropriate position.

I urge my colleagues to support the DeLauro amendment and restore fairness to those who are serving our Nation overseas.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the best aviator and pilot in either Chamber, in the House of Representatives, and it hurts for me to say that, the Navy Commander, DUKE CUNNINGHAM of California.

Mr. CUNNINGHAM. Mr. Chairman, if you wanted a liposuction or a tummy tuck or a nose job, and you were in the military, even if you paid for it yourself, you should not be allowed to do that at a military base under taxpayer dollars.

The nonavailability letter, we have retirees that live in Mexico, and just like a civilian or military retiree, if you are overseas, all you do is get a letter of nonavailability. No rights are taken away from you, and you have the same rights as you are protected under in this country as well. In emergency situations that is taken care of and provided, especially if it is in case of a life of a mother.

But where taxpayer dollars are involved in this kind of thing, we don't ask you to support our side. You should not be asking other people to pay their taxpayer dollars that don't support your agenda. I ask a "no" vote on the DeLauro amendment.

Ms. DELAURO. The gentleman knows that there are no taxpayer dollars involved in this effort.

Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I thank the gentlewoman for yielding me the time.

Mr. Chairman, this is a very sensitive debate. I respect the positions of people on both sides. But I would say to the

people who oppose the DeLauro amendment, please stop trying to impose your morals on everyone else.

All we are saying is that each woman should be allowed to decide for herself. If she does not want to have an abortion, she does not have to have one. If she wants to have an abortion, then she ought to be entitled to the same things that all other American women are entitled to, that is, the right to choose.

Lipsosuction, tummy tuck, a nose job? Give me a break. How can you compare that, in all seriousness, to abortion?

People ought to have the right to choose. Let them make the decisions for themselves. No public money is being used. No taxpayer dollars are being used. Give women in the military the same choice as other women.

The people who talk about killing, have they ever voted for the death penalty? Let's stop the hypocrisy and let people have the right to choose for themselves.

Mr. DORNAN. Mr. Chairman, I yield 15 seconds to the gentleman from New Jersey [Mr. SMITH] for a response.

Mr. SMITH of New Jersey. Mr. Chairman, I am glad my good friend from New York brought up the death penalty and pointed out that there is killing involved in the taking of human life in abortion. I am one who has voted against the death penalty. I do not believe in it.

I would welcome and invite the gentleman and others who believe as he does to recognize that when chemical poisons and when dismemberment occurs on an unborn child, that is killing. We do not want to facilitate it. That is what this amendment is all about. This facilitates the killing of those babies.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I rise in strong support of this amendment. Let's be very clear. This amendment does not commit the use of Federal funds for abortion. It simply allows American servicewomen to use their own money to pay for abortion services at military bases abroad.

This amendment is critical to preserving the basic rights of American servicewomen. The bill before us penalizes women who have volunteered to serve their country by prohibiting them from exercising their constitutionally guaranteed right to choose. This Congress should not limit the constitutional rights of the brave women who are serving our Nation.

The bill also puts the health and lives of our servicewomen at risk. It says to a 19-year-old American woman who has been raped, if you become pregnant, go back to the back alley, go back to that back alley in some foreign country for an unsafe, illegal abortion. It tells our brave servicewomen that in your hour of greatest need, your own country will abandon you.

I urge Members to vote for the DeLauro amendment.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the gentleman from California, DUNCAN HUNTER, a Congressman, Army officer, and another great pro-lifer in this House.

Mr. HUNTER. Mr. Chairman, unlike my own colleague, DUKE CUNNINGHAM, I was no hero in service to my country and did nothing special, but I think all of us served under an ideal, and that ideal was best articulated by Gen. Douglas MacArthur speaking before this Chamber and before the U.S. Army graduates at West Point when he talked about duty, honor, and country. He said that the American soldier had a reputation for having a character which was honest, and he used another word, stainless.

It seems to me, Mr. Chairman, that when we ask our medical people in the military to do something that is highly unusual with respect to their charter as military officers, we ask them to take two very healthy people who come into a hospital, a mother and a child, totally healthy when they come in, and they leave, one as a wounded person as a result of deliberate medical procedure, and the other person leaves without their life, that is a misuse of the American military.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, women in the military deserve the same civil rights as all American women, and they deserve the same civil rights as all servicemen. All medical treatment is available for servicemen at military facilities. Our military women should not have to risk their health nor their civil rights when they serve this country. I urge Members to vote "yes" to the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 30 seconds to the gentlewoman from California [Ms. WOOLSEY].

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

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of the DeLauro amendment to H.R. 1530. H.R. 1530 tramples the rights of military women overseas by denying them their legal right to use their own funds to pay for abortion services.

Mr. Chairman, this body must not condone efforts to take away the legal rights of our female military personnel. The DeLauro amendment only corrects H.R. 1530's glaring violation of the rights of military women by simply preserving DOD's current policy on abortion.

I urge my colleagues to support the rights of our servicewomen and to support the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 30 seconds to the gentlewoman from Georgia [Ms. MCKINNEY].

Ms. MCKINNEY. Mr. Chairman, it appears that some of my Republican colleagues are suffering from spring fever and can't wait to get their hands on women's bodies. In their rush to imple-

ment their neo-victorian social experiment, my colleagues are whittling away at the rights of women and minorities one chip at a time. If we are not careful, women will soon find themselves wearing chastity belts and baking cookies.

Ms. DELAURO. Mr. Chairman, I yield 45 seconds to the gentlewoman from New York [Mrs. MALONEY].

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

Mrs. MALONEY. Mr. Chairman, a large majority of the American people support a woman's right to choose. But the radical right in Congress wants to deny U.S. service people the same freedoms they enjoy in the United States, the freedom to pay out of their own pockets to have an abortion.

Legal or not, American women will exercise their right to choose. Don't force service people and their families into dangerous black market abortions overseas. This is senseless public policy. For the health, safety and freedom of those who serve our country, support the DeLauro amendment.

□ 1315

Mr. DORNAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. SCARBOROUGH].

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

Mr. SCARBOROUGH. Mr. Chairman, I rise in opposition to the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, let me tell Members what this debate is really all about. Some of the most radical leaders in the new Republican majority are determined to end the right to choose for American women, and their first target is women in the military. Today they oppose the right of American women in the military to be treated with the same rights and dignity as every other American woman.

This is patent discrimination against American women who have volunteered to serve their country. While America applauds the courage and achievement of women in the military, the Dornan language treats them as second-class citizens. America's servicewomen are prepared to risk their lives in the service of their country. The antichoice forces now are prepared to ask them to also risk their lives in the legal termination of a pregnancy.

Support the DeLauro amendment and support those strong and courageous Republicans who have joined in support of her effort.

Ms. DELAURO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida [Ms. BROWN].

(Ms. BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Chairman, I rise in support of the women in the military's right to choice.

Ms. DELAURO. Mr. Chairman, I would ask how much time remains on both sides.

The CHAIRMAN. The gentlewomen from Connecticut [Ms. DELAURO] has 1 minute and 45 seconds, and the gentleman from California [Mr. DORNAN] has 1½ minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield myself 1¼ minutes, the balance of my time.

Mr. Chairman, in closing, what I would like to do is to emphasize that this amendment in fact is not about public funding, it is not about special treatment, it is in fact about preserving the right to choose, a right to choose that American women have in the United States.

And it is about safe health care for American military women who serve this Nation and serve it proudly, who are far from home, and who sacrifice every single day for this country, such as women who served proudly and gallantly in the Persian Gulf. They should be able to expect the Federal Government to protect their liberties, both at home and abroad.

This amendment restores current law. There is not a shred of public funding involved in it, contrary to what my colleagues on the other side would like to portray.

The conscience clause is preserved for all branches of the military so that those health professionals who do not want to perform this procedure do not have to do that. This is very, very simply about maintaining and preserving what is the right of women in this country, and that is the right to choose.

Why are we singling out women who serve this country for discriminating treatment? I urge support for the amendment.

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

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

This is not a gender issue. Of my 14 offspring there are 7 of one gender, 7 of another, no confusion in between. This is about Federal taxpayer money. But I think I am willing to concede nobody in this Chamber is going to vote on that issue or should. The lights, the electric, the air-conditioning, the heat in winter, the maintenance of a facility, the pay of the military people who want to be protected from this burden of peer pressure or from a Clinton administration which says we are going to find a way to force this on them.

Mr. Chairman, we do live in a culture of death, and Clinton and his White House team are breathtaking pro-abortion, unlike any of the other preceding Presidents, not even close.

And, Mr. Chairman, one of my friends and colleagues on this side mentioned a Moslem country, the fringe of that country calls us the Great Satan, and this is the first thing they point to.

They mentioned a Catholic country, and I think there has been a respectful debate on both sides except for the use of the word ignorant. He is good soul and he is probably sorry he did that. But it is tough when people use constitutional arguments, when I think this is the worst decision since the Dred Scott decision.

My ninth grandchild is one-quarter Jewish, proudly is going to be a baptized, christened on Sunday, and we will glorify his Jewish heritage and keep it in mind. The Nuremberg laws of the late thirties said my grandson Liam could not have served in that government. He was a non-person, and it was all legal under the German Constitution.

Vote "no" on the DeLauro amendment. Please support my language.

The CHAIRMAN. All time has expired.

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

Mr. Chairman, I have tried to listen to this entire debate, and tried to listen carefully to Members on both sides of the aisle. I would make several observations.

First, Mr. Chairman, I do not direct this in any sense of anger, but I would caution the Chair that I hope that it does not become a practice in this Chamber that we use the introduction of Members to extend the time. I think that is inappropriate. I think it is not within the confines of good and regular order on the floor of this Congress, and it is very time-consuming. I hope we do not slip down that slippery slope.

Having said that, let me make a couple of other comments.

#### PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. DELLUMS. Mr. Chairman, before I go forward let me propound a parliamentary inquiry so it does not come out of my time.

In introducing Members in this Chamber, is it appropriate to go beyond simply saying the gentlewoman or the gentlemen from the location and their introduction? I would just like to know that.

The CHAIRMAN. Members should refer to other Members in the third person by State delegation.

Mr. DELLUMS. To proceed, there is one refrain, Mr. Chairman, that I have repeated on this floor, and that is that there ought to be integrity to the process. We all know that there are contentious issues that come to these Chambers, that are contentious issues that can be divisive and they can indeed be emotional. We all understand that.

But that is why we have a very delicate and very fragile and very deliberate legislative process; so that we hold hearings at the subcommittee and the full committee level so that we can deal with unintended consequences. We can try to define the issues as clearly and as precisely as possible so that

when we get to the floor, we are indeed debating on the relevant issue that is before us.

Now, to take away a woman in the military's access to the legal procedure of abortion is obviously a contentious issue. I have listened to the debate here. There can be tremendous emotion, even divisiveness. But I would like to point out to my colleague that this provision in this bill that goes beyond current law did not result in 1 second, Mr. Chairman, of hearings at any level. It is a complete distortion of the legislative process.

That is why we are being paid, folks. To be legislators. This provision had no hearings; no opportunity to look into the consequences of this act. So, just on process alone, this provision in this bill should be rejected. We cannot continue to make a mockery of the process.

When we marched through this door the first day of the 104th Congress, there was a commitment to openness, a commitment to fairness, and a commitment to a deliberative process that respected everyone here. I would suggest that this is just one more in a long parade of processes, of measures, that have come to this floor without any deliberation, totally ignoring the nature of our process.

Now, to the substance, Mr. Chairman. I have been an elected official now for almost half of my life. One thing I know about elected officials is we tend to have the most creative minds on the planet Earth. We can work our way around in order to make a statement whether the issue fits that issue or not.

This issue is not an issue about abortion. But if you want to use it as that platform, then all of us have that creative capacity to swing around in mid-air and find ourselves landing on the issue of abortion.

This is a simple issue of fairness. We salute women in the military; pat them on the back and talk about the great job they do. But if they are overseas they find themselves in a crisis pregnancy, or their dependent, we say you are over there defending the great rights and liberties of America, but they cannot have it overseas. This is not about abortion. It is about whether any human being in this country has equal access to anything any other human being in this country has access to.

And if the issue is safe health care, if the issue is the procedure of abortion, then so be it. Why should a woman in a foreign country find herself caught up in trying to deal with numerous problems and options which may even be a risky, illegal abortion?

So this is about fairness, my colleagues. And I hope that on the basis of fairness and the integrity of the process you will support the DeLauro amendment.

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

The CHAIRMAN. The gentleman from South Carolina is recognized for 5 minutes.

Mr. SPENCE. I yield 5 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, I say to my good friend, the gentleman from California [Mr. DELLUMS], that the gentleman will not get this opportunity too often out of me. I stand corrected. I stand corrected on the over-friendly, over-florid introductions of some of my speakers.

I have noticed some Members on both sides of the aisle do that. The friendliness is probably pushing comity, pushing the edge of the envelope, and I have been known to do that, as thee have, sir.

But if this means I can never introduce the gentleman again when I yield to him as one of the finest and fiery orators of this House.

Mr. DELLUMS. The gentleman may do that any time.

Mr. DORNAN. With that exception, I stand advised.

I made comment on one Member using the word "ignorant" and I was shocked when off microphone he said, it was ignorant. He was referring to a lady in this House, the entire delegation of the great State of Wyoming.

And I think it has been a pretty good debate. I am going to yield back most of this time. I think everybody know this is issue. I wanted to give a lot of our new Members a chance.

This is the first clear-cut, up-or-down issue on what you call choice, what we call it sacred life. And I am going to get tough on this next point, because it is my tribe, my particular denomination.

First, paraphrasing a great American patriot, Is \$133,600 a year so dear and life in the Halls of Congress so precious to be bought at the price of loyalty? Or from the Good Book? What does it profit a person to gain the whole world, or a job in Congress or the Senate, and jeopardize their own soul?

I think this is an issue not of fairness, but of confusion, yes, of constitutionality. I pointed out the Nuremberg laws made my ninth grandchild, in the 1930's when I was born, in a great country that has been mentioned in this debate, unable to own property, go to medical school, or run for political office. I hope he runs for political office in this great country.

□ 1330

But we do live in not only a culture of death but an age of confusion, and I have got a caucus rattling around in my head called the ACFA Caucus, Another Catholic for Abortion, people who tell me they know more than Mother Theresa, "and she ought to get out of our face."

No, this is a sad issue. It is a confusing issue. It is an issue where people put it on the line and then cannot eat that vote or ever flipflop back, and it is sad. And it is strange friendships. It is too bad.

It is going to be with us forever because it does involve more than taxpayers' dollars. It involves human souls, partial birth abortions, and, by the lowest estimate of a liberal, pro-abortion group, the Guttmacher Institute of New York, there are at least 1 or 2 percent of the million and a half abortions in this country that are performed in the 7th, 8th, and 9th month, when that little baby in a car crash, when the mother is taken back to God, is viable and often lives.

That means every 2 years a Vietnam wall of deaths is recorded of viable babies who are beyond the fetus stage because they can survive outside their independent mother's life forces, and sometimes with the mother used as an extended placenta because she is brain-dead, and she is on an air machine, an oxygen machine, a heart machine, and in San Francisco one baby surviving like that is now 4½ years old, a little boy who lived over 68 days with his mother's dead body keeping alive his life force and his soul.

So we all know how we are going to vote, I think. Next time, I hope we have more new Members vote.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in strong support of the amendment being offered today by my colleague, Representative ROSA DELAURO. Her amendment would correct a grave inequity that is currently contained in H.R. 1530, the National Defense Authorization Act of fiscal year 1996.

H.R. 1530 singles out women who serve in the military overseas for a specific, unfair restriction. It prohibits overseas Department of Defense military facilities from providing privately funded abortions. The DeLauro amendment would eliminate this prohibition.

Mr. Chairman, American women have the right to obtain abortions in this country. So why shouldn't American military women who are serving this country overseas have this same right? Especially if they pay for the abortion with their own money? It is grossly unfair and unjustifiable.

Without the DeLauro amendment, H.R. 1530 will drive women into desperate situations in which they may have to seek abortions from unsafe or unsanitary hospitals in foreign countries. Clearly, a pregnant woman is the one and only person who knows what is best for her, and she, in consultation with her family, doctor, and/or clergy, is the one who should make the decision affecting her body, her health, and her life.

I strongly support the DeLauro amendment and urge my colleagues to do the same.

Mr. PACKARD. Mr. Chairman, I rise in opposition to Congresswoman DELAURO's amendment to the defense authorization bill which would nullify requiring the immediate discharge of HIV-positive personnel and banning abortions in military hospitals overseas.

Contrary to the arguments presented by the other side of the aisle, discharging servicemembers who have contracted the HIV-1 virus is not punitive nor discriminatory. The fact is, retaining HIV-positive personnel degrades unit readiness and creates a class of individuals who are unable to deploy if their units are called upon. Those infected often require reassignment and continued restrictions on future assignments because of health relat-

ed concerns and their inability to serve in combat units. In addition, the military regards all personnel as potential blood donors. Since HIV-infected personnel may not give blood, they detract from available resources.

The opposition has also resorted to scare tactics on abortion. The issue at hand is abortion in facilities funded by the taxpayer. Servicewomen and military dependents will now be asked to utilize private facilities to obtain abortions overseas except in the instances of rape, incest, and the life of the mother. Women will not be forced to seek illegal, or unsafe procedures as propagated by the other side of the aisle.

However, American taxpayers should not be forced to subsidize clinics performing this practice when many of those taxpayers find this procedure abhorrent.

I urge my colleagues to not support the DeLauro amendment.

Ms. BROWN of Florida. Mr. Chairman, today women serve proudly in our military forces. They are often the best and the brightest in the classroom and excel in all aspects of military life. Women have served side by side with men in combat throughout our history; women in the military deserve to be treated with the highest respect.

As the House considers the fiscal year 1996 National Defense Authorization Act, I believe it is imperative that we aim for high morale and outstanding quality of life for our service personnel. A key component of such a goal must be to provide the very best health care for all men and women who serve our country. Therefore, without hesitation, I strongly support this amendment.

In many countries where our military forces are called upon to serve, women who make the difficult choice to have an abortion are unable to obtain a safe abortion locally. Without this health protection, a woman may be forced to face a local hospital in a foreign country where English may not be spoken and the culture is very different. There, in a lonely waiting room, she will wait until her turn comes to give her life over to strangers and hope for the best outcome. A civilized country such as the United States must not allow such a terrifying and degrading experience for any of its citizens.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Ms. DELAURO].

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

RECORDED VOTE

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 196, noes 230, not voting 8, as follows:

[Roll No. 382]

AYES—196

Abercrombie	Bishop	Cardin
Ackerman	Boehlert	Castle
Baesler	Bonior	Clay
Baldacci	Bono	Clayton
Barrett (WI)	Boucher	Clement
Bass	Brewster	Clyburn
Becerra	Brown (CA)	Coleman
Beilenson	Brown (FL)	Collins (IL)
Bentsen	Brown (OH)	Collins (MI)
Berman	Bryant (TX)	Condit

Conyers  
Coyne  
Cramer  
Danner  
DeFazio  
DeLauro  
Dellums  
Deutsch  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Dunn  
Durbín  
Edwards  
Ehrlich  
Engel  
Eshoo  
Evans  
Farr  
Fattah  
Fawell  
Fazio  
Fields (LA)  
Filner  
Foglietta  
Foley  
Ford  
Fowler  
Frank (MA)  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frost  
Furse  
Gejdenson  
Gephardt  
Geren  
Gibbons  
Gilchrest  
Gilman  
Gonzalez  
Gordon  
Green  
Greenwood  
Gunderson  
Gutierrez  
Harman  
Hastings (FL)  
Hefner  
Hilliard  
Hinchey  
Horn  
Houghton  
Hoyer

Jackson-Lee  
Jacobs  
Jefferson  
Johnson (CT)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Klug  
Kolbe  
Lantos  
Levin  
Lewis (GA)  
Lincoln  
Lofgren  
Longley  
Lowey  
Luther  
Maloney  
Markey  
Martinez  
Martini  
Matsui  
McCarthy  
McDermott  
McHale  
McHugh  
McInnis  
McKinney  
Meehan  
Meek  
Menendez  
Meyers  
Mfume  
Miller (CA)  
Miller (FL)  
Mineta  
Minge  
Mink  
Molinari  
Moran  
Morella  
Nadler  
Obey  
Olver  
Owens  
Pallone  
Pastor  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Pickett

Pomeroy  
Porter  
Pryce  
Ramstad  
Rangel  
Reed  
Reynolds  
Richardson  
Rivers  
Rose  
Roukema  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sawyer  
Schiff  
Schroeder  
Schumer  
Scott  
Serrano  
Shaw  
Shays  
Siskisky  
Skaggs  
Slaughter  
Spratt  
Stark  
Stokes  
Studds  
Tanner  
Thompson  
Thurman  
Torkildsen  
Torres  
Torrice  
Towns  
Traficant  
Velazquez  
Vento  
Visclosky  
Ward  
Moran  
Morella  
Nadler  
Obey  
Olver  
Owens  
Pallone  
Pastor  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Pickett

NOES—230

Allard  
Archer  
Army  
Baker (CA)  
Baker (LA)  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bereuter  
Bevill  
Bilbray  
Bilirakis  
Bliley  
Blute  
Boehner  
Bonilla  
Borski  
Browder  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Chrysler  
Clinger  
Coble  
Coburn

Collins (GA)  
Combest  
Cooley  
Costello  
Cox  
Crane  
Crapo  
Creameans  
Cubin  
Cunningham  
Davis  
de la Garza  
Deal  
DeLay  
Diaz-Balart  
Doolittle  
Dornan  
Doyle  
Dreier  
Duncan  
Ehlers  
Emerson  
English  
Ensign  
Everett  
Ewing  
Fields (TX)  
Flanagan  
Forbes  
Fox  
Frisa  
Funderburk  
Gallegly  
Ganske  
Gekas  
Gillmor  
Goodlatte  
Goodling  
Goss  
Graham  
Gutknecht

Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Heineman  
Herger  
Hilleary  
Hobson  
Hoekstra  
Hoke  
Holden  
Hostettler  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Johnson, Sam  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kildee  
Kim  
King  
Kingston  
Klink  
Knollenberg  
LaFalce  
LaHood  
Largent  
Latham  
LaTourrette  
Laughlin  
Lazio

Leach  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lucas  
Manton  
Manzullo  
Mascara  
McCollum  
McCrery  
McDade  
McIntosh  
McKeon  
McNulty  
Metcalf  
Mica  
Moakley  
Mollohan  
Montgomery  
Moorehead  
Murtha  
Myers  
Myrick  
Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Ortiz  
Orton

Oxley  
Packard  
Parker  
Paxon  
Peterson (MN)  
Petri  
Pombo  
Portman  
Poshard  
Quillen  
Quinn  
Radanovich  
Rahall  
Regula  
Riggs  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Royce  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer  
Seastrand  
Sensenbrenner  
Shadegg  
Shuster  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)

Smith (WA)  
Solomon  
Souder  
Spence  
Stearns  
Stenholm  
Stockman  
Stump  
Stupak  
Talent  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas  
Thornberry  
Tiahrt  
Tucker  
Upton  
Volkmer  
Vucanovich  
Waldholtz  
Walker  
Walsh  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)

NOT VOTING—8

Andrews  
Bachus  
Chapman

Dickey  
Flake  
Klecza

Thornton  
Yates

□ 1349

Mr. BUYER changed his vote from "aye" to "no."

Mr. BONO changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BACHUS. Mr. Speaker, on rollcall vote No. 382, I was unavoidably detained while meeting with Alabama's delegation to the White House Conference on Small Business. Had I been present, I would have voted "no" on the DeLauro amendment.

AMENDMENTS EN BLOC, AS MODIFIED, OFFERED BY MR. SPENCE

Mr. SPENCE. Mr. Chairman, pursuant to section 3 of House Resolution 164 I offer amendments en bloc.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc, as modified, is as follows:

Amendments en bloc, as modified, offered by Mr. SPENCE:

Amendment No. 2, part 2, offered by Mr. Hoke: At the end of title XII (page 409, after line 18), insert the following new section:

**SEC. 1228. SENSE OF CONGRESS CONCERNING UNILATERAL IMPLEMENTATION OF START II TREATY.**

(a) FINDINGS.—Congress finds that—  
(1) the START II Treaty has not entered into force; and

(2) the United States is nevertheless taking unilateral steps to implement the reductions in strategic forces called for by that treaty.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should not implement any reduction in strategic forces that is called for in the START II Treaty unless and until that treaty enters into force.

(c) DEFINITIONS.—For purposes of this section, the term "START II Treaty" means the Treaty between the United States of Amer-

ica and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms.

Amendment No. 8, part 2 offered by Mr. Bateman: At the end of subtitle B of title II (page 31, after line 11), insert the following new section:

**SEC. 217. DEVELOPMENT OF LASER PROGRAM.**

(a) LASER PROGRAM.—The amount authorized for appropriation by section 201 is hereby increased by \$9,000,000, to be used for the development by the Naval High Energy Laser Office of a continuous wave, superconducting radio frequency free electron laser program.

(b) OFFSET.—The amount authorized by section 201 is hereby reduced by \$9,000,000, of which—

(1) \$7,000,000 shall be derived from amounts authorized for experimental evaluation of major innovative technologies (PE 63226E); and

(2) \$2,000,000 shall be derived from amounts authorized for the space test program (PE 63402F).

Amendment No. 9, part 2, as modified, offered by Ms. Harman: In section 257(e):

Page 55, line 1, insert after "section 201" the following: "for federally funded research and development centers and university-affiliated research centers".

Amendment No. 10, part 2, offered by Mr. Hansen: At the end of title II (page 61, after line 2), insert the following new section:

**SEC. 263. FIBER OPTIC ACOUSTIC SENSOR SYSTEM.**

(a) FIBER OPTIC ACOUSTIC SENSOR SYSTEM.—Of the amount appropriated pursuant to the authorization in section 201, \$28,181,000 shall be available for fiscal year 1996 for the advanced submarine combat systems development program (PE 63504N). Of that amount, \$6,900,000 shall be available for research and development of a fiber optic acoustic sensor system, including the development of common optical towed arrays.

(b) OFFSET.—The amount authorized in section 201 for the advanced submarine systems development program (PE 63561N) is hereby reduced by \$6,900,000.

Amendment No. 12, part 2, as modified, offered by Mr. Cunningham: At the end of title II (page 61, after line 2), insert the following new section:

**SEC. 263. JOINT TARGETING SUPPORT SYSTEM TESTBED.**

(a) JOINT TARGETING SUPPORT SYSTEM TESTBED.—The amount authorized in section 201(2) for theater mission planning (project A1784) is hereby increased by \$10,000,000, to be used to establish a joint targeting support system testbed (in PE 0204229N).

(b) OFFSET.—The amount authorized in section 201(2) for the Tomahawk (project A0545) is hereby reduced by \$10,000,000.

At the end of subtitle B of title I (page 19, after line 20), insert the following new section:

**SEC. 112. REPEAL OF REQUIREMENTS FOR ARMORED VEHICLE UPGRADES.**

Subsection (j) of section 21 of the Arms Export Control Act (22 U.S.C. 2761) is repealed.

Amendment No. 16, part 2, as modified, offered by Mr. Duncan. Strike out section 367 (page 107, line 16, through page 108, line 2) and insert in lieu thereof the following:

**SEC. 367. INCREASED RELIANCE ON THE PRIVATE SECTOR.**

(A) GENERAL RULE.—The Secretary of Defense shall endeavor to carry out through an entity in the private sector any activity to provide a commercial product or service for the Department of Defense if—

(1) the product or service can be provided through a source in the private sector; and

(2) an adequate competitive environment exists to provide for economical accomplishment of the function by the private sector.

(b) APPLICABILITY.—(1) Subsection (a) shall not be construed to apply to any commercial product or service with respect to which the Secretary of Defense determines that—

(A) production, manufacture, or provision of that product or service by the Government is necessary for reasons of national security; or

(B) the product or service is so inherently governmental in nature that it is in the public interest to require production or performance, respectively, by the Department of Defense.

(2) A determination under paragraph (1) shall be made in accordance with regulations prescribed under subsection (c).

(c) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the purposes of this section. Such regulations shall be prescribed in consultation with the Director of the Office of Management and Budget.

(d) REPORT.—(1) The Secretary of Defense shall identify all activities of the Department of Defense that are carried out to provide commercial products or services for the Department of Defense and that are carried out by personnel of the Department of Defense (other than activities specified by the Secretary pursuant to subsection (b)).

(2) The Secretary shall transmit to Congress, not later than April 15, 1996, a report on matters relating to increased use of the private sector for the performance of commercial functions for the Department of Defense. The report shall include a list of all activities identified under paragraph (1) and indicate, for each activity, whether the Secretary proposes to convert the performance of such activity to performance by the private sector and, if not, the reasons why.

(3) The report shall include—

(A) a description of the advantages and disadvantages of using contractor personnel, rather than employees of the Department of Defense, to perform functions of the Department that are not essential to the warfighting mission of the Armed Forces;

(B) specification of all legislative and regulatory impediments to contracting those functions for private performance; and

(C) the views of the Secretary of Defense on the desirability of terminating the applicability of OMB Circular A-76 to the Department of Defense.

(4) The Secretary shall carry out paragraph (1) in consultation with the Director of the Office of Management and Budget and the Comptroller General of the United States. In carrying out that paragraph, the Secretary shall consult with, and seek the views of, representatives of the private sector, including organizations representing small businesses.

Amendment No. 17, part 2 offered by Mr. Bateman: Page 120, line 22, insert after "law enforcement" the following: "or emergency response".

Amendment No. 19, part 2, offered by Mr. Lewis of California or Mr. Skeen: At the end of title III (page 153, after line 25), insert the following new section:

**SEC. 396. EXPANSION OF SOUTHWEST BORDER STATES ANTI-DRUG INFORMATION SYSTEM.**

Congress finds that the Southwest Border States Anti-Drug Information Systems program is an important element in the effort of the Department of Defense to support law enforcement agencies in the fight against illegal trafficking of narcotics.

Amendment No. 20, part 2, offered by Mr. Dornan: At the end of subtitle B of title V (page 189, after line 7), insert the following new section:

**SEC. 519. ACTIVE DUTY ASSOCIATE UNIT RESPONSIBILITY.**

(a) ASSOCIATE UNITS.—Subsection (a) of section 1131 of the National Defense Author-

ization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2540) is amended to read as follows:

"(a) ASSOCIATE UNITS.—The Secretary of the Army shall require—

"(1) that each ground combat maneuver brigade of the Army National Guard that (as determined by the Secretary) is essential for the execution of the National Military Strategy be associated with an active-duty combat unit; and

"(2) that combat support and combat service support units of the Army Selected Reserve that (as determined by the Secretary) are essential for the execution of the National Military Strategy be associated with active-duty units."

(b) RESPONSIBILITIES.—Subsection (b) of such section is amended—

(1) by striking out "National Guard combat unit" in the matter preceding paragraph (1) and inserting in lieu thereof "National Guard unit or Army Selected Reserve unit that (as determined by the Secretary under subsection (a)) is essential for the execution of the National Military Strategy"; and

(2) by striking out "of the National Guard unit" in paragraphs (1), (2), (3), and (4) and inserting in lieu thereof "of that unit".

Amendment No. 24, part 2, offered by Mr. Hastings of Washington: Page 304, beginning on line 23, strike out "September 30, 1995" and insert in lieu thereof "October 1, 1994".

Amendment No. 25, part 2, offered by Mr. Moakley: Page 306, after line 5, insert the following new subsection:

(b) SENSE OF CONGRESS.—(1) Congress finds that the Uniformed Services Treatment Facilities provide quality health care to the 120,000 Department of Defense beneficiaries enrolled in the Uniformed Services Family Health Plan provided by these facilities.

(2) In light of such finding, it is the sense of Congress that the Uniformed Services Family Health Plan provided by the Uniformed Services Treatment Facilities should not be terminated for convenience under provisions of the Federal Acquisition Regulation by the Secretary of Defense before the expiration of the current participation agreements.

Amendment No. 27, part 2, offered as modified by Mr. Pickett: Page 307, strike out line 20 and all that follows through line 6 on page 308, relating to section 724 of the bill (equitable implementation of uniform cost sharing requirements for Uniformed Services Treatment Facilities), and insert the following new section:

**SEC. 724. EQUITABLE IMPLEMENTATION OF UNIFORM COST SHARING REQUIREMENTS FOR UNIFORMED SERVICES TREATMENT FACILITIES.**

(a) TIME FOR FEE IMPLEMENTATION.—The uniform managed care benefit fee and copayment schedule developed by the Secretary of Defense for use in all managed care initiatives of the military health service system, including the managed care program of the Uniformed Services Treatment Facilities, shall be extended to the managed care program of a Uniformed Services Treatment Facility only after the later of—

(1) the implementation of the TRICARE regional program covering the service area of the Uniformed Services Treatment Facility; or

(2) the end of the 180-day period beginning on the date of the enactment of this Act.

(b) SUBMISSION OF ACTUARIAL ESTIMATES.—Paragraph (2) of subsection (a) shall operate as a condition on the extension of the uniform managed care benefit fee and copayment schedule to the Uniformed Services Treatment Facilities only if the Uniformed Services Treatment Facilities submit to the Comptroller General of the United States, within 30 days after the date of the

enactment of this Act, actuarial estimates in support of their contention that the extension of such fees and copayments will have an adverse effect on the operation of the Uniformed Services Treatment Facilities and the enrollment of participants.

(c) EVALUATION.—Except as provided in paragraph (2), not later than 90 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress the results of an evaluation of the effect on the Uniformed Services Treatment Facilities of the extension of the uniform benefit fee and copayment schedule to the Uniformed Services Treatment Facilities. The evaluation shall include an examination of whether the benefit fee and copayment schedule may—

(A) cause adverse selection of enrollees;

(B) be inappropriate for a fully at-risk program similar to civilian health maintenance organizations; or

(C) result in an enrolled population dissimilar to the general beneficiary population.

(2) The Comptroller General shall not be required to prepare or submit the evaluation under paragraph (1) if the Uniformed Services Treatment Facilities fail to satisfactorily comply with subsection (b), as determined by the Comptroller General.

Amendment No. 28, part 2, as modified, offered by Mr. Bateman: At the end of subtitle C of title VIII (as added by the amendment of Mr. Clinger), insert the following new section:

**SEC. 845. COST REIMBURSEMENT RULES FOR INDIRECT COSTS ATTRIBUTABLE TO PRIVATE SECTOR WORK OF DEFENSE CONTRACTORS.**

(a) DEFENSE CAPABILITY PRESERVATION AGREEMENT.—The Secretary of Defense may enter into an agreement, to be known as a "defense capability preservation agreement", with a defense contractor under which the cost reimbursement rules described in subsection (b) shall be applied. Such an agreement may be entered into in any case in which the Secretary determines that the application of such cost reimbursement rules would facilitate the achievement of the policy set forth in section 2501(c) of title 10, United States Code.

(b) COST REIMBURSEMENT RULES.—(1) The cost reimbursement rules applicable under an agreement entered into under subsection (a) are as follows:

(A) The Department of Defense shall, in determining the reimbursement due a contractor for its indirect costs of performing a defense contract, allow the contractor to allocate indirect costs to its private sector work only to the extent of the contractor's allocable indirect private sector costs, subject to subparagraph (C).

(B) For purposes of subparagraph (A), the allocable indirect private sector costs of a contractor are those costs of the contractor that are equal to the amount by which the revenue attributable to the private sector work of the contractor exceeds the sum of—

(i) the direct costs attributable to such work, and

(ii) the incremental indirect costs attributable to such work.

(C) The total amount of allocable indirect private sector costs for a contract in any year of the agreement may not exceed the amount of indirect costs that a contractor would have allocated to its private sector work during that year in accordance with the contractor's accounting practices.

(2) The cost reimbursement rules set forth in paragraph (1) may be modified if the Secretary of Defense determines that modifications are appropriate to the particular situation to facilitate achievement of the policy set

forth in section 2501(c) of title 10, United States Code.

(c) RELATIONSHIP TO ACCOUNTING PRACTICE CHANGE.—The use of the cost reimbursement rules described in subsection (b) under such an agreement with a contractor and the implementation of such an agreement does not constitute a change in cost accounting practices of the contractor within the meaning of section 26(h)(1)(B) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(h)(1)(B)).

(d) CONTRACTS COVERED.—An agreement entered into with a contractor under subsection (a) shall apply to all Department of Defense contracts with the contractor either existing on the date on which the agreement was entered into or awarded during the term of the agreement.

Amendment No. 29, Part 2, as Modified Offered by Mr. Everett: At the end of title IX (page 345, after line 17), insert the following new section:

**SEC. 909. AVIATION TESTING CONSOLIDATION.**

(a) LIMITATION.—The Secretary of the Army may not consolidate the Aviation Technical Test Center, Fort Rucker, Alabama, with any other aviation testing facility until 60 days after the date on which a report containing the results of the evaluation of such consolidation described in subsection (b) is received by the congressional defense committees.

(b) INDEPENDENT EVALUATION.—The Secretary of the Army shall provide for an evaluation by the Institute for Defense Analyses (a Federal contract research center) of the proposal of the Test and Evaluation Command of the Army to relocate the Aviation Technical Test Center to Yuma Proving Ground, Arizona. The evaluation of such proposal shall include consideration of the following:

(1) A review and validation of studies conducted by the Army Materiel Command and the Army Test and Evaluation Command of the proposed relocation.

(2) The effect on, and cost of, maintenance and logistics capability (including maintenance of a parts inventory) to support the test evaluation fleet.

(3) The availability of facilities and infrastructure necessary to conduct the aviation testing mission at Yuma Proving Ground.

(4) The availability of engineers and maintenance technicians to support the aviation testing mission at Yuma Proving Ground.

(5) The effect on current and planned aircraft programs.

(6) Consistency with the efforts of the Army to become the Department of Defense leader for rotary-wing aircraft.

(7) Potential savings, including the time period over which such savings could be realized.

(8) Comparison of live-fire testing with computer-simulated testing.

(c) TIME REQUIREMENT FOR COMPLETION OF EVALUATION.—The evaluation under subsection (b) shall be completed not later than 120 days after the date of the enactment of this Act.

Amendment No. 31, Part 2, Offered by Mr. Traficant: At the end of title X (page 377, after line 19), insert the following new section:

**SEC. 1033. APPLICATION OF BUY AMERICAN ACT PRINCIPLES.**

(a) REINSTATEMENT OF PRINCIPLES.—(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement,

the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) REPORT.—The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1996. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) DEFINITION.—For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

AMENDMENT No. 34, part 2, as modified, offered by Mrs. Morella: At the end of title XII (page 409, after line 18), add the following:

**SEC. 1228. SENSE OF THE CONGRESS REGARDING THE CHEMICAL WEAPONS CONVENTION.**

(a) FINDINGS.—The Congress finds that—

(1) events such as the March 1995 terrorist release of a chemical nerve agent in the Tokyo subway, the threatened use of chemical weapons during the 1991 Persian Gulf War, and the widespread use of chemical weapons during the Iran-Iraq War of the 1980's are all potent reminders of the menace posed by chemical weapons, of the fact that the threat of chemical weapons is unappreciated and not sufficiently addressed, and of the need to outlaw the development, production, and possession of chemical weapons;

(2) the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction (here-after in this section referred to as the "Convention") would establish a comprehensive ban on chemical weapons, and its negotiation has enjoyed strong bipartisan congressional support, as well as the support of the last 6 administrations, both Republican and Democratic;

(3) United States military authorities, including Chairman of the Joint Chiefs of Staff General John Shalikashvili, have stated that United States military forces will deter and respond to chemical weapons threats with a robust chemical defense and an overwhelming superior conventional response, as demonstrated in the Persian Gulf War, and have testified in support of the Convention's ratification;

(4) the Congress in 1985 mandated the unilateral destruction of the bulk of the chemical weapons stockpile of the United States, and the Convention, which requires participating states to destroy their chemical arsenals and production facilities under international supervision, would accelerate progress toward the disarmament of chemical weapons in a majority of the states believed to harbor chemical weapons capabilities, as this majority is among the Convention's 159 signatories;

(5) the United States chemical industry was an important partner during the negotiation of the Convention, assisted in crafting a reasonable, effective verification protocol, participated in both United States and international trials to test provisions of the Convention during its negotiation, and

testified in support of the Convention's ratification;

(6) the United States intelligence community has testified that the Convention will provide new and important sources of information, through regular data exchanges and routine and challenge inspections, to improve the ability of the United States to assess the chemical weapons status in countries of concern;

(7) the Convention will gradually isolate and automatically penalize states that refuse to join by preventing them from gaining access to dual-use chemicals and creating a basis for monitoring illegal diversions of those materials;

(8) the Convention has not entered into force for lack of the requisite number of ratifications;

(9) the United States played a leading role in drafting the Convention, and, as a global leader, must remain at the helm of this effort to deter further proliferation of chemical weapons and provide the legal framework that will minimize the threat posed by chemical weapons;

(10) Russia has signed the Convention, but has not yet ratified it;

(11) there have been reports by Russian sources of continued Russian production and testing of chemical weapons, including a statement by a spokesman of the Russian Ministry of Defense on December 5, 1994, that "We cannot say that all chemical weapons production and testing has stopped altogether."; and

(12) the Convention will impose a legally binding obligation on Russia and other nations that possess chemical weapons to cease offensive chemical weapons activities and to destroy their chemical weapons stockpiles and production facilities.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the United States should signify its commitment to reducing the threat posed by chemical weapons by promptly joining the 28 other nations that have ratified the Convention;

(2) both Houses of Congress should further demonstrate United States preparedness to adopt the Convention by acting expeditiously to pass the required implementing legislation as soon as the Senate gives its advice and consent to the ratification of the Convention;

(3) both Houses of Congress should continue to lend their full support for the indefinite future to programs that maintain, as the Convention allows and monitors, United States defense preparedness against chemical weapons;

(4) the United States must be prepared to exercise fully its rights under the Convention, including the request of challenge inspections when warranted, and to exercise leadership in pursuing punitive measures against violators of the Convention, when warranted;

(5) the United States should strongly encourage full implementation at the earliest possible date of the terms and conditions of the United States-Russia bilateral chemical weapons destruction agreement signed in 1990;

(6) understanding that Western assistance would be helpful to a successful Russian chemical weapons destruction program, the United States should encourage Russia to ratify promptly the Convention and implement a plan that will ensure full compliance with the Convention, including the destruction of chemical weapons stockpiles in accordance with the Convention's time lines; and

(7) the United States should seek to encourage other nations to ratify promptly the Convention and to implement faithfully all its terms and conditions.

Amendment No. 41, Part 2, as modified, Offered by Mr. Hall of Ohio: On page 532, after line 5, insert the following new section:

**SEC. 3145. ACCELERATED SCHEDULE FOR ENVIRONMENTAL MANAGEMENT ACTIVITIES.**

(a) ACCELERATED CLEANUP.—The Secretary of Energy shall accelerate the schedule for environmental management activities and projects for any specific Department of Energy defense nuclear facility site if, in the opinion of the Secretary, such an accelerated schedule will result in substantial long-term cost savings to the Federal Government and speed up release of land for economic development.

(b) SITE SELECTION.—In selecting sites for an accelerated schedule under subsection (a), the Secretary shall give highest priority to sites that are in close proximity to populated areas, that pose significant risk, and that have the greatest potential to result in privatization, commercialization, and economic development of unneeded facilities.

(c) ELIGIBILITY.—For purposes of subsection (a), environmental management activities and projects shall be eligible for an accelerated schedule under subsection (a) if the time for completion at the site of such activities can be reduced by 50 percent or more below the time established in the report of the Department of Energy Office of Environmental Management titled "1995 Baseline Environmental Management Report", March 1995.

(d) SAVINGS PROVISION.—Nothing in this section shall be construed as affecting a specific statutory requirement for a specific project or as modifying or otherwise affecting applicable statutory or regulatory environmental restoration requirements, including substantive standards intended to protect public health and the environment.

Amendment No. 43, Part 2, as modified, offered by Mr. Hunter: Page 326 (section 805), line 5, strike "VESSEL COMPONENTS.—" and insert in lieu thereof "VESSEL COMPONENTS FOR ALL BRANCHES OF THE ARMED FORCES.—".

Page 326 (section 805), strike lines 14 through 20 and insert in lieu thereof the following:

"(B) The following components of vessels, to the extent they are unique to marine applications: cable assemblies, hose assemblies, hydraulics and pumps for steering, gyrocompasses, marine autopilots, electric navigation chart systems, navigators, attitude and heading reference units, power supplies, radars, steering controls, pumps, engines, turbines, reduction gears, motors, refrigeration systems, generators, propulsion and machinery control systems, and totally enclosed lifeboards, including associated davits and winches."

Page 326, line 3, insert 3, insert "(1)" before "Paragraph (3)".

Page 326, line 20, insert the following:

(2) Section 2534 of such title is amended by adding at the end the following new subsection:

"(h) IMPLEMENTATION OF MARINE VESSEL COMPONENT LIMITATION.—In implementing subsection (a)(3)(B), the Secretary of Defense—

"(1) may not use contract clauses or certifications; and

"(2) shall use management and oversight techniques that achieve the objective of the subsection without imposing a significant management burden on the Government or the contractor involved."

Amendment No. 45, part 2, as modified, offered by Ms. Woolsey: At the end of subtitle C of title XXVIII (page 490, after line 2), insert the following new sections:

**SEC. 2834. MODIFICATION OF EXISTING LAND CONVEYANCE, HAMILTON AIR FORCE BASE.**

(a) AUTHORITIES IN EVENT OF PARTIAL SALE.—In the event that the purchaser purchases only a portion of the Sale Parcel and exercises its option to withdraw from the sale as to the rest of the Sale Parcel, the portion of the Sale Parcel that is not purchased (other than Landfill 26 and an appropriate buffer area around it and the groundwater treatment facility site), together with any of the land referred to in section 9099(e) of Public Law 102-396 that is not purchased by the purchaser, may be sold to the City of Novato, in the State of California, for the sum of One Dollar as a public benefit transfer for school, classroom or other educational use, for use as a public park or recreation area or for further conveyance as provided herein, subject to the following restrictions: (1) if the City sells any portion of such land to any third party within 10 years after the transfer to the City, which sale may be made without the foregoing use restrictions, any proceeds received by the City in connection with such sale, minus the demonstrated reasonable costs of conducting the sale and of any improvements made by the City to the land following its acquisition of the land (but only to the extent such improvements increase the value of the portion sold), shall be immediately turned over to the Army in reimbursement of the withdrawal payment made by the Army to the contract purchaser and the costs of cleaning up the Landfill and (2) until one year following completion of the cleanup of contaminated soil in the Landfill and completion of the groundwater treatment facilities, the sale must be at a per-acre price for the portion sold that is at least equal to the per-acre contract price paid by the purchaser for the portion of the Sale Parcel purchased under the Agreement and Modification, as amended, and thereafter must be at a price at least equal to the fair market value of the portion sold. The foregoing restrictions shall not apply to a transfer to another public or quasi-public agency for public uses of the kind described above. The deed to the City shall contain a clause providing that, if any of the proceeds referred to in clause (1) are not delivered to the Army within 30 days after sale, or any portion of the land not sold as provided herein is used for other than educational, park or recreational uses, title to the applicable portion of such land shall revert to the United States at the election of the Administrator of the General Services Administration. The Secretary of the Army shall agree to deliver into the applicable closing escrow an acknowledgment of receipt of any proceeds described in clause (1) above and a release of the reverter right as to the affected land, effective upon such receipt.

(b) SPECIAL CONVEYANCE REGARDING BUILDING 138 PARCEL.—The Secretary of the Army may convey the Building 138 parcel, which has been designated by the parties as Parcel A4 to the purchaser of the Sale Parcel. The per-acre price for the portion sold shall be at least equal to the per-acre contract price paid by the purchaser for the portion of the Sale Parcel purchased under the Agreement and Modification, dated September 25, 1990, as amended.

**SEC. 2835. TRANSFER OF JURISDICTION, FORT BLISS, TEXAS.**

(a) TRANSFER OF LAND FOR NATIONAL CEMETERY.—The Secretary of the Army may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of Veterans Affairs a parcel of real property (including any improvements thereon) consisting of approximately 22 acres and comprising a portion of Fort Bliss, Texas.

(b) USE OF LAND.—The Secretary of Veterans Affairs shall use the real property transferred under subsection (a) as an addition to the Fort Bliss National Cemetery and administer such real property pursuant to chapter 24 of title 38, United States Code.

(c) RETURN OF UNUSED LAND.—If the Secretary of Veterans Affairs determines that any portion of the real property transferred under subsection (a) is not needed for use as a national cemetery, the Secretary of Veterans Affairs shall return such portion to the administrative jurisdiction of the Secretary of the Army.

(d) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by surveys that are satisfactory to the Secretary of the Army. The cost of such surveys shall be borne by the Secretary of Veterans Affairs.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the transfer under this section as the Secretary of the Army considers appropriate to protect the interests of the United States.

Amendment No. 46, part 2, offered by Mr. Spratt: In the matter proposed to be added by section 805(c) (page 327, line 8), insert after "bearings)" the following: ", notwithstanding section 33 of the Office of Federal Procurement Policy Act (41 U.S.C. 429)".

The CHAIRMAN. Pursuant to the rule, the gentleman from South Carolina [Mr. SPENCE] and the gentleman from California [Mr. DELLUMS] will each be recognized for 10 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPENCE].

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

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

Mr. SPENCE. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Chairman, I notice that my count is right. We have about 20 of the No. 2 amendments in this en bloc amendment. I would ask the gentleman, does that leave any further amendments yet to be disposed of?

Mr. SPENCE. I do not think so.

Mr. VOLKMER. In other words, we are really getting to the end of this bill at this time?

Mr. SPENCE. The gentleman is correct.

Mr. VOLKMER. And when this amendment is disposed of we should be able to go right to the final action on the motion to recommit, or whatever?

Mr. SPENCE. That is right.

Mr. VOLKMER. Mr. Chairman, I thank the gentleman from South Carolina very much.

I would like to inquire of the gentleman, were there any other amendments, especially from the Democratic side, that were not included in the en bloc that some Members over here would have liked to have included?

Mr. SPENCE. No. The other amendments, some were offered and not debated because the author did not choose to pursue it.

Mr. VOLKMER. The gentleman says they did not want to pursue them, because I notice in this en bloc there are about 13 Republican and about 7 Democrat amendments, but I guess that is because Members pursued them.

Mr. Chairman, I thank the gentleman very much.

Mr. SPENCE. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I would like to engage the distinguished chairman of the Military Research and Development Subcommittee in a colloquy.

First of all, I would like to thank the gentleman from Pennsylvania, the chairman of the full committee, the gentleman from South Carolina [Mr. SPENCE], and the former chair of the subcommittee, the gentlewoman from Colorado [Mrs. SCHROEDER] for their support for continuing development of reusable launch vehicles. This technology development will be pursued in cooperation with and support of NASA's Reusable Launch Vehicle Program. As you know, this activity will be managed by the same DOD team which has so capably run the DC-X project, which had another very successful flight on Monday.

Mr. WELDON of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

Mr. WELDON of Pennsylvania. Mr. Chairman, I would just say that the innovative approach being used in the DC-X project to demonstrate reusable rocket technology overcame bureaucratic as well as technical challenges. The success of the DC-X is one of the reasons this committee believes that the Department of Defense should continue to play a strong role in reusable launch vehicle research.

Mr. ROHRABACHER. Mr. Chairman, reclaiming my time, it is my understanding that the committee is authorizing \$100 million in fiscal year 1996 for developing and testing reusable launch vehicle technologies in support of the NASA-led X-33 advanced concept technology demonstration x-vehicle program.

Mr. WELDON of Pennsylvania. That is correct. This is pursuant to three administration policy plans: First, the President's space launch policy, which calls for the Department of Defense to cooperate with NASA in its Reusable Launch Vehicle Program; second, DOD's implementation plan for the President's policy, which calls for developing "space launch technologies which support \* \* \* DOD-unique interests in reusable launch vehicles;" and third, General Moorman's space launch modernization plan, which calls for at least \$120 million per year for a core space launch technology effort.

Mr. ROHRABACHER. Reclaiming my time, it is also my understanding, Mr. Chairman, that the committee's support for a cooperative DOD reusable launch technology effort is based on a clear set of policy goals, namely that: First, military space assets are increasingly vital to the warfighter, and therefore inexpensive, reliable, and frequent access to space is vital to national security; second, while an

evolved expendable launch vehicle program will provide a near-term, incremental improvement in space access, foreseeable military and commercially competitive requirements for space launch can be best and most economically satisfied by fully reusable launch systems; and third, reusable rocket technologies also show great promise for space sortie and other global reach aircraft missions which could be performed by RLV-based transatmospheric vehicles.

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Mr. WELDON of Pennsylvania. Mr. Chairman, if the gentleman will yield further, the gentleman from California is indeed correct. The committee is funding DOD's cooperative involvement in the NASA-led X-33 reusable launch vehicle program first and foremost because of national security goals and requirements. The committee believes that the Air Force's Phillips Laboratory team brings unique expertise and talent to the challenge of reusable launch vehicle research generally, and to the NASA-led X-33 program specifically, a fact recognized by NASA in naming the Phillips Laboratory team as the X-33 deputy for flight testing and operations. The committee is not attempting to use DOD funds to subsidize a NASA program, but rather to fund DOD personnel to strengthen and improve a NASA-led national effort which is vital to DOD as well as commercial launch interests.

Mr. DELLUMS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. TRAFICANT].

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

Mr. TRAFICANT. Mr. Chairman, I appreciate the committee accepting the Buy-American amendment that I had offered on this bill. This is a different type of a Buy-American amendment. Just for the Members to understand this, the defense budget of the United States of America is larger than every country's budget except five total budgets in the world.

There are countries that will not allow our companies to bid on their government contracts. We for years have turned the other cheek and allowed them to come in here, and they do not reciprocate and give us the same opportunity. This amendment says if the Secretary of Defense, after consulting with the trade rep, determines that a nation, foreign nation, is not allowing American companies to bid on their products and goods, they are in turn subject to the Buy American Act and there cannot be a waiver of the Buy American Act once they make that violation.

Right now our Nation is at a battle stage with Japan. We have had Japan promising us from the Presidency of Richard Nixon now up through President Clinton that they are going to open their markets. "Give us another year."

Mr. Chairman, Japan is taking us to court, to the World Trade Organization, which I think is unconstitutional in the first place. God forbid if some bunch of individuals in the World Trade Organization rules against the United States of America. Beam me up. I mean that.

So I appreciate the fact that the Traficant amendment says look, if those foreign countries are denying America access, we cannot waive the Buy American Act, and they better get themselves in line.

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

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

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman for his contribution and his many Buy American provisions that have resulted in a lot of American jobs. The average worker in this country puts \$1,000 a year from his paycheck into our defense bill. Because of that, American workers ought to be able to participate in the work. We thank the gentleman for his contribution and for the provision he put in the bill.

Mr. TRAFICANT. I thank you, Chairman HUNTER, and the distinguished chairman and the ranking member, because I did not have to offer too many Buy American amendments. You basically took care of that yourself.

Mr. DELLUMS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Pennsylvania [Mr. HOLDEN].

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

Mr. HOLDEN. Mr. Chairman, I would like to briefly discuss an issue which I believe is very important, the cost-effectiveness of Defense energy acquisition. Before doing so, may I say that I am sure that I speak for the vast majority of the Members of the House in congratulating the Members of the National Security Committee for their hard work on this important legislation. It is not an easy task, and my thanks go to all concerned.

Mr. Chairman, I have just completed a thorough on-site inspection of the Department of the Air Force's ongoing policy for the acquisition of required modern heating services for the U.S. facilities in the Kaiserslautern Military Community of Germany. Pursuant to previous authorization law, 10 U.S.C. 2690, and subsequent appropriations measures, the Department has only recently completed the first of three essential heating modernization agreements in this military region, this one being for American facilities in the city of Kaiserslautern.

I would like to make all of my colleagues and particularly the members of the National Security Committee, aware of this situation. I would like to add that the agreement between the city Kaiserslautern and the Air Force, for the acquisition of furnished heating services, meets the cost-effective criteria of the legislation, and likewise provides for the use of American coal as the base-load energy in the municipal heating system which will provide furnished heat to the U.S. facilities in Kaiserslautern West.

Acting under what it says are the guidelines of both the authorization and appropriations

legislation, Air Force-Europe is undertaking the various steps of procurement that will result in counter-cost-productive energy acquisition policy. I refer to the two other major installations in the same military community, the U.S. facilities in nearby Landstuhl, and Ramstein Air Base as well. The Air Force agreement for the city of Kaiserslautern stipulates the cost-effective use of American coal, but proposed agreements for these other two installations include the use of costly foreign natural gas as the base load energy. This development was made known to me, in spite of recent German energy statistics which clearly indicate over a 6-year period, natural gas and oil used in German central heating systems has increased in price at least twice as much as coal.

Mr. Chairman, it seems there are at least two very serious drawbacks on this policy. First, more efficient cost considerations are being laid aside by the Air Force; second, the interests of the U.S. energy industry are being once again put aside in favor of a policy that directs the benefit of U.S. Defense dollars to foreign economics. I feel this is a very serious matter.

I regret that the complete picture of the cost deficiencies of this energy acquisition matter was not available prior to the House committee adopting the fiscal year 1996 authorization act. In view of the most disturbing economic trends of this Air Force policy, I believe that these concerns should be expressed to the Committee on National Security and in turn to the Secretary of the Air Force, and that further, pending the outcome of an independent evaluation of cost effectiveness on the issues, that the Department should place all procurement in abeyance until this has been fully considered by the Committee.

I believe that the Department of the Air Force should suspend such procurement activity for the time being, while the cost effectiveness considerations are being evaluated.

Mr. SPENCE. Mr. Chairman, for the purpose of engaging in a colloquy, I yield 3 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding. I wish to engage now in a colloquy with my good friend, the gentleman from California [Mr. MCKEON].

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

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

Mr. MCKEON. Mr. Chairman, I thank the gentleman from California [Mr. HUNTER] for his courtesy.

Mr. Chairman, along with several other Members of this body, I am concerned that small, sea-skimming, anti-ship cruise missiles are today in the hands of more than 100 countries. Thousands of lives and an enormous investment in capital ships, equipment, and supplies are potentially at risk because of the proliferation of, and the threat posed by, these missiles.

While the Navy has improved its radar capabilities to detect small targets in open ocean sea clutter, clutter levels over typical littoral waters, relative to the open ocean, are far more severe. Consequently, in order to address the problem posed by these small,

sea-skimming missiles, Congress has appropriated \$30.3 million over the past 3 fiscal years to develop an upgrade to the primary radar used by aircraft carriers and big deck amphibious ships.

Unfortunately, due to lengthy delays in releasing these funds, the radar upgrade modification program was not initiated until February of this year—and then only \$6 million was put under contract. Moreover, the Vice Chief of Naval Operations recently informed the Congress that only \$3 million in additional funds have been allocated by the Navy for this program through the remainder of this fiscal year.

Despite the danger posed by these cruise missiles, the Navy did not fund continuation of this upgrade in its fiscal year 1995 budget. Recent communications with senior Navy officials have raised doubts as to whether Navy will request funds for this program in fiscal year 1997.

Mr. Chairman, I understand that seeking additional funds in fiscal year 1996 for production of the upgrade modification kit—given the fact that the Navy has only recently begun to develop it—may be premature. However, I believe this program is one that deserves our consideration. I would ask the chairman's assurance that he will look into the Navy's plans for this radar upgrade development and lend his support to its production and implementation as soon as is possible.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for his concern. Let me say to my good friend from California that I share his concern about the sea-skimming cruise missile threat, and that he absolutely has my assurance that I will thoroughly review this radar upgrade development, together with other integrated ship defense programs, and support its production if warranted. I thank the gentleman for his contribution.

Mr. DELLUMS. Mr. Chairman, I yield myself such time as I may consume. Let me just say that there is an en bloc amendment before the body at this time. It encompasses several amendments. As has been the tradition over the years, these en bloc amendments have been a bipartisan effort to work out arrangements with various Members. This has indeed been done on a bipartisan basis. Our respective staffs have worked together carefully and diligently to work it out. I would urge my colleagues on this side of the aisle to support the en bloc amendments.

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

Mr. SPENCE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. DELLUMS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HUNTER].

The CHAIRMAN. The gentleman from California [Mr. HUNTER] is recognized for 3 minutes.

Mr. HUNTER. Mr. Chairman, I thank the chairman and ranking member of the full committee for yielding. Mr.

Chairman, I want to take this time to thank the chairman for running this authorization in such an effective way, and I want to thank the ranking member for his excellent leadership. I think we have had some great debate, and some very close votes, I might add, votes that went the wrong way in some cases from this Member's perspective and others the right way. But also I think we have had an excellent debate.

Mr. Chairman, I have two gentlemen who wanted to engage in a colloquy with me about an issue that was very important to them. One was the gentleman from Maryland [Mr. EHRLICH], and the gentleman from Maryland [Mr. GILCREST]. What they were concerned about is this year's Defense Authorization Act which contains a provision which expresses the concern of Congress that growth in the estimated cost of demilitarizing the U.S. stockpile of chemical agents is growing quite rapidly. That is correct. The cost of demilitarizing the existing stockpile of lethal agents, and incidentally a lot of Members are concerned about the fact that we are spending about 72 percent less in terms of modernizing our Navy and our Army and our Marine Corps with sufficient ships and planes and other systems. One reason is we have a lot of spending that is going to traditionally small areas, like the environment, that are growing rapidly, and one other reason is we are spending money on areas such as this demilitarization of chemical agents. That is a fact. It is taking quite a bit of money.

The cost of demilitarizing this existing stockpile that we are now cutting down has grown to about \$11.8 billion, in comparison to an early estimate we made of about \$1.7 billion. The act expresses the sense of Congress that the Secretary of Defense should consider measures to reduce the overall cost of this demilitarization of our chemical weapons.

Mr. Chairman, I just wanted to assure my colleagues, Mr. GILCREST and Mr. EHRLICH, and all other Members who are concerned about this demilitarization of chemical weapons, that we will be having hearings in the Subcommittee on Military Procurement on this issue. We will explore all the issues thoroughly, especially this cost issue, and we look forward to having them come and testify, as we do all Members, on this very important issue.

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

Mr. Chairman, we are coming to the last portion of this bill. We will be probably maybe voting on a motion to recommit, final passage, maybe one additional vote.

But let me take this opportunity to say to my distinguished colleague from South Carolina [Mr. SPENCE] who is the chairman of the committee governing the legislation this afternoon, that while there have been times when this gentleman has questioned the process that brings us to the floor, and where

clearly because we have different politics we differ on the substance, I am reminded of the fact that 2 years ago I sat politically, spiritually, and intellectually where the gentleman stood, and that is coming to the closing moments on the floor of Congress for the first time bringing a monumental piece of legislation before this body. So I understand that.

I compliment the gentleman for his significant effort. This is an extraordinary undertaking. I compliment all of our colleagues who have functioned through this process, the give and take, the stress and the strain that has brought us to this floor.

Finally, I would like to compliment all of the staff people, the staff people on both sides of the aisle, Republican and Democrat and bipartisan, because there are very few people except us who know what goes into bringing this bill to the floor of Congress.

□ 1415

Having reduced the staff by one-third, those remaining staff people, and I see some of them smiling, have had to work literally around the clock. We often talk about nameless, faceless bureaucrats. These are diligent, competent, brilliant young people who spend numerous hours dealing with legislation that speaks hopefully to the best interests of this country. Frankly I do not think they make enough money, given the kind of job that they have to do here. So in the full light of day, Mr. Chairman, I would like to compliment all of the staff for an incredible job that they do.

Any Member of Congress who thinks they can function without competent staff is a person that has taken a flight off into fantasy. You are only as good as the people around you, and we are blessed with very bright and very competent people. I hope that we continue to praise them for the diligent work that they have done.

Mr. DUNCAN. Mr. Chairman, I want to thank Chairman SPENCE of the full committee, and all the managers of the bill on both sides for their efforts.

My amendment is simply a common sense, pro small business amendment. It enacts in the Department of Defense a bill I introduced earlier this year, H.R. 28, the Freedom from Government Competition Act.

The Government should be helping small businesses survive and grow—not trying to put them out of business by competing against them.

My amendment simply says that the Department of Defense should not provide any produce or service that can be obtained by the private sector.

This carries out a policy that, since the Eisenhower administration in 1955, has said “the Federal Government will not start or carry on any commercial activity to provide a service or product for its own use if such product or service can be procured from private enterprise through ordinary business channels.”

Every administration, Republican and Democrat, for the past 40 years, has endorsed this policy, but unfortunately, they have never implemented it.

In fact, I hear estimates that as many as 1 million Federal employees are now doing commercial activities that could and should be done by private businesses.

Recently, a report released by the Commission on the Roles and Missions of the Armed Forces, known as the White Commission, stated that in the Department of Defense “at least 250,000 civilian employees are performing commercial-type activities that do not need to be performed by governmental personnel.”

The Commission went on to say that they “recommend that the Government in general, and the Department of Defense in particular, return to the basic principle that the Government should not compete with its citizens.”

That principle is what we are trying to put into law with this amendment.

This amendment is the right thing to do. More than \$3 billion per year could be saved without cutting services or hurting national defense.

It is needed because the experience of the past 40 years has shown that without specific instructions from Congress, agencies will not take this action on their own.

The amendment requires the Secretary to review commercial activities now being performed by DOD and make a report to Congress by April 15 of next year.

The report will include a schedule for moving commercial activities to the private sector, or give reasons why certain activities should not be performed outside the Department of Defense.

When we look for ways to cut the size of Government, we should look first at those activities which can be done by the private sector.

It is particularly appropriate that we adopt this amendment this week, since some 2,000 small business owners are meeting here in Washington for the White House Conference on Small Business. When this meeting of America's small business men and women last met in 1986, one of their top issues was the importance of contracting out. Now, almost a decade later, contracting out is still one of their top priorities.

There is no reason why the Federal Government should operate golf courses and recreational facilities when those services can be done by private business. There is no reason for Federal employees to design roads and buildings when there are architecture-engineer firms that can do this work.

There is no reason for agencies to operate motor pools when maintenance of cars can be done by private contractors.

There is no reason for taxpayers to pay the salaries of Federal employees to operate cafeterias, perform janitorial services, paint, print, do electrical work, operate testing labs, and engage in scores of other activities that can be done by the small businesses.

This amendment will begin to eliminate government competition with private businesses and create a government that works better and costs less. It is time to give back DOD's commercial activities to the private sector. It is the right thing to do. It is what America's small businesses need to survive. It is what we are doing with this common sense amendment today.

I urge a “yes” vote from my colleagues on this en bloc amendment.

Ms. FURSE. Mr. Chairman, on of the major reasons I am voting against this en bloc

amendment because of the inclusion of a very troubling amendment by Representative HOKE. This provision directs the Secretary of Defense not to implement any reduction in strategic nuclear forces called for in the START II Treaty unless and until the treaty enters into force.

Mr. Chairman, the cold war is over and everyone else has figured it out. An April nationwide poll shows that 82.3 percent of Americans believe that the United States and Russia should agree to negotiate deep reductions in their nuclear weapons arsenals. This amendment flies in the face of the desire for those reductions. The current practice is that as long as the Russians are dismantling their weapons, we continue to do so as well. I see no reason to stop that practice.

Following last fall's conclusion of the Nuclear Posture Review, Secretary of Defense Perry advocated a policy he called leading and hedging, explaining by saying, “By leading I mean providing the leadership for further and continuing reductions in nuclear weapons, so that we can get the benefit of the savings that would be achieved by that. At the same time, we also want to hedge, hedge against the reversal of reform in Russia . . . We do not believe that reversal is likely, and we are working with Russia to minimize the risk of it occurring.”

If we were to actually honor the provisions of Representative HOKE's sense-of-Congress amendment and keep all our unclear weapons, it could require the additional expenditure of hundreds of millions of dollars a year. These funds would be required for such activities as maintaining more B-52 bombers and the possible purchase of additional D-5 missiles for *Trident* submarines.

Mr. Chairman, in this post-cold-war era, we have more important things to do than continue to maintain ridiculously high levels of nuclear weapons. I hope that the other body does not adopt this provision.

Mr. EVERETT. Mr. Chairman, I rise in support of this en bloc amendment package, which includes my amendment that would prohibit the Army from consolidating the Aviation Technical Test Center [ATTC] to any other facility until the Institute for Defense Analyses has completed an independent review of an Army proposal to transfer the ATTC from Fort. Rucker and Edwards AFB to Yuma Proving Ground.

I want to make it perfectly clear that this is not a base closure issue. This proposal has been brewing within the Army's Test & Evaluation Command for more than 2 years, and in my opinion, is based on a flawed and incomplete analysis with a predetermined outcome.

Last year, the House-passed defense authorization bill contained report language requiring the Army to submit a report to Congress which substantiates their interest in moving the ATTC to Yuma. To date, we have not received such a report.

Mr. Chairman, I would not be here questioning the Army's motives unless I thought this proposal was ill conceived. The idea of recreating the aviation testing operation at considerable expense, and moving it from one location to another just doesn't pass the commonsense test. This amendment gives both the Army and the Congress the opportunity to review this proposal from an independent source. This is a prudent course of action for

the House to make, and I urge my colleagues to support the amendment.

CONSOLIDATION OF THE ARMY'S AVIATION TECHNICAL TEST CENTER

The Army's Test & Evaluation Command has submitted a proposal to the Secretary of the Army to consolidate the Aviation Technical Test Center, currently located at Fort Rucker, AL and Edwards AFB, CA, at Yuma Proving Ground [YPG], AZ. In order to accommodate this consolidation at YPG, substantial infrastructure—\$10 million—and logistics investments will be necessary. In the best of circumstances, the funding for these infrastructure investments are not planned by the Army until fiscal year 1998, which is well after the planned October 1996 stand-up date at Yuma. The Army has failed to adequately address the following concerns:

Enhanced synergy of Army aviation at Fort Rucker.

The vast pool of pilots and aircraft from the training center allows ATTC to meet any testing demand without additional cost.

Large maintenance, logistics, and supply facility at Fort Rucker enables ATTC to keep aircraft flying consistently and inexpensively—this would need to be refabricated at Yuma. The parts inventory alone could cost as much as \$1.6 million.

The \$10 million needed for hangar and maintenance facilities at Yuma will not be requested until fiscal year 1998, the work-arounds to leave these aircraft in the open, exposed to the harsh desert climate, seem short-sighted and ill advised.

Of the 97 tests conducted by ATTC, only 2 required the Yuma range, 1993; last two armament tests were conducted at China Lake and Eglin.

Armament and aviation testing trends are moving toward computer-simulated tests, rather than live-fire tests.

Mr. KIM. Mr. Chairman, I rise today in strong support of the Duncan amendment to H.R. 1530 which will require the Secretary of Defense to make more extensive use of the private sector to obtain necessary products and services. I believe it is time this Government take a good look at how the private sector can help save taxpayer dollars by allowing for a more open and fair competitive buying process. We can no longer afford to pay \$500 for a hammer which could have been purchased in an open market for \$5.99 at a local hardware store.

The Duncan amendment will go beyond addressing this Government's buying practices however. It will also rectify an important concern that I have with respect to the Department of Defense's apparent efforts to transfer a significant amount of maintenance and repair work away from capable and efficient private contractors to military depot installations. Specifically, recent events have convinced me that the Department of Defense is actively looking for ways to shore up its own depot facilities, even though the functions they perform can be done as effectively, at lower cost, by private business.

A stark example of this problem is the case of Loud Engineering and Manufacturing, Inc., a small business in my district. This independent business could be a vibrant contributor to the C-130 maintenance and repair effort. Yet, DOD consistently gives such work to its own depots or to foreign contractors in Canada, even though Loud could do the work for a

competitive price. My attempts to get a straight answer from the DOD, as to why its own depots and Canadian firms get this business have been frustrating. I am concerned that such policies perpetuate the decline in our own military infrastructure and results in the loss of jobs in California—which needs such work at this time of continued recession. How can we continue to keep a dependable private-sector military-industrial base if it is not given a chance to compete for such contracts?

Unfortunately, Loud Engineering is not the only business being cast aside by the DOD. The repair and maintenance work for F404 engines, currently being done by General Electric Services in Ontario, and the transfer of the MC-130E Combat Talon I program workload, currently being done by Lockheed-Martin, are two other examples of DOD's efforts to hamper private sector involvement in defense contracts. The Department of Defense has proposed to transfer these functions to the Naval aviation depot in Jacksonville, FL and to the depot at Warner Robins Air Logistics Center [WR-ALC], respectively. I believe these efforts are unnecessary because these contractors have repeatedly received high praise by the DOD itself, which raises legitimate questions as to why such functions are being transferred expect to justify the continued operations of these depots.

While I am concerned about these specific cases, I believe the Duncan amendment will go a long way toward ensuring that DOD works, in accordance with congressional intent, toward providing our own defense industry suppliers with a fair and open chance at obtaining valuable contracts that promote job growth and our national security interests. It is with that in mind that I support the Duncan amendment and I call on all of my colleagues to vote in support of American businesses by passing this important amendment to H.R. 1530.

Mr. MOAKLEY. Mr. Chairman, I rise today to urge my colleagues on both sides of the aisle to support an amendment I am offering to the Defense authorization bill. I would first like to take a moment to thank both the Members and the staff of the Subcommittee on Military Personnel for working with me and coming up with language that was acceptable to all sides. My amendment is a sense of Congress that recognizes how invaluable the Uniformed Service Treatment Facilities [USTF's] have been to the 120,000 military retirees who utilize the health care provided at these facilities. My amendment also states that although USTF's will now be subject to the Federal acquisition regulation [FAR], USTF's should not be terminated for convenience by the DOD before their current participation agreements with the DOD expire.

Since the creation of the USTF program, many of my colleagues from both parties have recognized the importance of this program to their constituents. USTF's are unique and have been able to implement innovative, cost-effective ways to provide health care to DOD beneficiaries.

Unfortunately, in the past there have been those at the DOD who have not shared my enthusiasm for USTF's. For whatever reason, there have been people at the DOD who have tried to put insurmountable hurdles in front of the USTF's to try to make it impossible for the USTF's to continue to operate. My amend-

ment clarifies this. I am pleased that the National Security Committee has acknowledged the USTF's and intends to make them a permanent program by including them in the TRICARE system. I know my constituents who utilize Brighton, ME, which is a USTF in the Boston area that I represent, would be quite upset if they thought the DOD could close their medical center. My amendment gives Brighton, ME and the other USTF's around the country that assurance. Mr. Chairman, don't we owe at least that much to the fine American men and women and their families who have served this country so well? I think so, and I urge my colleagues to support my amendment.

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

The CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from South Carolina [Mr. SPENCE].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 411, noes 14, not voting 9, as follows:

[Roll No. 383]

AYES—411

Abercrombie	Chambliss	Evans
Ackerman	Chenoweth	Everett
Allard	Christensen	Ewing
Andrews	Chrysler	Farr
Archer	Clay	Fattah
Armey	Clayton	Fawell
Bachus	Clement	Fazio
Baessler	Clinger	Fields (LA)
Baker (CA)	Clyburn	Fields (TX)
Baker (LA)	Coble	Flanagan
Baldacci	Coburn	Foglietta
Ballenger	Coleman	Foley
Barcia	Collins (GA)	Forbes
Barr	Collins (IL)	Ford
Barrett (NE)	Collins (MI)	Fowler
Barrett (WI)	Combest	Fox
Bartlett	Condit	Franks (CT)
Barton	Cooley	Franks (NJ)
Bass	Costello	Frelinghuysen
Bateman	Cox	Frisa
Bentsen	Coyne	Frost
Bereuter	Cramer	Funderburk
Berman	Crane	Galleghy
Bevill	Crapo	Ganske
Bilbray	Cremeans	Gejdenson
Billrakis	Cubin	Gekas
Bishop	Cunningham	Gephardt
Bliley	Danner	Geren
Blute	Davis	Gibbons
Boehlert	de la Garza	Gilchrest
Boehner	Deal	Gillmor
Bonilla	DeLauro	Gilman
Bonior	DeLay	Gonzalez
Bono	Dellums	Goodlatte
Borski	Deutsch	Goodling
Boucher	Diaz-Balart	Gordon
Brewster	Dicks	Goss
Browder	Dingell	Graham
Brown (CA)	Dixon	Green
Brown (FL)	Doggett	Greenwood
Brown (OH)	Dooley	Gunderson
Brownback	Doolittle	Gutierrez
Bryant (TN)	Dornan	Gutknecht
Bryant (TX)	Doyle	Hall (OH)
Bunn	Dreier	Hall (TX)
Bunning	Duncan	Hamilton
Burr	Dunn	Hancock
Burton	Durbin	Hansen
Buyer	Edwards	Harman
Callahan	Ehlers	Hastert
Calvert	Ehrlich	Hastings (FL)
Camp	Emerson	Hastings (WA)
Canady	Engel	Hayes
Castle	English	Hayworth
Chabot	Ensign	Hefley

Hefner	McIntosh	Scarborough
Heineman	McKinney	Schaefer
Henger	Meehan	Schiff
Hilleary	Meek	Schroeder
Hilliard	Menendez	Schumer
Hinchey	Metcalf	Scott
Hobson	Meyers	Seastrand
Hoekstra	Mfume	Sensenbrenner
Hoke	Mica	Serrano
Holden	Miller (FL)	Shadegg
Horn	Mineta	Shaw
Hostettler	Minge	Shays
Houghton	Mink	Shuster
Hoyer	Moakley	Sisisky
Hunter	Molinari	Skaggs
Hutchinson	Mollohan	Skeen
Hyde	Montgomery	Skelton
Inglis	Moorhead	Slaughter
Istook	Moran	Smith (MI)
Jackson-Lee	Morella	Smith (NJ)
Jacobs	Murtha	Smith (TX)
Jefferson	Myers	Smith (WA)
Johnson (CT)	Neal	Solomon
Johnson (SD)	Nethercutt	Souder
Johnson, E. B.	Neumann	Spence
Johnson, Sam	Ney	Spratt
Johnston	Norwood	Stark
Jones	Nussle	Stearns
Kanjorski	Oberstar	Stenholm
Kaptur	Obey	Stokes
Kasich	Olver	Studds
Kelly	Ortiz	Stump
Kennedy (MA)	Orton	Stupak
Kennedy (RI)	Owens	Talent
Kennelly	Oxley	Tanner
Kildee	Packard	Tate
Kim	Pallone	Tauzin
King	Parker	Taylor (MS)
Kingston	Pastor	Taylor (NC)
Klink	Paxon	Tejeda
Klug	Payne (NJ)	Thomas
Knollenberg	Payne (VA)	Thompson
Kolbe	Pelosi	Thornberry
LaFalce	Peterson (FL)	Thurman
Lantos	Peterson (MN)	Tiahrt
Largent	Petri	Torkildsen
Latham	Pickett	Torres
LaTourette	Pombo	Torricelli
Laughlin	Pomeroy	Towns
Lazio	Porter	Traficant
Leach	Portman	Tucker
Levin	Poshard	Upton
Lewis (CA)	Pryce	Velazquez
Lewis (GA)	Quillen	Vento
Lewis (KY)	Quinn	Vislosky
Lightfoot	Radanovich	Volkmer
Lincoln	Rahall	Vucanovich
Linder	Ramstad	Waldholtz
Lipinski	Rangel	Walker
Livingston	Reed	Walsh
LoBiondo	Regula	Wamp
Lofgren	Reynolds	Ward
Longley	Richardson	Waters
Lowe	Riggs	Watt (NC)
Lucas	Rivers	Watts (OK)
Luther	Roberts	Waxman
Maloney	Roemer	Weldon (FL)
Manton	Rogers	Weldon (PA)
Manzullo	Rohrabacher	Weller
Markey	Ros-Lehtinen	White
Martinez	Rose	Whitfield
Martini	Roth	Wicker
Mascara	Roukema	Williams
Matsui	Roybal-Allard	Wilson
McCarthy	Royce	Wise
McCollum	Rush	Wolf
McCrery	Sabo	Woolsey
McDade	Salmon	Wyden
McDermott	Sanders	Wynn
McHale	Sanford	Young (FL)
McHugh	Sawyer	Zeliff
McInnis	Saxton	Zimmer

## NOES—14

Becerra	Eshoo	Miller (CA)
Beilenson	Filner	Myrick
Cardin	Frank (MA)	Nadler
Conyers	Furse	Stockman
DeFazio	LaHood	

## NOT VOTING—9

Chapman	Klecza	Thornton
Dickey	McKeon	Yates
Flake	McNulty	Young (AK)

□ 1436

Mr. FILNER and Mr. BEILENSEN changed their vote from "aye" to "no".

Mr. REED changed his vote from "no" to "aye."

So the amendments en bloc, as modified, were agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Chair understands that the amendments numbered 1, 2, 4, 5, and 26 and printed in part 2 of House Report 104-136 will not be offered.

If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as modified, as amended.

The committee amendment in the nature of a substitute, as modified, as amended, was agreed to.

Mr. SMITH of Michigan. Mr. Chairman, I rise today to thank National Security Chairman SPENCE and Subcommittee Chairman BATEMAN for their support of my amendment regarding the Defense Reutilization and Marketing Service [DRMS] based at the Federal Center in Battle Creek, MI.

In the last several years, DRMS has vastly improved the efficiency of its operations, which involve the reuse and sale of military surplus goods. In the 1994 fiscal year, DRMS increased its revenues by 85 percent and its profits by 11 percent, while cutting its costs by 4 percent. These improvements have continued into the 1995 fiscal year. In fact, the Michigan Legislature recognized and commended the achievements of DRMS in a resolution passed on May 31, 1995.

This week, a provision of H.R. 1530 proposed the total privatization of DRMS, ignoring the fact that some areas of privatization would actually cost taxpayers money. My amendment proceeds with privatization in those areas where savings are likely in DRMS. Fortunately, with the help of many fine people connected with DRMS at Battle Creek, MI, we were able to document the selective privatization program and those areas run by DRMS employees that have, for the first time, started making money.

I would like to take this opportunity to recognize and thank some of those who took leading roles in the effort to amend H.R. 1530. I would like to thank the leaders of DRMS and DLA, Navy Captain Hempson [DRMS] and Admiral Straw [DLA]. I also want to express my appreciation for the support of Dan McGinty, DLA's congressional liaison.

I want to thank the employees of DRMS both for the excellent work they have done and their efforts working with me on this amendment. In particular, I would like to recognize the efforts of Gary Redditt and Angie Disher, the union representatives at DRMS.

Mr. Chairman, our goal is to increase the efficiency of all Department of Defense operations and privatize in those areas where taxpayer dollars can be saved. DRMS is meeting this goal. Similar efforts must be made across the whole Government. Once more, let me say once more to DRMS and its employees, job well done.

Mr. CUNNINGHAM. Mr. Chairman, I rise today to express my appreciation to the distinguished chairman of the committee, Mr. SPENCE, for his understanding of the tremendous pressures which are placed on military families today and the need for programs to assist families in coping with these pressures. I also want to thank and commend my col-

league from California, Mr. DELLUMS, for his longstanding support and advocacy for our military families.

In particular, I also want to thank Chairman SPENCE for his leadership for helping to ensure that the necessary funding has been provided to continue a very important program aimed at preventing child and spouse abuse within the military. In fiscal year 1992, Congress appropriated funds to expand the New Parent Support Program [NPSP], a pilot program aimed at preventing child and spouse abuse at Camp Pendleton, CA. That program operated in direct collaboration with the Center of Child Protection at Children's Hospital in San Diego.

Today, the NPSP has been operating at all 18 major Marine bases worldwide for 2 years, reaching the families where child and spouse abuse are most likely to occur. The reports from the Marine Corps, at all levels, indicate the program is operating successfully and that the appropriate families are being reached.

I am also happy to report that in 1994, the Army began the NPSP in direct collaboration with the USMC and Children's Hospital in San Diego. Currently, Army families at 14 installations worldwide are participating in the NPSP and 8 additional sites will be operating by the end of this year.

Advocacy programs of this nature play an integral role in military readiness by ensuring the stability of military families during uncertain times and should receive priority consideration by the leadership of all branches of the services and by the Congress.

Tragically, this pains and disasters of abuse reach families of all branches of the military. A review of existing DOD programs shows that most other programs focus on this problem react to the incident after it occurs. The NPSP is aimed at preventing the abuse and providing family support for families at risk. In light of the Marine Corps and Army programs' continued demonstrated value and success, I would like to continue to work with Chairman SPENCE and the distinguished gentleman from California [Mr. DELLUMS] to ensure that the benefits of this model program reach the risk families in all the branches of the armed services.

Again, I want to recognize the outstanding leadership that Chairman SPENCE has provided in fostering military family advocacy programs. Our service members and their families have two committed and effective champions in both the chairman and ranking member of the National Security Committee.

I look forward to working with the leadership of the committee to provide all military families the tools they deserve to assist them in dealing with stressful and uncertain times.

Mr. REED. Mr. Chairman, it is with regret that I rise in opposition to the bill before us today.

It is regrettable because this is the first time I plan to vote against passage of the defense authorization bill, which establishes our military policies and priorities.

While I support the Congress' desire to bring attention to the importance of military readiness as well as many of their initiatives, I must oppose this supposed prodefense bill because it fails to clearly support the Navy's top priority—the third *Seawolf* submarine.

This bill adds billions for items not requested by the Department of Defense, but

fails to clearly support the third *Seawolf* as requested by the Navy and outlined in the Joint Chiefs of Staff force requirements.

This bill provides some resources aimed at preserving our submarine industrial base, and Chairmen SPENCE and HUNTER have attempted to craft a plan that seeks to maintain two nuclear submarine capable shipyards.

However, in authorizing a level of funding that is close to the Navy's request for the third *Seawolf*, this bill would not direct completion of a new submarine. Instead, the bill would go back and retrofit the second *Seawolf* with a design that is not even yet designed.

In addition, the proposed next class of attack submarines, now known as the new attack submarine, in the bill would be a technology demonstrator or R&D submarine, rather than a militarily capable submarine that meets the Navy's needs.

Moreover, the Navy's new attack sub design and mission underwent an intensive Congressional review last year. It was also subjected to evaluation by an independent group as well as standard Navy and DOD review. But, again the committee bill with good intentions has dramatically altered the Navy's well-thought-out plan.

There is a better submarine plan that unlike many in Washington is uncomplicated and cost-effective—complete the third *Seawolf* and capitalize on the almost \$1 billion already invested in the third *Seawolf*.

This option preserves the submarine industrial base. This option uses designs that are completed. This is the option endorsed by the Navy, the Defense Department, the Joint Chiefs force requirements, the Bottom-Up Review, an independent review commission, the Rand Corp., President Clinton, Speaker GINGRICH, and Majority Leader DOLE.

There are also a number of items in this bill that concern me that are not related to submarines. These include the bill's excessive emphasis on a national missile defense or star wars system; the gutting of the bipartisan Nunn-Lugar plan which reduces the nuclear threat by dismantling the weapons of our former Soviet enemies; the prohibition on choice for female soldiers, and the majority's decision to abrogate the ABM Treaty.

In addition, there are some items in this bill that are worthy of support, such as Navy undersea warfare research and procurement. But in the final analysis, the failure to endorse the Navy's attack submarine plan compels me to oppose the bill.

Mr. Chairman, I urge the leadership of the House National Security Committee to reconsider its stance on the Navy's plan for the third *Seawolf* when House and Senate negotiators meet in the coming months. Until this bill reflects the Navy's plan or endorse a more reasonable submarine procurement plan that provides for continued construction at all components of the industrial base, I will be hard pressed to support it.

Mr. ABERCROMBIE. Mr. Chairman, I will vote today for final passage of H.R. 1530, the National Defense Authorization Act for fiscal year 1996 with serious reservations. I strongly support the efforts of the committee in the areas of quality of life improvements for our service members and the provisions which were passed to rebuild the foundation for a vital merchant marine which is essential to our Nation's status as a world power.

However, I am deeply troubled with the direction of the bill's retreat from previous com-

mitments to arms control and nonproliferation of weapons of mass destruction. Even more distressing is the tremendous increase in the defense budget for excess weapons inventory. The authorization today includes over \$1.2 billion in adds for the down payment on two more B-2 bombers and increases in the ballistic missile defense accounts. It commits us to initial expenditures on weapons systems which we will never be able to procure in the out-years. Today's excessive expenditures in these areas will only make it harder to allocate funds for the weapon systems and equipment which our troops need to fight and win at the front lines in future conflicts.

Having said that, the bill makes significant strides in its effort to alleviate the severe military family housing problem. Currently, two-thirds of the families living on base are housed in unsuitable quarters. This bill allows for a 5-year pilot program which will allow for creative solutions to replace a huge inventory of military family housing which has been neglected for decades. I am especially pleased with the private-sector financing alternative. In the past, Hawaii has been very successful in its implementation of this type of arrangement to provide for housing. The housing crisis in Hawaii is one that affects the civilian populace as well as military families. Suitable and affordable properties for rent or purchase are few and far between. This new housing initiative will be a great step toward reducing the tremendous strain on the lives of military and civilians in my State and many others with regard to affordable housing.

The committee has also been very supportive of the serious concerns of the Merchant Marine Panel with regard to our diminishing fleet of American-built, American-crewed merchant ships. The provisions in this bill establish a foundation for revitalization of the American merchant fleet. This is a first step, but we must do more.

I implore all Members of the House to stand together on this solidly bipartisan issue and help us to rebuild the American merchant fleet which is so vital to the national defense and economic security of our Nation. We must bring this issue to the forefront and demand a policy which will encourage the revitalization and growth of this industry before we lose it completely to foreign competition. We cannot and must not become dependent on foreign carriers and crews for the strategic sealift needs of our Nation.

On the issue of impact aid, I applaud the committee for taking the initiative to provide for costs of educating the children of military families in local school districts across the Nation. The areas of the Nation which are heavily impacted by the presence of Federal facilities would bear a tremendous burden if this program had not been funded. This program, while not enjoying as high a profile as the many debates on procurement issues, is of extreme importance to our all volunteer military force. Today's service members have put education for their children high on their list of concerns. Our troops must know that we are as concerned about the education of their children as we are of the funding of ballistic missile defenses. There is a direct correlation to the well-being of military families and troop readiness. Everything possible must be done to ensure that these concerns are not pushed aside in the welter of media-hyped and politically charged issues.

The National Guard Civil-Military Cooperative Action Program, which was repealed in this bill, deserves a reexamination in conference. This program enables the National Guard and Reserve to exercise their training in realistic settings while providing valuable assistance to communities across the Nation. It provides training which may not otherwise be available or affordable. This is a dual-benefit program which increases readiness and helps our local communities, rather than foreign communities, receive assistance in health care or infrastructure development. This program provides funding for the military personnel, and the missions performed generally have low or no incremental costs for operations. Congress must act to restore this program for the benefit of the Guard, the Reserve, and our communities.

There is a need for further improvements to this bill. I look forward to working with my colleagues through the conference process to ensure that the final product meets the needs of this Nation for a strong national defense which includes trained and ready Armed Forces, economic security, proper education for all our citizens, and a sound foreign policy that promotes democracy and human rights.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore. (Mr. HAYWORTH) having assumed the chair, Mr. EMERSON, 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. 1530) providing for consideration of the bill (H.R. 1530) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes, pursuant to House Resolution 164, he reported the bill 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.

Is a separate vote demanded on any amendment to the committee amendment in the nature of substitute, as modified, as amended, adopted by the Committee of the Whole?

If not, 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 bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DELLUMS

Mr. DELLUMS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DELLUMS. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. DELLUMS moves to recommit the bill H.R. 1530 to the Committee on National Security with instructions to report the same

back to the House forthwith with the following amendments:

Page 38, line 18, insert "(a) IN GENERAL.—" before "Of the amounts".

Page 38, after line 22, insert the following:  
(b) NMD REDUCTION.—The amounts provided in subsection (a) and in section 201(4) are each hereby reduced by \$100,000,000, to be derived from amounts for the National Missile Defense program.

At the end of title III (page 153, after line 25), insert the following new section:

**SEC. 396. DEPARTMENT OF DEFENSE DEPENDENT EDUCATION ASSISTANCE (IMPACT AID) FOR SCHOOL-AGED DEPENDENTS OF CERTAIN MILITARY PERSONNEL.**

(a) PROVISION OF DEPENDENT EDUCATION ASSISTANCE (IMPACT AID).—(1) In the case of students described in section 8003(a)(1)(D) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)(D)), the Secretary of Defense shall provide funds to local educational agencies that received payments for these students from the Department of Education in fiscal year 1994 or 1995 under the Act of September 30, 1950 (Public Law 874, 81st Congress) or title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.).

(2) Subject to the availability of appropriations for this purpose, funds shall be paid under this section in fiscal year 1996. However, the Secretary of Defense may use the authority provided by this section only in the event that payments under section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) for a fiscal year on behalf of students described in subsection (a)(1)(D) of such section are not made in a total amount equal to at least the level of funding for fiscal year 1995 under such section for such students.

(b) COMPUTATION OF BASIC PAYMENT.—Each local educational agency described in subsection (a) shall be eligible for basic payments, which shall be computed for each year by multiplying—

(1) the amount determined by dividing—  
(A) the amount of funds received by the local educational agency in the second preceding fiscal year under this subsection, section 3(b)(3) of the Act of September 30, 1950 (Public Law 874, 81st Congress), or section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)); by

(B) the number of students described in section 8003(a)(1)(D) of such Act in average daily attendance in the second preceding fiscal year; and

(2) the number of such students in average daily attendance of the local educational agency in the fiscal year preceding the fiscal year in which the payment is being made.

(c) COMPUTATION OF DISABILITY PAYMENT.—Each local educational agency described in subsection (a) shall also be eligible for disability payments for students described in section 8003(d)(1)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)(1)(B)). The payment required by this subsection shall be computed for each year by multiplying—

(1) the amount determined by dividing—  
(A) the amount of funds received by the local educational agency during the second preceding fiscal year under this subsection, section 3(d)(2)(C) of the Act of September 30, 1950 (Public Law 874, 81st Congress), or section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)); by

(B) the number of students described in section 8003(d)(1)(B) of such Act in average daily attendance in the second preceding fiscal year; and

(2) the number of such students in average daily attendance of each local educational agency in the fiscal year preceding the fiscal year in which the payment is being made.

(d) HEAVILY IMPACTED ASSISTANCE.—(1) Each local educational agency described in subsection (a) shall also be eligible for heavily impacted assistance if—

(A) the local educational agency—  
(i) had an enrollment of students described in subparagraphs (B) and (D) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)) during the previous fiscal year, the number of which constituted at least 40 percent of the total student enrollment of such agency; and

(ii) has a tax rate for general fund purposes which is at least 95 percent of the average tax rate for general fund purposes of comparable educational agencies in the State; or  
(B) the local educational agency—

(i) had an enrollment of students described in subparagraphs (B) and (D) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)) during the previous fiscal year, the number of which constituted at least 35 percent of the total student enrollment of such agency; and

(ii) has a tax rate for general fund purposes which is at least 125 percent of the average tax rate for general fund purposes of comparable educational agencies in the State.

(2)(A) For each local educational agency described in paragraph (1), payments for each year shall be computed by first determining the greater of—

(i) the average per-pupil expenditure of the State in which the agency is located; or

(ii) the average per-pupil expenditure of all the States.

(B) The Secretary shall next subtract from the amount determined under subparagraph (A) the average amount of State aid per pupil received for that year by each local educational agency described in paragraph (1).

(C) For each local educational agency described in paragraph (1), the Secretary shall multiply the amount determined under subparagraph (B) by the total number of students described in subparagraphs (B) and (D) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)) in average daily attendance for that year.

(D) Finally, the Secretary shall reduce the amount determined under subparagraph (C) for a local educational agency for a fiscal year by the total amount of—

(i) all payments the local educational agency receives under subsections (b) and (c) for that year; and

(ii) any payments actually received under section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) for that year.

(3) Notwithstanding any other provision of this section, a local educational agency that actually receives funds under section 8003(f) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(f)) for a fiscal year shall be eligible to receive funds under this subsection only after the full amount computed under paragraph (2) has been paid to all local educational agencies described in paragraph (1) that do not receive funds under such section for that fiscal year.

(4) For purposes of providing assistance under this subsection, the Secretary shall use student and revenue data from the local educational agency for the fiscal year for which the agency is applying for assistance.

(5) For purposes of this subsection, the Secretary shall determine the current year State average per-pupil expenditure by increasing or decreasing the per-pupil expenditure data for the second preceding fiscal year by the same percentage increase or decrease reflected between the per-pupil expenditure data for the fourth preceding fiscal year and

the per-pupil expenditure data for the second preceding fiscal year.

(6) For purposes of this subsection, the term "average per-pupil expenditure" means the aggregate current expenditures of all local educational agencies in the State, divided by the total number of children in average daily attendance for whom such agencies provided free public education.

(e) PROHIBITION ON MULTIPLE PAYMENTS.—(1) Amounts received by a local educational agency under subsection (d) in a fiscal year, when added to amounts actually received under section 8003(f) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(f)) for that year, may not exceed the amount the agency would have received under such section had assistance under such section been fully funded.

(2) Amounts received by a local educational agency under subsection (c) in a fiscal year, when added to amounts actually received under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)) for that year, may not exceed the amount the agency would have received under such section had assistance under such section been fully funded.

(3) Amounts received by a local educational agency under subsection (b) in a fiscal year, when added to amounts actually received under section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)) for that year, may not exceed the amount the agency would have received under such section had assistance under such section been fully funded.

(f) PRORATION OF AMOUNTS.—If necessary due to insufficient funds to carry out this section, the Secretary shall ratably reduce payments under subsections (b), (c), and (d).

(g) COOPERATION.—The Secretary of Education shall assist the Secretary of Defense in gathering such information from the local education agencies and State educational agencies as may be needed in order to carry out this section.

(h) FUNDS FOR FISCAL YEAR 1996.—The amount provided in section 301(5) for operation and maintenance for Defense-wide activities is hereby increased by \$100,000,000. Of the funds corresponding to such increase—

(1) \$50,000,000 shall be available for payments under subsection (b) in fiscal year 1996;

(2) \$10,000,000 shall be available for payments under subsection (c) in fiscal year 1996; and

(3) \$40,000,000 shall be available for payments under subsection (d) in fiscal year 1996.

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. DELLUMS] is recognized for 5 minutes in support of his motion to recommit.

Mr. DELLUMS. Mr. Chairman, I ask unanimous consent to allow my distinguished colleague, the gentleman from Texas [Mr. EDWARDS], to control the 5 minutes that are authorized to this gentleman.

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

There was no objection.

Mr. EDWARDS. Mr. Speaker, just for a moment I would like the Members to

imagine what it is like to be a child of a military family. For just a moment, Members, imagine being 8 years old and wondering why your mother cannot attend school functions because she has been deployed to a place called Somalia.

Imagine being a 10-year-old and not seeing your father for 6 to 12 months because he is serving our Nation in Korea. Imagine being a 12-year-old boy, and wondering why dad can seldom come to your little league games. Imagine being a 14-year-old daughter and wondering whether your father or mother in uniform will even be alive to come to your high school graduation. Sadly, many never do.

Members, it does not take imagination to realize the sacrifices of our military children. Those sacrifices are real. Military children are the unheralded partners, the unsung heroes, the young patriots in our fight for a strong national defense. How can we adequately say thank you for the sacrifices of our military children? How can we adequately express our sorrow to the child whose father or mother died in service to our Nation?

The answer is we cannot. We cannot replace the time spent away from one's parent. We cannot replace the father or mother that will never know his small child, but there is one thing today that you and I can do, one thing we must do for our military children. We must say to them that if their parents are willing to fight and die for our country, our country, you and I, accept the responsibility to see that they, the children, receive a quality education. That is the least this Congress can do. To do any less would be wrong.

For this Congress to gut education funding for military children would not only be wrong, it would be terribly unfair and immoral. To gut education funding for our military children would send an uncaring message to the young parents serving in our Nation's Armed Forces. To say to a soldier that "While you are serving in Korea or in Europe or some other faraway land, that we in Congress will be gutting your children's education back home" would be a slap in the face to every father, to every mother proudly wearing our Nation's uniform. Such a callous act would hurt our military morale, retention, and readiness.

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Mr. Speaker, our service men and women love our Nation but they love their children, too. To force them to choose between serving their country and caring for their children's education would be unconscionable. Yet that is exactly what this Congress is doing.

The Committee on the Budget and every Republican on it voted to zero out \$120 million in impact aid funding that the Department of Education for years has provided for military children whose parents are living next to a military base. That money goes to the

military children's schools to help make up for lost school revenues due to commissary sales that are not taxed or lost income taxes from military families. Many of those districts are already taxing their school districts at the maximum allowable rate.

With the sincere and dedicated leadership of the gentleman from Virginia [Mr. BATEMAN] and a bipartisan effort, the Committee on National Security did vote to spend \$58 million in DOD money for impact aid. Our military families owe Chairman BATEMAN a debt of gratitude.

I regret, though, that 12 Members of our Committee on National Security on the Republican side voted against even that funding for education for our military children and their families. Fifty-eight million dollars is a positive step forward for our children's education, but cutting education funding for those special children by 50 percent is simply not right. Those children deserve more than a half a loaf.

Mr. Speaker, this motion to recommit would take \$100 million out of the \$450 million added on for national missile defense and have that money used to support our children. If in conference committee we can find another source to help provide present-day funding for impact aid, that is fine with me. But we need to set the standard and make the commitment right here and right now, today.

Surely, in a \$267 billion defense budget that was added up by \$9.7 billion, we can find \$100 million to say to our children in the military and their families, "We are committing to see that you get a good education."

Members, this should not be a partisan vote. Let Republicans and Democrats alike show our military families we care about them and we care about their children. Vote for this motion to recommit.

The SPEAKER pro tempore (Mr. HAYWORTH). The Chair recognizes the gentleman from South Carolina [Mr. SPENCE].

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

Mr. SPENCE. Mr. Chairman, we all know what recommit motions are and the reason for them.

In this particular motion to recommit, I strongly oppose it on behalf of the committee. There was consideration of this matter in the committee. The gentleman was accommodated.

The other committees in this Congress are doing something to help in impact aid. I myself personally am a big supporter of impact aid. My district depends on it, and it is not a matter of impact aid or not, it is just the wrong way to do it.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the Committee on Economic and Educational Opportunities.

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

Mr. GOODLING. Mr. Speaker, first of all I must say following the first part of that speech is very, very difficult. The second part, of course, was partisan, but the first part was very difficult to follow.

But I would please ask you not to legislate on a motion to recommit on something as complicated as impact aid. We will guarantee you as a committee that we will take up this issue.

At the present time, we have \$631 million as current funding. That is for children whose parents live and work on Federal property, children whose military families do not live on a base, and for low-income housing. You have added \$58 million extra in this particular piece of legislation.

I would encourage you, let us do it through the authorizing process so that we do not open any loopholes, that we do not make changes that we are going to wish we had not made. Let us do it through the proper channels.

Mr. SPENCE. Mr. Speaker, I yield to the gentleman from Texas [Mr. ARMEY], the distinguished majority leader.

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

Mr. Speaker, this is the 11th year in which I have watched this Congress do a defense authorization bill. I think we must all agree that in all this time, never have we brought a defense authorization bill to the floor and moved it so smoothly and so congenially through the House in such a short period of time.

Mr. Speaker, I would like to commend both the gentleman from South Carolina [Mr. SPENCE], the chairman of the committee, and the gentleman from California [Mr. DELLUMS], the ranking member of the committee, and all the members of the committee for the collegiality they have shown on their committee, both in the committee room and on the floor, in respect to this bill and this legislation. Rarely do we have an opportunity to see a bill as complex as this come to a complete work on the floor ahead of schedule, and I think both of these two gentlemen deserve our appreciation along with the other members of the committee.

Mr. Speaker, I would like to commend the gentleman from Texas [Mr. EDWARDS] for his motion to recommit. I understand the sincerity with which he offers it. It is a serious matter, one that we all have a concern about, and the children, of course, of our military men and women are important to us. Their education is important to us.

I appreciate the fact that the gentleman from Texas [Mr. EDWARDS] brings that before the body, and I appreciate also the expression of commitment that is made by the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the Committee on Economic and Educational Opportunities. These children will not be left behind. These children's education will not be neglected. We need not concern ourselves about that.

I would recommend to my colleagues that we have a good piece of work here. It is a good bill. It is respectful of the children's future, both with respect to their education and their national security, and I encourage all my colleagues, vote no on this motion to recommit and vote yes on the bill and have a good sense of understanding that we have done our duty within the confines of our budget to keep our children safe and secure and well-educated.

PARLIAMENTARY INQUIRIES

Mr. TAYLOR of Mississippi. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TAYLOR of Mississippi. Mr. Speaker, if my memory serves me correctly, one of the very first measures to pass this body—

Mr. SOLOMON. Regular order. That is not a proper parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. TAYLOR of Mississippi. Mr. Speaker, one of the first measures to pass the body this year was a bill doing away with unfunded Federal mandates. If we are going to require local school districts like Biloxi, MS, to educate children on these bases as we do, and we are going to cut the funds we give to communities like Biloxi, MS, to educate these children, does this not then become an unfunded Federal mandate?

The SPEAKER pro tempore. The gentleman is not stating a proper parliamentary inquiry.

Mr. TAYLOR of Mississippi. I am asking a question, sir. It is a parliamentary inquiry. Did we pass the bill?

The SPEAKER pro tempore. The gentleman is not stating a proper parliamentary inquiry.

Mr. TAYLOR of Mississippi. Mr. Speaker, did that bill become law?

The SPEAKER pro tempore. The gentleman from Mississippi will suspend. The gentleman did not state a proper parliamentary inquiry.

Mr. OBEY. Would the Chair yield for another parliamentary inquiry?

The SPEAKER pro tempore. The gentleman from Wisconsin will state his parliamentary inquiry.

Mr. OBEY. Mr. Speaker, if this motion before us is not passed, how does the authorizing committee, which does not appropriate a dime, assure us that impact aid will not be cut, since the Committee on Appropriations is most certainly going to have to cut it substantially?

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I rise today in support of the motion to recommit.

H.R. 1530 while it restores funding for heavily impacted school districts in the Impact Aid Program, ignores the special needs of those children classified as "B" students.

In my State of Rhode Island it is the "B" student who will suffer most without this funding. Last year, the public schools of Newport and Portsmouth received nearly \$330,000 in funding for these children.

Without this funding, over 3,500 Rhode Island "B" students will receive less than an adequate education and be left unprepared and undefended in the harsh climate of the new global economy. This is a cost America simply cannot bear.

I support the motion to recommit so we may pass a bill that fully funds Impact Aid and supports the future of America's children.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. DELLUMS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 239, not voting 7, as follows:

[Roll No. 384]

AYES—188

Abercrombie	Ford	Minge
Ackerman	Frank (MA)	Mink
Andrews	Frost	Moakley
Baessler	Furse	Montgomery
Baldacci	Gejdenson	Moran
Barcia	Gephardt	Nadler
Barrett (WI)	Geren	Neal
Becerra	Gibbons	Oberstar
Beilenson	Gonzalez	Obey
Bentsen	Gordon	Olver
Berman	Green	Ortiz
Bishop	Gutierrez	Orton
Bonior	Hall (OH)	Owens
Borski	Hamilton	Pallone
Boucher	Harman	Pastor
Brewster	Hastings (FL)	Payne (NJ)
Browder	Hefner	Payne (VA)
Brown (CA)	Hilliard	Pelosi
Brown (FL)	Hinchev	Peterson (FL)
Brown (OH)	Holden	Peterson (MN)
Bryant (TX)	Hoyer	Pickett
Cardin	Jackson-Lee	Pomeroy
Christensen	Jacobs	Porter
Clay	Jefferson	Poshard
Clayton	Johnson (SD)	Rahall
Clement	Johnson, E. B.	Rangel
Clyburn	Johnston	Reed
Coleman	Kaptur	Reynolds
Collins (IL)	Kennedy (MA)	Richardson
Collins (MI)	Kennedy (RI)	Rivers
Condit	Kennelly	Roemer
Conyers	Kildee	Rose
Costello	Klink	Roybal-Allard
Coyne	LaFalce	Rush
Cramer	Lantos	Sabo
Danner	Levin	Sanders
de la Garza	Lewis (GA)	Sawyer
DeFazio	Lincoln	Schroeder
DeLauro	Lipinski	Schumer
Dellums	Lofgren	Scott
Deutsch	Lowe	Serrano
Dicks	Luther	Sisisky
Dingell	Maloney	Skaggs
Dixon	Manton	Skelton
Doggett	Markey	Slaughter
Dooley	Martinez	Spratt
Durbin	Matsui	Stark
Edwards	McCarthy	Stenholm
Engel	McDermott	Stokes
Eshoo	McHale	Studds
Evans	McKinney	Stupak
Farr	Meehan	Tanner
Fattah	Meek	Taylor (MS)
Fazio	Menendez	Tejeda
Fields (LA)	Mfume	Thompson
Filner	Miller (CA)	Thurman
Foglietta	Mineta	Torres

Torrice  
Towns  
Traficant  
Tucker  
Velazquez  
Vento

Visclosky  
Volkmer  
Ward  
Waters  
Watt (NC)  
Waxman

Williams  
Wise  
Woolsey  
Wyden  
Wynn

NOES—239

Allard	Gallegly	Murtha
Archer	Ganske	Myers
Armey	Gekas	Myrick
Bachus	Gilchrest	Nethercutt
Baker (CA)	Gillmor	Neumann
Baker (LA)	Gilman	Ney
Ballenger	Goodlatte	Norwood
Barr	Goodling	Nussle
Barrett (NE)	Goss	Oxley
Bartlett	Graham	Packard
Barton	Greenwood	Parker
Bass	Gunderson	Paxon
Bateman	Gutknecht	Petri
Bereuter	Hall (TX)	Pombo
Bevill	Hancock	Portman
Bilbray	Hansen	Pryce
Bilirakis	Hastert	Quillen
Bliley	Hastings (WA)	Quinn
Blute	Hayes	Radanovich
Boehlert	Hayworth	Ramstad
Boehner	Hefley	Regula
Bonilla	Heineman	Riggs
Bono	Herger	Roberts
Brownback	Hilleary	Rogers
Bryant (TN)	Hobson	Rohrabacher
Bunn	Hoekstra	Ros-Lehtinen
Bunning	Hoke	Roth
Burr	Horn	Roukema
Burton	Hostettler	Royce
Buyer	Houghton	Salmon
Callahan	Hunter	Sanford
Calvert	Hutchinson	Saxton
Camp	Hyde	Scarborough
Canady	Inglis	Schaefer
Castle	Istook	Schiff
Chabot	Johnson (CT)	Seastrand
Chambliss	Johnson, Sam	Sensenbrenner
Chenoweth	Jones	Shadegg
Chrysler	Kanjorski	Shaw
Clinger	Kasich	Shays
Coble	Kelly	Shuster
Coburn	Kim	Skeen
Collins (GA)	King	Smith (MI)
Combest	Kingston	Smith (NJ)
Cooley	Klug	Smith (TX)
Cox	Knollenberg	Smith (WA)
Crane	Kolbe	Solomon
Crapo	LaHood	Souder
Creameans	Largent	Spence
Cubin	Latham	Stearns
Cunningham	LaTourette	Stockman
Davis	Laughlin	Stump
Deal	Lazio	Talent
DeLay	Leach	Tate
Diaz-Balart	Lewis (CA)	Tauzin
Doolittle	Lewis (KY)	Taylor (NC)
Dornan	Lightfoot	Thomas
Doyle	Linder	Thornberry
Dreier	Livingston	Tiahrt
Duncan	LoBiondo	Torkildsen
Dunn	Longley	Upton
Ehlers	Lucas	Vucanovich
Ehrlich	Manzullo	Waldholtz
Emerson	Martini	Walker
English	Mascara	Walsh
Ensign	McCollum	Wamp
Everett	McCrery	Watts (OK)
Ewing	McDade	Weldon (FL)
Fawell	McHugh	Weldon (PA)
Fields (TX)	McInnis	Weller
Flanagan	McIntosh	White
Foley	McKeon	Whitfield
Forbes	Metcalf	Wicker
Fowler	Meyers	Wilson
Fox	Mica	Wolf
Franks (CT)	Miller (FL)	Young (AK)
Franks (NJ)	Molinar	Young (FL)
Frelinghuysen	Mollohan	Zeliff
Frisa	Moorhead	Zimmer
Funderburk	Morella	

NOT VOTING—7

Chapman  
Dickey  
Flake  
Klecza  
McNulty  
Thornton  
Yates

□ 1513

Mr. MASCARA changed his vote from "aye" to "no."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HAYWORTH). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. WELDON of Pennsylvania. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 300, noes 126, not voting 8, as follows:

[Roll No. 385]

AYES—300

Abercrombie	Diaz-Balart	Jackson-Lee
Ackerman	Dicks	Jefferson
Allard	Dixon	Johnson (CT)
Andrews	Doolley	Johnson, E. B.
Archer	Doolittle	Johnson, Sam
Armey	Dornan	Jones
Bachus	Dreier	Kaptur
Baesler	Dunn	Kasich
Baker (CA)	Edwards	Kelly
Baker (LA)	Ehlers	Kennedy (RI)
Baldacci	Ehrlich	Kennelly
Ballenger	Emerson	Kildee
Barcia	Ensign	Kim
Barr	Everett	King
Barrett (NE)	Ewing	Kingston
Bartlett	Fawell	Knollenberg
Barton	Fazio	Kolbe
Bass	Fields (TX)	LaHood
Bateman	Flanagan	Lantos
Bentsen	Foley	Largent
Bereuter	Forbes	Latham
Bevill	Fowler	LaTourette
Bilbray	Fox	Laughlin
Bilirakis	Franks (CT)	Lazio
Bishop	Frelinghuysen	Leach
Bliley	Frisa	Lewis (CA)
Blute	Frost	Lewis (KY)
Boehlert	Funderburk	Lightfoot
Boehner	Gallegly	Linder
Bonilla	Gejdenson	Lipinski
Bono	Gekas	Livingston
Boucher	Gephardt	LoBiondo
Brewster	Geren	Longley
Browder	Gibbons	Lucas
Brown (FL)	Gilchrest	Manton
Brownback	Gillmor	Manzullo
Bryant (TN)	Gilman	Matsui
Bunn	Gonzalez	McCollum
Bunning	Goodlatte	McCreery
Burr	Goodling	McDade
Burton	Gordon	McHale
Buyer	Goss	McHugh
Callahan	Graham	McInnis
Calvert	Green	McIntosh
Camp	Greenwood	McKeon
Canady	Gutknecht	Meek
Castle	Hall (OH)	Metcalf
Chabot	Hall (TX)	Meyers
Chambliss	Hamilton	Mica
Chenoweth	Hancock	Miller (FL)
Christensen	Hansen	Mink
Chrysler	Harman	Molinari
Clement	Hastert	Mollohan
Clinger	Hastings (WA)	Montgomery
Coble	Hayes	Moorhead
Coburn	Hayworth	Moran
Coleman	Hefley	Murtha
Collins (GA)	Hefner	Myers
Combest	Heineman	Myrick
Condit	Hergert	Nethercutt
Cooley	Hilleary	Neumann
Costello	Hobson	Ney
Cox	Hoekstra	Norwood
Cramer	Hoke	Nussle
Crane	Holden	Ortiz
Crapo	Horn	Orton
Creameans	Hostettler	Oxley
Cubin	Houghton	Packard
Cunningham	Hoyer	Parker
Davis	Hunter	Pastor
de la Garza	Hutchinson	Paxon
Deal	Hyde	Payne (VA)
DeLauro	Inglis	Peterson (FL)
DeLay	Istook	Pickett

Pombo	Shadegg	Thornberry
Porter	Shaw	Thurman
Portman	Shuster	Tiahrt
Poshard	Sisisky	Torkildsen
Pryce	Skeen	Torres
Quillen	Skelton	Trafficant
Quinn	Smith (MI)	Tucker
Radanovich	Smith (NJ)	Upton
Regula	Smith (TX)	Visclosky
Richardson	Smith (WA)	Vucanovich
Riggs	Solomon	Waldholtz
Roberts	Souder	Walker
Rogers	Spence	Walsh
Rohrabacher	Spratt	Wamp
Ros-Lehtinen	Stearns	Watts (OK)
Rose	Stenholm	Weldon (FL)
Royce	Stockman	Weldon (PA)
Salmon	Stump	Weller
Sanford	Talent	White
Sawyer	Tanner	Whitfield
Saxton	Tate	Wicker
Scarborough	Tauzin	Wilson
Schaefer	Taylor (MS)	Wolf
Schiff	Taylor (NC)	Young (AK)
Scott	Tejeda	Young (FL)
Seastrand	Thomas	Zeliff

NOES—126

Barrett (WI)	Hilliard	Petri
Becerra	Hinchey	Pomeroy
Beilenson	Jacobs	Rahall
Berman	Johnson (SD)	Ramstad
Bonior	Johnston	Rangel
Borski	Kanjorski	Reed
Brown (CA)	Kennedy (MA)	Reynolds
Brown (OH)	Klink	Rivers
Bryant (TX)	Klug	Roemer
Cardin	LaFalce	Roth
Clay	Levin	Roukema
Clayton	Lewis (GA)	Roybal-Allard
Clyburn	Lincoln	Rush
Colbe	Lofgren	Sabo
Collins (MI)	Lowey	Sanders
Coyne	Luther	Schroeder
Danner	Maloney	Schumer
DeFazio	Markey	Sensenbrenner
Dellums	Martinez	Serrano
Deutsch	Martini	Shays
Dingell	Mascara	Skaggs
Doyle	McCarthy	Slaughter
Duncan	McDermott	Stark
Durbin	McKinney	Stokes
Engel	Meehan	Studds
Engel	Menendez	Stupak
English	Mfume	Thompson
Eshoo	Miller (CA)	Torricelli
Evans	Mineta	Towns
Farr	Minge	Velazquez
Fattah	Moakley	Vento
Fields (LA)	Morella	Volkmer
Filner	Nadler	Ward
Foglietta	Neal	Waters
Ford	Oberstar	Watt (NC)
Frank (MA)	Obey	Waxman
Franks (NJ)	Olver	Williams
Furse	Owens	Wise
Ganske	Pallone	Woolsey
Gunderson	Payne (NJ)	Wyden
Gutierrez	Pelosi	Wynn
Hastings (FL)	Peterson (MN)	Zimmer

NOT VOTING—8

Chapman	Flake	Thornton
Conyers	Kleczka	Yates
Dickey	McNulty	

□ 1532

The Clerk announced the following pair:

On this vote:

Mr. McNulty for, with Mr. Yates against.

Mr. SCHUMER changed his vote from "aye" to "no."

Ms. JACKSON-LEE changed her vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SPENCE. 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 just passed.

The SPEAKER pro tempore (Mr. HAYWORTH). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 1530, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 1530, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make such other technical, clerical, and conforming changes as may be necessary to reflect the actions of the House in amending the bill, H.R. 1530.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1817, MILITARY CONSTRUCTION APPROPRIATIONS ACT FOR FISCAL YEAR 1996

Mr. QUILLEN, from the Committee on Rules, submitted a privileged report (Rept. No. 104-140) on the resolution (H. Res. 167) providing for consideration of the bill (H.R. 1817) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERMISSION TO FILE PRIVILEGED REPORT ON BILL MAKING APPROPRIATIONS FOR FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS FOR FISCAL YEAR 1996

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

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

There was no objection.

REPORT ON H.R. 1854, LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 1996

Mr. PACKARD, from the Committee on Appropriations, submitted a privileged report (Rept. No. 104-141) on the bill (H.R. 1854) making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

Mr. VOLKMER. Mr. Speaker, I would like to inquire of the gentleman from California, the chairman of the Subcommittee on Appropriations who just filed a report—

Mr. PACKARD. Mr. Speaker, would the gentleman repeat that please?

Mr. VOLKMER. I just would like to make an inquiry of the gentleman:

It is my understanding that the Committee on Rules on the gentleman's bill is going to require us to file amendments on the bill by noon on Monday.

Mr. PACKARD. That is correct.

Mr. VOLKMER. It is not printed; is it? It is not available to me; is it?

Mr. PACKARD. I would have to refer that to the chairman of the Committee on Rules.

Mr. VOLKMER. I mean the gentleman knows whether the bill is available to me or not.

Mr. PACKARD. The bill is printed. I do not know whether it is official or not, but it is available.

Mr. VOLKMER. With the amendments in it?

Mr. PACKARD. Not with the amendments until noon Monday.

It is available as it was reported out of the full committee. It will be in H-218 in the Capitol.

Mr. VOLKMER. In other words, I have to go there and look at it? I cannot take it back to my office, or my staff cannot, to review it as we always do on legislation?

Mr. PACKARD. We will give the gentleman a copy.

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

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1289, THE NEWBORN INFANT HIV NOTIFICATION ACT

Mr. FATTAH. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1289.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 774

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from the bill, H.R. 774.

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

There was no objection.

DESIGNATING TRINITY DAM IN THE CENTRAL VALLEY PROJECT, CA, AS TRINITY LAKE

Mr. DOOLITTLE. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 1070) to designate the reservoir created by Trinity Dam in the Central Valley project, California, as "Trinity Lake."

The Clerk read the title of the bill.

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

Mr. DEFAZIO. Mr. Speaker, reserving the right to object, I yield to the gentleman from California [Mr. DOOLITTLE] to enable him to explain the legislation. We are particularly curious about whether or not Clair Engle was a Democrat and what the underlying reasons are for this change.

Mr. DOOLITTLE. Mr. Speaker, he was a Democrat, and he was considered a water expert in his time, and for that reason this reservoir which the bill seeks to change the name of was named for him. This bill would designate the reservoir created by Trinity Dam in the Central Valley Project in California as Trinity Lake.

Under the provisions of current law the reservoir is currently designated as Clair Engle Lake and, therefore, requires legislation in order for the name to be changed. The problem here is that in the local area everybody refers to this as Trinity Lake except the technical name that appears in the maps is Lake Clair Engle. It casts a lot of confusion, and for that reason the Trinity board of supervisors unanimously passed a resolution in support of changing the name.

In our report accompanying this bill we have asked the bureau to consider an appropriate visitor center that they could name in honor of Clair Engle, who was once chairman of the House Interior Committee and then subsequently became our U.S. Senator from California; we think that would be appropriate, and I would ask that the bill be supported.

Mr. DEFAZIO. Further under my reserved right to object, Mr. Speaker, I find the gentleman's arguments convincing. I do not detect a partisan bias here. I think the naming of a visitor center or other appropriate memorial would be well taken, and I have swum in the lake myself and had no idea of the name of it. I was told I was swimming in Trinity Lake.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 1070

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

SECTION 1. DESIGNATION OF TRINITY LAKE.

(a) DESIGNATION.—The reservoir created by Trinity Dam in the Central Valley project, California, and designated as "Clair Engle Lake" by Public Law 88-662 (78 Stat. 1093) is hereby redesignated as "Trinity Lake".

(b) REFERENCES.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the reservoir referred to in subsection (a) shall be considered to be a reference to "Trinity Lake".

(c) CONFORMING AMENDMENT.—Public Law 88-662 (78 Stat. 1093) is repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNOUNCEMENT OF AMENDMENT PROCESS FOR THE LEGISLATIVE BRANCH APPROPRIATION

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

Mr. SOLOMON. Mr. Speaker, the Rules Committee is planning to meet on Monday, June 19, to grant a rule which may limit the amendments offered to the legislative branch appropriations bill.

Members who wish to offer amendments to the bill should submit 55 copies of their amendments, together with a brief explanation, to the Rules Committee office in H-312 of the Capitol, no later than noon on Monday, June 19.

Amendments should be drafted to the bill as ordered reported by the Appropriations Committee. Copies of the text will be available for examination by Members and staff in the offices of the Appropriations Committee in H-218 of the Capitol.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

Any offset amendments should be scored by CBO to ensure compliance with clause 2(f) of rule 21, which requires that they not increase the overall levels of budget authority and outlays in the bill.

If Members or their staff have any questions regarding this procedure, they should contact Bill Crosby of our staff at extension 5-9191.

We appreciate the cooperation of all Members in submitting their amendments by the noon, June 19 deadline in properly drafted form.

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

Mr. SOLOMON. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, the only reason I asked for this is it is apparent for me that I always prefer a copy of the report and a copy of the bill, and I am suggesting to Members that if they would contact the Appropriations Subcommittee at H-218, I am sure that they can obtain a copy of the subcommittee report—I mean a full

committee report and the bill at that time. They would not have to go down there and just look at it themselves. That was of concern to me, and I think that is available to them.

The other thing that I am very curious about:

This will be the second bill, appropriations bill, to be taken up. We are going to be taking up one tomorrow.

Mr. SOLOMON. That is correct.

Mr. VOLKMER. And that is under a rule; correct?

Mr. SOLOMON. Yes.

Mr. VOLKMER. Are we going to be doing rules on every appropriation bill?

Mr. SOLOMON. If they have to come to the Committee on Rules, as the gentleman knows—

Mr. VOLKMER. No appropriation bill has to go to the Committee on Rules.

Mr. SOLOMON. Well, it does if they contain unauthorized legislation.

Mr. VOLKMER. That is correct.

Mr. SOLOMON. And of course, if that has not been passed by both Houses, then it is going to require a rule. But we intend to make sure that all of it is going to be subject to the authorizing committees; that is important.

Mr. VOLKMER. In other words, if something has passed the House that has been authorized, then the gentleman wants to make sure that it is protected under the rule so it cannot be stricken on a point of order from the—

Mr. SOLOMON. That is right, such as the defense authorization bill that just passed the House a few moments ago. The military construction bill coming up tomorrow is going to be subject to that, and all of the succeeding bills will be the same thing.

Mr. VOLKMER. Does the gentleman plan to go further in that and protect other things, legislative language and things like that that have not been covered by authorization but that somebody wants to put an appropriation bill because they did not get it in the present law?

Mr. SOLOMON. I would certainly hope not. We want to try to protect the committee system in this Congress. It has worked well for many years, and we do not want to violate the rules of the House. That would be a violation which would be subject to waiver if this body saw fit, but I personally oppose it.

Mr. VOLKMER. Mr. Speaker, I thank the gentleman very much.

Now the other thing, and last thing, I would like to ask the gentleman about:

In the rule for the MILCON, military construction, tomorrow the gentleman from Oklahoma [Mr. BREWSTER] had requested that his amendment be in order. Is that amendment going to be in order?

Mr. SOLOMON. No, we have a completely open rule on the military construction appropriation bill that will be on the floor, and that means that it will be subject to all the rules of the House.

Mr. VOLKMER. So it has to be germane.

Mr. SOLOMON. That require waivers. It also comes under the jurisdiction of the Government Operations Committee and the Committee on the Budget. Hopefully we can deal with those so we do not have to deal with each individual one. That would require waivers of the House, and we did not make any waivers in order for legislating in appropriations bills.

□ 1545

Mr. VOLKMER. Mr. Speaker, I want to thank the gentleman from New York for his explanations. I appreciate the comments.

#### TRIBUTE TO CARAMOOR

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

Mrs. KELLY. Mr. Speaker, we pay tribute to one of the greatest cultural treasures of my district—the Caramoor Center for Music and the Arts—which is celebrating its 50th anniversary.

The vision for Caramoor began with the combined talents and determination of Walter and Lucie Rosen. Avid collectors of art as well as accomplished musicians, the Rosens often played host to many of New York's most prominent performers and cultural patrons in their Katonah summer home, which was called Caramoor.

After the death of their son in World War II, the Rosens bequeathed Caramoor "as a Center for Music and the Arts for the Town of Bedford and the State of New York."

Caramoor has become a focal point of both the national and international music scenes. Now it is home to an 8-week outdoor music festival.

Under the leadership of Howard Her-ring and the artistic direction of André Previn, Caramoor has attracted such stars as James Gallway, Barbara Cook, Sylvia McNair, and Yo-Yo Ma, and has served as a launching ground for scores of up and coming performers through its Rising Stars program.

The Caramoor experience is unique in that it allows audiences to convene with nature while enjoying music in its purest form. With the recent additions of the "Touch Tour" and the Marjorie Carr Adams "Sense Circle" for the visually impaired and the mentally and physically challenged, Caramoor remains committed to ensuring true accessibility for all of its visitors.

Whether strolling through the gardens, picnicking in the orchard, or listening to the harmonies under the stars, Caramoor allows people to lose themselves in the moment. It has often been said that music is food for the soul. In this spirit, Mr. Speaker, may Caramoor continue to provide us with nourishment for yet another 50 years, I would invite you and the rest of the country to join us at Caramoor for an evening of good music and good cheer.

#### ICWA APPLIED UNFAIRLY

(Ms. PRYCE asked and was given permission to address the House for 1 minute and to revise and extend her remarks, and include extraneous material.)

Ms. PRYCE. Mr. Speaker, when will it stop? Today we have another heart-wrenching front page story of an adoption gone awry.

Nineteen months ago Jim and Colette Rost of Columbus, OH, adopted twin baby girls and have cared for them every day of their young lives.

Yesterday, a judge in California took these girls away from the only family they have ever known and awarded custody to a perfect stranger, the birth grandmother.

The only reason for this is that the girls are  $\frac{1}{32}$  Pomo Indian and the judge ruled that the Indian Child Welfare Act applies to these children and that tribal rights supercede all other interests.

Mr. Speaker, when are we going to come to our senses?

As an adoptive mother, I can tell you these rulings will have a chilling effect on couples wishing to provide good homes to children through adoption. Who will want to risk the potential heartache and the terrifying prospect that your child might have some far-removed native American heritage and be taken away?

Mr. Speaker, I have introduced legislation to amend the ICWA to prevent these injustices in the future.

I welcome input and advice of the native American community and I ask the support of my colleagues for H.R. 1448, so that future tragedies such as this can be avoided.

Mr. Speaker, I include the following materials:

FEBRUARY 7, 1995.

DEAR REPRESENTATIVE PRYCE: I'm writing to you as a mother looking for help. My family is being threatened by an "adoption gone bad." My husband and I took immediate custody of twin baby girls in California in November of 1993. We were involved in an open adoption where we met the birth mother and birth father. These unmarried birth parents were 20 years old and they already had 2 boys. They made a decision to allow the twins to be adopted because they couldn't give them the attention and care they deserved. Moreover, they felt it would be unfair to their 2 sons that they already had. The birth father at that time did not disclose his Native American background (which turns out to be only  $\frac{1}{16}$  making the twins  $\frac{1}{32}$  and had chosen not to tell his parents about the adoption. In February of 1994, when the twins were 3 months old, he broke up with the birth mother, went home to his parents and told them about the adoption. The birth father's mother contacted a tribe in California (that she was not registered with until April 1994) who then contacted the attorney who arranged the adoptions demanding the return of the twins.

This was the first time we knew of his Native American Heritage. Since that time we have been involved in a fight to keep our babies. The twins, Lucy and Bridget are now 15 months old and have been with us since their discharge from the hospital. We have brought them into our family where they have bonded with their big sister Hannah

(age 7½), grandparents, aunts, uncles and cousins on both sides.

They are so precious to us and we live in terror of losing them because of the Indian Child Welfare Act; an act that does not take into consideration the best interest of the child and more or less gives the tribe absolute power.

Please help us in any way you can. We can't become another adoption "fatality." These little girls would go back to a pathological family situation and they would be robbed of the love we would give them.

Sincerely,

COLETTE ROST.

#### ROST CASE ILLUSTRATES LAW'S RACISM

In a new book titled *Life on the Color Line*, Gregory Howard Williams, dean of the Ohio State University law school, describes the day—more than 30 years ago—that he learned he was "really" black, not white. Greg and his brother were traveling with their father to his family home in Muncie, Ind.—their mother had run off with two younger siblings—when their father explained that the relatives they were going to live with were black.

Greg's father, James, it seems, was the product of a black-white union. While living with his white wife, James had called himself white. Simple arithmetic should have suggested that Greg and his brother were three-quarters white.

But not in the United States of the 1950s. So brutal was the hostility of whites to blacks and so horrified were whites by the concept of racial mixing (miscegenation) that a person with even the smallest amount of Negro heritage was considered entirely black.

And so, at the age of 10, Greg Williams, with Caucasian features and fair skin, began a new life as a black person. As a teen-ager, dating was a trauma. "Dating for me was . . . like swimming in shark-infested waters," he wrote. Whites who "knew" that he was black didn't want him to date white girls, while those who didn't know disliked seeing him with black girls.

We've come a long way since the 1950s. Interracial couples are, for the most part, well-accepted among both blacks and whites. And yet, we still tend to think of people in racial terms. When someone's skin color or facial features do not yield an instant category, we want to know what race that person is. We want to know—even if there is no answer.

Must one choose? What if your mother is Asian and your father is half black and half white? Is someone's race so important?

A case now being considered in California suggests that we haven't come as far as we ought since the 1950s.

A couple in Columbus, Ohio, adopted a set of twin girls through an agency in California. Both birth parents, unmarried at the time of the birth, signed all of the relevant paperwork surrendering their rights to the twins. They also signed sworn affidavits, routine in California, to the effect that neither they nor their children (they have two older boys) were members of any Indian tribe. The girls were immediately placed for adoption with Jim and Colette Rost of Columbus.

Six months later, when the Rosts attempted to have the adoption finalized, the agency (which had legal custody) balked. The birth father and his mother (the birth grandmother) were contesting the adoption, claiming now that the children were Indian and thus covered by the Indian Child Welfare Act.

It seems that someone, perhaps the young (age 42) birth grandmother, had decided to

search the family records and had come up with something. The twins' parents are not Indian. Their four grandparents are not Indian. Their eight great-grandparents are not Indian. Their 16 great-great-grandparents were not Indian. But one of the twins' great-great-great-grandparents was an Indian. That makes the twins ½ Indian, and that, apparently, is enough to trigger the federal law. So ruled a judge in California. The federal law provides that if a child is Indian and the subject of a custody dispute, the birth parents have first claim, the extended family has second claim and the tribe has the final word.

The twins are now 18 months old, and while no final disposition has been made by the judge, they have been ordered to visit with their birth grandmother.

Clearly, this is a case of some unscrupulous white folks gaming the system. But the law permits it. And the law is racist. If one distant Indian ancestor is enough to make you fully Indian, isn't this uncomfortably close to the tainted-blood view of miscegenation from the Jim Crow era—to say nothing of the racial schemes of the old South Africa or Nazi Germany?

Very few of us are "pure" members of one race or another. Our ancestors got around. And racial categorization—though slavishly worshiped by the politically correct—is almost always pernicious.

[From the Columbus Dispatch, June 15, 1995]

#### TWIN GIRLS WILL GO TO BIRTH FAMILY

(By Randall Edwards)

Bridget and Lucy Ruiz, 19-month-old twins who have lived with a Columbus couple since their birth, will be placed in the custody of their biological grandparents in California and will not return to Ohio, a judge in Los Angeles ruled yesterday.

The time and place of the transfer, when Jim and Colette Rost must turn the twins over to grandparents Karen and Richard O. Adams, will be kept secret based on a strict order from Judge John Henning of the Los Angeles County Superior Court.

"I'm mad. I'm worried about Bridget and Lucy, and I don't know what else to say," a distraught Jim Rost said after the ruling. "I'm going to miss them," he added. "Lots of tears. It's like a death in the family."

The judge's decision represents a victory for members of the birth family, who are part Pomo Indian, in a bitter legal battle with the Rosts, who are white.

The litigation has drawn international media attention and has launched a national debate over a federal law that restricts the adoption of American Indian children.

The Rosts' lawyer immediately appealed, but she rated her chances of victory as "slim."

"The Rosts are completely out of it," said attorney Jane Gorman.

"If we could have kept custody of the girls, I think we might have won on appeal, because I think the judge's decision was wrong," she said. "But with the court having transferred custody, our chances are slim."

Henning does not want members of the news media, who have surrounded the courthouse in recent days, to be present when the children are given to their biological grandparents, Gorman said. The judge has barred reporters from the courtroom throughout the proceedings.

Henning had ordered the Rosts to bring the children to Los Angeles in late May for a series of visits with Karen Adams and the birth parents—Adams' son Richard E. Adams, and Cynthia Ruiz. Last week, Henning issued an order prohibiting the Rosts from taking the twins out of Los Angeles County.

Reached by telephone in his chambers yesterday, Henning would say only that he had

established a temporary guardianship and made Karen and Richard O. Adams custodians.

Richard E. Adams' lawyer Leslie Glick, said the birth parents hope to one day take custody of the twins "when they are stable."

"Rick and Cindy, but that they had no money, would have kept those children to begin with, Glick said. She denied that the couple, who married after the adoption dispute began, have had serious domestic violence problems. Richard E. Adams had been charged, but was not convicted, of battery stemming from a domestic violence complaint filed by Ruiz.

Glick called Henning's decision "very thoughtful" and said the guardianship plan is "in the best interests of the children."

"The birth family is so happy. They want their children back."

Adams and Ruiz voluntarily consented to the adoption, but Adams changed his mind about three months later, saying he wanted his mother to have custody and revealing that the children are part Pomo Indian.

The terms of the Indian Child Welfare Act, a 1978 law that gives Indian families and Indian tribes powerful influence over the adoption of Indian children were not followed in the adoption, lawyers said.

The Rosts say they never knew the children were part Indian until Adams tried to stop the adoption. And there was no evidence produced that showed they were aware.

Testimony that an adoption lawyer who represented Ruiz and Adams knew about the Pomo claims proved to be a turning point in the case, however, said Arnold Klein, a lawyer appointed to represent the twins. Adoption lawyer D. Durand Cook, who represented Ruiz and Adams, produced documents, that showed he knew Adams was claiming Pomo ancestry, said Klein.

Adams had testified that Cook told him his Pomo ancestry would complicate and slow the adoption process, so he concealed his Indian background.

Cook also said he never told the Rosts about the Pomo Ancestry, Klein and Gorman confirmed. The Rosts paid Cook's \$4,200 legal bill as part of the adoption agreement, Jim Rost confirmed.

According to the Indian Child Welfare Act, Cook should have contacted tribal authorities, who would have determined the placement of the children.

Mr. Rost said he was shocked by Cook's revelation.

"It was incredible to me that he had a conversation that involved the American Indian issue and that he chose not to disclose that to us," Mr. Rost said. But he added he thinks the focus on Cook's testimony misses the point.

"Nobody is saying anything about the fact that two adults made this decision to give up these children. They sought out Durand Cook, and now they are invoking this law to take the children away from us.

"It's incredible for us to see almost unanimous support from everyone we meet and have our legal system make a ruling that flies in the face of that," Mr. Rost said.

Mr. Rost said he is frustrated that neither he nor Mrs. Rost ever had a chance to testify in the case.

"We never had a chance to present any evidence. The judge said his hands were tied."

U.S. Rep. Deborah Pryce, who tried to amend the Indian Child Welfare Act in time to help the Rosts maintain custody of the twins, said yesterday that she is disappointed.

"These children have become the innocent victims of a badly written law," Pryce, R-Perry Township, said in a prepared release. Pryce said the use of the Indian Child Welfare Act in the case is "contrary not only to

the best interests of the children, but to the original intentions of the legislation."

The act was approved in 1978 after congressional investigators found that as many as 35 percent of Indian Children were being adopted away from their homes, usually by white adoptive parents.

Legislation introduced by Pryce and companion legislation introduced by U.S. Sen. John Glenn, D-Columbus, would have amended the law to prevent tribes, from bestowing retractive membership as it relates to adoption cases.

The amendments were stalled after a flurry of opposition from American Indian groups, who testified that the law challenges the sovereignty of American Indians.

#### FRENCH NUCLEAR TESTING

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

Mr. FALEOMAVAEGA. Mr. Speaker, how ironic that one of the world's most celebrated marine scientist, who over the years came to the shores of many of the South Pacific islands and other countries and preached to us the gospel of conservation and to preserve all forms of marine life. He is none other than the Frenchman oceanographer Jacques-Yves Cousteau. Jacques Cousteau told millions of people throughout the world to save the whales; Jacques Cousteau told the world to preserve the precious reefs and corals that surround most of the Pacific islands; Jacques Cousteau told the world how important plankton is which is the life source of all marine life.

But now, Mr. Speaker, we have another Frenchman named Jacques Chirac, who happens to be the President of France—and is now telling the world—the heck with you 27 million people and an additional 1.5 million American citizens who live in the Pacific Ocean—we're going to explore eight nuclear bombs starting this September. Mr. Speaker, these are not devices, they are nuclear bombs.

I ask the good people of France, have you no conscience toward the lives, the health, and safety of some 28 million men, women, and children who live in the Pacific region?

Mr. Speaker, I say to the good people of France—you have already exploded almost 200 nuclear bombs in the South Pacific—now you want to explode 8 more nuclear bombs. Isn't it logical, Mr. Speaker, that the Chinese should now be given an open invitation to explode 174 nuclear bombs to catch up with France; and that countries like India, Pakistan, Iraq, North Korea, and Iran should now be justified for each of these countries to also explode 208 nuclear bombs to catch up with France. And yes, let's let France explode 900 more nuclear bombs in order to catch up with the United States.

Mr. Speaker, what madness. Mother Earth is hurting and crying, and man is going to be held accountable for this madness.

I submit for the RECORD the following:

#### COUSTEAU REGRETS CHIRAC DECISION ON NUCLEAR TESTS

PARIS, June 14.—French oceanographer Jacques-Yves Cousteau voiced regret on Wednesday over President Jacques Chirac's decision to resume nuclear testing in the Pacific Ocean and said atomic weapons should be outlawed.

"It is regrettable that France has given in to out-dated arguments," Cousteau, 85, said in a statement.

"Great wars are of the past. The struggle for peace is carried out first and foremost through education and the restoration of morality," he said. "Today's wisdom makes it necessary to outlaw atomic arms."

Chirac announced in Paris on Tuesday that France would hold eight tests at its South Pacific site, ending them next May in time to sign a comprehensive test ban treaty.

Cousteau, who regularly tops opinion polls as France's most popular personality, has been a vigorous campaigner against the French nuclear industry and marine pollution. He once considered running for president on a radical ecology ticket.

[From the Washington Times, June 15, 1995]

#### CHIRAC'S NUCLEAR TESTS SEND MESSAGE OF DEFIANCE

PARIS—By timing his decision to resume French nuclear tests on the eve of his first presidential visit to Washington and a Group of Seven summit, President Jacques Chirac sent a clear message that France is a major power with a world role.

But his defiant decision to resume nuclear testing drew outrage from every corner of the world yesterday as Mr. Chirac's month-old government serenely insisted the nation's "vital interests" override diplomatic niceties.

South Pacific nations near the Polynesian atoll testing site accused France of "flagrant disregard." New Zealand and Australia said they would freeze military relations. Moscow and Washington were critical.

In the grand tradition of Gen. Charles de Gaulle, the leader of wartime Free France and father of the French atom bomb, Mr. Chirac was asserting himself as the leader of a pocket superpower with global interests and defying the United States.

Analysts said that Mr. Chirac had served notice that President Clinton would be dealing with a French leader determined to assert French and European interests in a "rebalanced" Atlantic partnership.

Le Monde diplomatic analyst Daniel Vernet called it "the desire to return to Gaullist gestures."

"The message to the world and to the Nation is the same: asserting his willpower, authority and ability to take decisions that are, naturally, 'irrevocable.' It is a way of notifying Mr. Clinton before he arrives in Washington that the president means to exercise his powers fully," political commentator Philippe Alexandre said.

The same determination was clear in Mr. Chirac's energetic role in Bosnia, spearheading the creation of a rapid-reaction force with Britain to protect U.N. peacekeepers and summoning Defense Security William Perry to Paris to approve it, while ignoring NATO.

A remark during Mr. Chirac's first television news conference Tuesday summed up his approach. "I think the Atlantic Alliance does not have a leader," he said.

Mr. Chirac flew to Washington for his first summit with Mr. Clinton, enjoying solid backing from his conservative government. Politicians and commentators said there was

no doubt he deliberately timed the announcement as a show of independence and fortitude on the eve of his meeting with Mr. Clinton and the forthcoming G-7 summit in Halifax, Nova Scotia.

"It's clear Chirac wanted to make a thunderous arrival on the international stage," said Jean-Michel Boucheron, a Socialist Party defense expert. "I would have preferred his first message to the world to be a message of peace, rather than a slap in the face to 178 countries that signed the Non-Proliferation Treaty."

Mr. Chirac's premier, Alain Juppe, went before the National Assembly to defend the test decision.

"France's vital interests prevail over all other considerations, even of diplomatic nature," Mr. Juppe said. "France will maintain a credible and sufficient deterrent force."

Mr. Chirac, at his first news conference since taking office May 17, said Tuesday that France would abandon its 1992 moratorium on nuclear testing and conduct eight more tests between September and May. He promised France would halt all tests by May 1996 and sign a treaty banning such testing.

Mr. Chirac's predecessor, Socialist Francois Mitterrand, suspended France's testing program in 1992, promoting Russia, the United States and Britain to follow. China had been the only nuclear power to continue experimental nuclear blasts.

Russia said that the move could jeopardize international disarmament agreements.

But Mr. Juppe brushed aside the criticism, saying France shouldn't heed complaints from powers that have conducted "10 times more tests" over the years.

Mr. Juppe said Mr. Mitterrand's suspension of testing three years ago was "premature," disrupting efforts to develop computer simulation technology that would permanently end the need for tests.

France has no plans to develop new nuclear weapons or change nuclear strategy and seeks only to verify the safety of existing weapons while advancing toward simulation technology, Mr. Juppe said.

Domestically, ecologists and leftist political groups assailed Mr. Chirac. "You are the shame of France," said an open letter to Mr. Chirac from Bernard Clael, a popular novelist whose works stress environmental themes.

#### THE BARBARIC METHODS OF ABORTION

(Mr. SMITH of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. SMITH of New Jersey. Mr. Speaker, the dirty secret of the pro-abortion movement is the method of abortions themselves. More than two decades after Roe the Nation remains woefully uninformed concerning the violent and abusive methods routinely used to kill unborn babies. The abortion industry has cleverly sanitized and marketed abortion with an endless stream of euphemisms. In abortion mills throughout the land abortionists dismember kids with razor blade tipped knives connected to suction machines or inject deadly poisons into the child.

Today hearings begin in the Committee on the Judiciary to outlaw what is known as partial birth abortions. Here is how the originator of this terrible method of abortion describes it:

After delivering most of the baby he says the surgeon then takes a pair of blunt, curved, Metzenbaum scissors in the right hand. He carefully advances the tip, curved down, along the spine and under his middle finger until he feels it contact the base of the skull under the tip of his middle finger. The surgeon then forces the scissors into the base of the skull. Having safely entered the skull, he spreads the scissors and then they suck the brains out of that baby.

Mr. Speaker, this is barbaric. This legislation would outlaw this egregiously barbaric procedure.

The surgical assistant places an ultrasound probe on the patient's abdomen and scans the fetus, locating the lower extremities. This scan provides the surgeon information about the orientation of the fetus and approximate location of the lower extremities. The transducer is then held in position over the lower extremities.

The surgeon introduces a large grasping forcep, such as a Bierer or Hern, through the vaginal and cervical canals into the corpus of the uterus. Based upon his knowledge of fetal orientation, he moves the tip of the instrument carefully towards the fetal lower extremities. When the instrument appears on the sonogram screen, the surgeon is able to open and close its jaws to firmly and reliably grasp a lower extremity. The surgeon then applies firm traction to the instrument causing a version of the fetus (if necessary) and pulls the extremity into the vagina.

By observing the movement of the lower extremity and version of the fetus on the ultrasound screen, the surgeon is assured that his instrument has not inappropriately grasped a maternal structure.

With a lower extremity in the vagina, the surgeon uses his fingers to deliver the opposite lower extremity, then the torso, the shoulders and the upper extremities.

The skull lodges at the internal cervical os. Usually there is not enough dilation for it to pass through. The fetus is oriented dorsum or spine up.

At this point, the right-handed surgeon slides the fingers of the left hand along the back of the fetus and "hooks" the shoulders of the fetus with the index and ring fingers (palm down). Next he slides the tip of the middle finger along the spine towards the skull while applying traction to the shoulders and lower extremities. The middle finger lifts and pushes the anterior cervical lip out of the way.

While maintaining this tension, lifting the cervix and applying traction to the shoulders with the fingers of the left hand, the surgeon takes a pair of blunt curved Metzenbaum scissors in the right hand. He carefully advances the tip, curved down, along the spine and under his middle finger until he feels it contact the base of the skull under the tip of his middle finger.

Reassessing proper placement of the closed scissors tip and safe elevation of

the cervix, the surgeon then forces the scissors into the base of the skull. Having safely entered the skull, he spreads the scissors to enlarge the opening.

The surgeon removes the scissors and introduces a suction catheter into this hole and evacuates the skull contents.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HAYWORTH). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

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

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

#### THE PRESIDENT'S BUDGET

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

Mr. SMITH of Michigan. Mr. Speaker, thank you very much.

Last night President Clinton unveiled his second budget of this year. This budget aims to balance the Federal budget 10 years from now. This means that if you know any third graders, that third grader will be graduated from high school and the budget still will not be balanced.

It also means that we hope that a decade from now we are going to really balance the budget. I mean, if a politician told you today that we are not going to balance the budget now but we are going to balance it in 10 years, I wonder how many of the American people would believe that promise.

Remember, the President did not say the debt would be paid off. He said if all goes well, we will stop adding to the debt rate. Put it this way: Does it not all sound a little ludicrous? Do we really think that Congress will balance the budget 10 years from now? We just cannot do it today, and therefore we have to put it off for 10 years?

President Clinton is saying we will not pay you back 10 years from now, but we are going to stop and make the promise today that we will not be borrowing money 10 years from now. The President has said that it would be too painful to bring the budget into balance in less than 10 years.

Now, remember that Thomas Jefferson, while President, introduced a plan

to pay off the Federal debt at that time in 16 years. That meant that he thought it prudent not just to balance the budget, but run enough of a surplus to pay off the debt.

If you consider the real problem, the serious problem, that we not only have to balance the budget, but the fact is we have an actuarial debt in Medicare of an estimated \$8 trillion, we have an actuarial debt in Social Security of an additional \$5 trillion, we have an actuarial debt of what we owe Federal retirees, the pension plans for Federal workers and military workers, of an estimated \$1.5 trillion additional. It is serious.

I am delighted the President has come to the forum. But now we need to decide if he is going to actually give us the details of those budget reductions and cuts so that we can incorporate those ideas into our thinking as we proceed with this budget resolution.

You know, the pain we are hearing about when the President says it is too painful to balance the budget in 7 years is political pain, involved in admitting to reality. As the great 19th century French political philosopher, Frederic Bastiat told us, government cannot provide what it does not contain.

The only way government can give you \$1 of health care services is to take that \$1 from your neighbor in taxes. There is no such thing as Federal money that can be handed out by 435 Congressmen and 100 Senators. If the Federal Government does not tax your neighbor to get that dollar, then it has the option to borrow it from that neighbor or print the dollar. If the Government borrows the dollar, then your neighbor cannot use it to buy a machine or go to school or to buy a car or to buy a home and to make more productive workers and an expanded economy in the United States. If the Government prints the dollar, then the savings of your elderly neighbor has gone down in value, which is taxing by inflation.

We must admit that Medicare is going bankrupt, as well as Social Security, and that Medicaid is bankrupting States as well as the Federal Government. To say that it is too painful to balance the budget only makes sense if you think that government has the right to your earnings and will just leave you with whatever is left over after the politicians divide it up among the people who have political access or political pull.

Let us follow in the footsteps of Thomas Jefferson and force the politicians to admit that the emperor, in this case the Federal Government, has no clothes, has no dollars. We cannot exist by using Government as a mechanism to engage in stealing from each other. We must as individuals recognize our responsibility towards the less fortunate, the sick and the elderly.

Governments cannot be charitable. They can only redistribute under force. I have faith in the American people and

their willingness to provide true altruism.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

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

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

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

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

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

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

#### FRENCH NUCLEAR TESTING—NO. 3

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strongest opposition to France's announced resumption of exploding nuclear bombs in the South Pacific.

After decades of work, and through the efforts of peoples of divergent countries throughout the world, we are, or at least we were, moving toward a common goal of removing nuclear weapons from the face of this planet. Last month, the United States, France, and the major nuclear powers promised over 170 non-nuclear nations that the nuclear powers would exercise "utmost restraint" with regard to nuclear testing and work toward a comprehensive test ban treaty. Despite reservations, these commitments were accepted at face value by the non-nuclear nations, which are the vast majority of the countries of the world, and it was only with their support that permanent extension of the Nuclear Non-Proliferation Treaty [NPT] was gained.

Following in the footsteps of China's nuclear detonation right after the NPT's renewal, a testing resumption by France would confirm the ugliest fears of the non-nuclear nations. The implications are quite obvious, and what the French Government is now saying to the international community

and especially countries like India, Pakistan, North Korea, Iraq, and Iran is—the nuclear powers in the name of national interest are more than willing to undermine the NPT, and their commitment to nuclear nonproliferation and disarmament is suspect. The French Government is also sending the message that it does not care about the concerns of some 27 million people who live in the South Pacific region—and we should also add some 1.5 million Americans who live in the State of Hawaii, Guam, the Northern Marianas, and American Samoa.

Mr. Speaker, what the French Government is saying is we're going to explode eight nuclear bombs in the middle of the South Pacific Ocean—and there is nothing you can do about it.

Mr. Speaker, I cannot believe for a minute that the citizens and the good people of France want its government to explode nuclear bombs that will have tremendous negative impact upon the marine environment of the Pacific Ocean. I cannot believe the good people of France will permit their government to exercise poor judgment on such an important and critical international issue as nonproliferation of nuclear weapons. Mr. Speaker, what a reprehensible display of arrogance of power by a major European country that loves to expound upon moral principles of human rights, protection of the environment, and due fairness and equity to all of humanity.

Instead of complying with the spirit of the nuclear Nonproliferation Treaty, France has said, in effect, we still want to ban nuclear testing, we really do, but not just yet. We want to get every possible advantage we can from our testing program before we stop our tests. So please just ignore these eight nuclear bomb explosions, then next year we will sign a treaty to stop further testing.

Mr. Speaker, I suspect that the military establishment of every nuclear power wants to perform more tests of weapons from their nuclear arsenals to ensure the reliability of their systems. But the fact is all of the nuclear powers, except China, have given up this benefit and stopped testing programs in the interest of making the world a safer place to live. The United States has stopped its testing program because it could derive no more benefit from further tests; it stopped testing to encourage other countries to cease their testing. It is only through leadership such as this that we can hope to rid our planet of the most dangerous weapon mankind has devised—the only weapon we have created that can destroy every form of life as we know it.

Mr. Speaker, I want to comment President Clinton and his administration for standing by its commitment to continue this country's ban on nuclear bomb testing, and I also want to commend the United Kingdom for its statement committing to maintain its ban also. Other governments which have already spoken in opposition to France's

resumption of testing include Russia, Australia, New Zealand, Japan, Fiji, Austria, and Norway.

The 15 island nations which comprise the South Pacific Forum have also stated their objection to resumed testing, noting that it would be a major setback to relations between France and the region. These South Pacific nations are members of the South Pacific Nuclear Free Zone Treaty [SPNFZ] and have consistently supported all international efforts to prevent and terminate nuclear proliferation.

The people of the South Pacific want nothing to do with nuclear weapons. They know firsthand of the horrors of nuclear testing and have agreed amongst themselves to keep their part of the planet nuclear-free. Isn't it ironic that the region is about to become not nuclear-free, but a nuclear hazard. This is not happening by the choice of the 27 million people of the South Pacific, but through the arrogance of a European world power, again playing the role of a colonial master to the detriment of peaceful citizens on the other side of the world.

In announcing France's intent to resume nuclear bomb testing, President Chirac has asserted that exploding the series of nuclear bombs is environmentally safe. Mr. Speaker, we have all seen the results of the nuclear explosions during World War II and the devastation they wreaked. Today's bombs are many times more powerful. France's testing program is to involve the detonation of eight nuclear bombs, almost one a month, all under one small, coral atoll. How many tons of dead fish and countless other marine life are going to be sacrificed this time? What about the safety and health conditions of the Polynesians living in the surrounding islands?

My question to President Chirac is, if the testing is so safe, why are the bombs being exploded in the South Pacific—so far away from France? Why were France's early nuclear bomb explosions conducted in Algeria? Why not detonate these bombs under French soil? If they are so safe, why not explode these bombs under Paris?

Mr. Speaker, the explosions of thermonuclear bombs are not safe. It is not safe for people, it's not safe for animals or plants, and it's not safe for the environment. Nuclear bombs have only one purpose, they were created to slaughter people, but the result is to annihilate everything. We all know they are extremely hazardous. We all know the reason France explodes its bombs in French Polynesia and not in France. It's the same reason the United States early on conducted its tests in the Pacific—the bombs are extremely dangerous, and no one wants to subject their homeland to this danger, if they have a choice.

Mr. Speaker, I want to appeal to the people of France to tell their government and their President to stop this insanity, stop this renewal of the threat of global destruction. President

Chirac does not have to prove France is a world military power. Everyone acknowledges that. France already has the third largest nuclear weapons stockpile and the fourth largest Navy in the world. In the post-cold-war era, who does France fear or seek to deter by further testing and additions to its nuclear arsenal? Now is the time for France to use its strength to show real world leadership, not national insecurity.

The true leaders of the world are leading the way toward peace and stability by not testing or using nuclear bombs. China, North Korea, Iran, and Iraq are leading the way also. Their direction is toward a more unstable, violent, and dangerous world. I do not want to include France in the list with these countries, but if it resumes its testing, I am afraid I must.

Mr. Speaker, our future lies not in thermonuclear bombs; our future lies in peace. I urge President Chirac and the people of France—do not renew your nuclear testing program—do not explode any more thermonuclear bombs—join with the rest of the world by putting pressure on China to stop its testing and putting pressure on North Korea, India, Pakistan, Iraq, Iran and Israel to stop development of these horrible weapons.

Mr. Speaker, the welfare of the South Pacific's 27 million people and its fragile marine environment should not be the sacrifice paid in the name of France's paranoia about nuclear deterrence.

[From the Bulletin of the Atomic Scientists, May/June 1995]

KNOWN NUCLEAR TESTS WORLDWIDE, 1945-1994

China was the only nation that tested nuclear devices during 1994. China conducted its first test on June 10, and another on October 7. The United States last tested on September 23, 1992; the Soviet Union on October 24, 1990; Britain on November 26, 1991; and France on July 15, 1991. During the 34-month November 1958-September 1961 moratorium, the United States, Britain, and the Soviet Union did not test, but the French conducted their first four tests during this period. As of April 1, 1995, the current moratorium has lasted 30 months (except for four Chinese tests).

Since last year's update (May/June 1994 Bulletin), the release of more information about the nuclear testing programs of the United States and Russia continues to re-

categorize and refine the global testing record. On December 7, 1993, U.S. Energy Secretary Hazel O'Leary divulged that there had been 204 "secret" (unannounced) tests from 1968 to 1990. On June 27, 1994, O'Leary released further information, adding three more to the list and bringing the total number of tests to 1,054. (The two combat uses at Hiroshima and Nagasaki are not included, but 24 joint tests with Britain are.)

The reason for the additions had to do with the definition of a nuclear "test." The United States defines a test—for purposes of the above count—as either a single explosion, or two or more explosions fired within 0.1 second of each other within a circular area 2 kilometers in diameter. On further analysis of the record, the Energy Department found that three explosions had been detonated more than 0.1 second apart from a nearly simultaneous explosion, and therefore should be counted as separate tests.

More light was shed on the practice of simultaneous explosions as well. Sixty-three tests involved more than one explosive device, and were fired within 0.1 second or less of each other. These 63 tests involved 158 detonations resulting in 95 additional explosions that are not counted as tests. One test used six nuclear explosive devices, two used five, four used four, 14 used three, and 42 used two devices.

Those conducted in a single vertical shaft are sometimes referred to as the "string of pearls." In other tests there were two or more drilled shafts separated by a considerable distance with one device in each hole. The new official total of 1,054 "tests" thus involved the detonation of 1,149 discrete nuclear explosive devices.

Another refinement of the data was a clarification of the number of safety experiments. For many years the number had been listed as 34. After review, 54 tests that had previously been described as weapons-related were added to the safety category, bringing the new total to 88.

An additional number of hydronuclear tests were conducted during the 1958-1961 testing moratorium. Los Alamos acknowledges that they conducted 35 such tests at Los Alamos beginning in January 1960. Livermore conducted a smaller number of hydronuclear tests (we estimate about 15) at the Nevada Test Site.

This data is more than merely a historical curiosity. The question of safety experiments and hydronuclear tests are a contentious issue at the comprehensive test ban negotiations in Geneva. Some would prefer a ban on all types of nuclear experimental activity, while others want some kinds to be permitted—and they differ as to what size yield to allow.

The U.S. position is to limit the experiments to four pounds of nuclear yield. Britain—for reasons not altogether clear—favors

100 pounds. The Russians want to test at yields of at least 10 tons, the French to levels of 100-200 tons, and the Chinese reportedly up to 1 kiloton. There is general consensus among scientists that tests with yields of a few tons or more would be of substantial value to proliferators, and would begin to be of value to nuclear weapon states in developing new weapons.

Russia has yet to publish a definitive list of all of its tests, but some new information has been supplied to the authors about aspects of their test program. According to this private information, the Soviet Union/Russia has conducted approximately 1,100 discrete device detonations.

Of these, nearly 1,000 produced yields greater than one ton. In line with the threshold definition used by the United States, Russia counts these 1,000 as 718 "tests." Most of the other 100 or so—those below one ton—were hydronuclear experiments with yields under 100 kilograms. Until we have a fuller accounting of these, and an agreed-upon definition of a test, the accompanying table remains incomplete.

TEST LOCATIONS

The five declared nuclear powers have acknowledged conducting a total of 2,036 nuclear tests since 1945; 942 of these have taken place within the continental United States, making it by far the most common testing location. The tests in Kazakhstan include those at the Semipalatinsk test site and 26 Peaceful Nuclear Explosions (PNE's). The tests in Russia include 132 at Novaya Zemlya, 81 PNE's, and one at Totak. Islands and atolls in the Pacific were the location of 306 tests conducted by the United States, Britain, and France.

Nevada .....	935
Kazakhstan .....	496
Russia .....	214
Mururoa Atoll .....	1175
Enewetak .....	43
China (Lop Nur) .....	41
Christmas Island .....	30
Bikini .....	23
Algeria .....	17
Johnston Island .....	12
Australia .....	12
Fangataufa Atoll .....	12
Pacific Ocean .....	4
Malden Island .....	3
South Atlantic Ocean .....	3
Alaska .....	3
New Mexico .....	3
Mississippi .....	2
Colorado .....	2
Ukraine .....	2
Uzbekistan .....	2
Turkmenistan .....	1
India .....	1

<sup>1</sup> Assumes the 12 French safety tests were conducted at Mururoa.

Year	United States		Soviet Union		Britain		France		China		Total
	A	U	A	U	A	U	A	U	A	U	
1945	1	0	0	0	0	0	0	0	0	0	1
1946	2	0	0	0	0	0	0	0	0	0	2
1947	0	0	0	0	0	0	0	0	0	0	0
1948	3	0	0	0	0	0	0	0	0	0	3
1949	0	0	1	0	0	0	0	0	0	0	1
1950	0	0	0	0	0	0	0	0	0	0	0
1951	15	1	2	0	0	0	0	0	0	0	18
1952	10	0	0	0	1	0	0	0	0	0	11
1953	11	0	5	0	2	0	0	0	0	0	18
1954	6	0	9	0	0	0	0	0	0	0	15
1955	17	1	6	0	0	0	0	0	0	0	24
1956	18	0	8	0	6	0	0	0	0	0	32
1957	27	5	18	0	7	0	0	0	0	0	57
1958	62	15	35	0	5	0	0	0	0	0	117
1959	0	0	0	0	0	0	0	0	0	0	0
1960	0	0	0	0	0	0	3	0	0	0	3
1961	0	19/1	52	1	0	0	1	1	0	0	65
1962	39	55/2	71	1	1	12	0	1	0	0	171
1963	4	41/2	0	0	0	0	0	3	0	0	50
1964	0	39/6	0	10	0	2	0	3	1	0	61
1965	0	37/1	0	210/4	0	1	0	4	1	0	58
1966	0	44/4	0	16/2	0	0	5	0	3	0	75

Year	United States		Soviet Union		Britain		France		China		Total
	A	U	A	U	A	U	A	U	A	U	
1967	0	39/3	0	16/1	0	0	3	0	2	0	64
1968	0	52/4	0	14/4	0	0	5	0	1	0	80
1969	0	45/1	0	14/4	0	0	0	0	1	1	66
1970	0	38/1	0	11/3	0	0	8	0	1	0	62
1971	0	23/1	0	16/7	0	0	5	0	1	0	53
1972	0	27	0	17/8	0	0	3	0	2	0	57
1973	0	23/1	0	12/5	0	0	5	0	1	0	47
1974	0	22	0	17/4	0	1	7	0	1	0	453
1975	0	22	0	17/2	0	0	0	2	0	1	44
1976	0	20	0	18/3	0	1	0	4	3	1	50
1977	0	20	0	18/5	0	0	0	8	1	0	52
1978	0	19	0	22/7	0	2	0	8	2	1	61
1979	0	15	0	24/8	0	1	0	9	1	0	58
1980	0	14	0	20/5	0	3	0	13	1	0	56
1981	0	16	0	16/5	0	1	0	12	0	0	50
1982	0	18	0	12/9	0	1	0	9	0	1	50
1983	0	18	0	19/9	0	1	0	9	0	2	58
1984	0	18	0	18/11	0	2	0	8	0	2	59
1985	0	17	0	10/2	0	1	0	8	0	0	38
1986	0	14	0	0	0	1	0	8	0	0	23
1987	0	14	0	20/6	0	1	0	8	0	1	50
1988	0	15	0	14/2	0	0	0	8	0	1	40
1989	0	11	0	8	0	1	0	8	0	0	28
1990	0	8	0	1	0	1	0	6	0	2	18
1991	0	7	0	0	0	1	0	6	0	0	14
1992	0	6	0	0	0	0	0	0	0	2	8
1993	0	0	0	0	0	0	0	0	0	1	1
1994	0	0	0	0	0	0	0	0	0	2	2
Total	215	815	207	508	21	24	45	<sup>3</sup> 147	23	18	<sup>4</sup> 2,036

<sup>1</sup> All British underground tests were conducted in the United States.  
<sup>2</sup> Numbers after “/” represent Soviet or U.S. peaceful nuclear explosions.  
<sup>3</sup> 12 French safety tests not identified by date are not included here; however, they have been added to the grand total.  
<sup>4</sup> Includes one underground explosion by India on May 17, 1974.  
 Note.—A—atmospheric; U—underground.

□ 1600

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

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

BUDGET NEGOTIATIONS

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

Mr. POSHARD. Mr. Speaker, I rise to support and encourage the President for coming forward with his budget proposal. I have heard the comments flying around here the past couple of days, comments which are critical of his decision. Some from the Republican Party insist that he came into the debate late and, therefore, must be disingenuous in his motives. Some from the Democrat Party feel they have been betrayed because his budget embraces a slowdown in the growth of Medicare and other entitlements.

Mr. Speaker, I think the President did exactly the right thing. Let me remind everyone in this House, this is not the first step the President has taken to balance the budget. He took the first step 2 years ago when he submitted a budget that was filled with tough choices, a budget which has cut over \$200 billion from the deficit in 2 years and has contributed to outstanding economic growth in this country.

About one-half of the Members of this body did not even come to the table on that budget, and now they want to criticize the President for coming to the table late on this budget.

I am not worried about the President coming to the table late. There is not a Member of this House that could not be challenged on that point at some

time or another. The point is, he did the right thing.

There is not a Member of this House that in their heart of hearts believes that we can balance the budget and continue to let entitlements rise as rapidly as we have in the past.

Entitlements are nearly 48 percent of this budget, and interest on the debt is another 20 percent. We are running this entire country, defense, transportation, environment, energy, education, justice and law enforcement, housing, commerce, agriculture, science, space and technology, the operation of government itself on barely 30 cents of every tax dollar that is sent to this Congress.

I may not agree with the President's budget entirely. I do not agree with any budget entirely. I voted for the moderate Democrat budget which I think is still a reasonable alternative. It deals fairly with reducing the growth of entitlements and delays any tax cut considerations in favor of cutting spending first. This is the path I would take, but the important thing now is to encourage the President, to encourage the Speaker and the minority and the majority leaders to sit down and reason together.

Mr. President, Mr. Speaker, I plead with you, do not let the Medicare debate kill our attempts to get to a balanced budget. Here is the truth. Democrats say Republicans are cutting Medicare. Republicans say we are only slowing down the rate of increase of growth. What is the truth?

The truth is they are both right, but neither will tell the whole story. Under the Republican budget, Government spending on Medicare will increase from about \$4,500 per individual to \$6,400 per individual. That is an increase in real dollars. But right now that \$4,500 represents, let us say, 75 percent of the health care cost of the individual, and the individual pays

through premiums, deductibles, medigap insurance and other things about 25 percent of the cost.

At the end of the Republican budget, we will have raised Government spending nearly \$2,000 per individual, but at the present rate of increase of health care costs, that will only be enough to cover, let us say, 70 percent of the costs.

So the percentage of costs, the percentage of costs to the individual will have risen from the present 25 percent to 30 percent of the cost.

Are we going to spend more? Yes. But are seniors going to have to pay a larger percentage of the total cost? Yes.

But is a slight increase in the percentage of cost accruing to the Medicare recipient reasonable to ask if it saves the Medicare system? I say yes. Do the seniors and others who depend upon Medicare have a right to ask us to keep these percentage increases as low as possible? Of course they do. If keeping those percentage cost increases as low as possible means foregoing some or all of the proposed tax breaks, should we not be willing, as both Democrats and Republicans, to do that? I think we should.

But the important thing is this: Unless we want this country to wallow perpetually in debt and slowly watch that debt erode and then steal our children's future, we must do the right thing here in passing a balanced budget.

I encourage the President and Speaker GINGRICH to sit down with the majority leader and minority leader to develop a budget this country and this Congress can be proud of, a budget that reconciles our differences, a budget that allows us to go home and look our children in the eye and say that we did the right thing in the worst of times.

## GINGRICH-LITE

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

Mr. DEFAZIO. Mr. Speaker, the President's revelation of his new budget last night was actually quite remarkable. Fiscal responsibility has finally penetrated inside the Washington, DC, Beltway. That is, Washington, DC, has finally, the policymakers are now all in agreement that the massive debt which will exceed \$5 trillion in the near future, about \$17,000 for each and every living American citizen from the tiniest baby to the oldest senior citizen, is a real problem and it must be dealt with. And we have to move toward fiscal responsibility. That is the good news.

Apparently, the President was very much affected by his joint appearance with Speaker GINGRICH in New Hampshire last weekend, because his proposed budget is Gingrich-Lite, that is, it has the same priorities, the same misplaced priorities as the budget passed in this House 2 months ago, a budget written essentially by Speaker GINGRICH and other senior Republicans. The President has adopted those same priorities, the same mistakes and the same peril to average Americans that is inherent in that budget.

They both start out balancing the budget by cutting taxes. Does that make sense? If you are in the hole, is the first thing you do to cut your income? No, I do not think so. But that is what the Republican budget, \$350 billion slanted heavily toward people earning over \$100,000 a year and the largest, most profitable corporations, that is the Republican budget.

Now, the President, certainly, it is better. It is only \$93 billion in tax cuts, and it is a little more targeted, certainly, to middle-income people. But still it is giving away revenue when you are in the hole. This is not a time for tax cuts, if we are serious about balancing the budget.

Now we get to Medicare. The Gingrich Republican budget slashed Medicare by \$288 billion. They said, there are problems with Medicare; we have got to fix it. Of course, they do not tell us what the fix is. They just tell us exactly how much we have to reduce benefits in order to fix it, and we will figure out later what it is we are doing.

It is a little bit like burning down the village to save it, as we did in Vietnam a couple of decades ago.

Now, the President, of course, is only going to reduce Medicare by \$125 billion, Gingrich-Lite. But it still is a reduction without a clear plan to deal with the problems of Medicare. Veterans? Gingrich, \$9 billion; Gingrich-Lite, the Clinton budget, \$6 billion.

Corporate agriculture, subsidies for large profitable corporate agriculture undertakings, like Sam Donaldson, a famous commentator, he gets \$75,000 a year not to grow sheep on a ranch he does not live on. Is that essential?

Well, apparently it is because there are small cuts in the Republican budget, even tinier cuts in Gingrich-Lite, the President's budget.

Corporate welfare? They are about the same there, tiny, tiny cuts, an estimated \$40 to \$50 billion that could easily be recaptured from the largest, most profitable corporations in the world, many of them foreign corporations who operate in this country without paying a cent in taxes except for the FICA taxes on their employees. They move their profits offshore, and they take the money to the bank.

The military? We just went through the Department of Defense markup here. We are looking at a massive increase in buildup in the military, a massive increase in buildup in star wars, 10 more B-2 bombers at \$1.5 billion each, more than the Pentagon itself requested. They said, Do not buy more B-2 bombers. Transport planes, the Pentagon did not ask for, submarines that the Pentagon did not ask for, an increase, the President asked for an increase in the military of \$25 billion over the next 7 years. And the Republican budget, \$68 billion on top of the President's \$25 billion.

Foreign aid, neither of them want to touch foreign aid. That is a little bit too hot of a political potato, even with the new fiscal realities of Washington, DC.

There is a better way to get a balanced budget, a much better way. We can do it without touching Medicare. We can do it without slashing veterans' benefits, but we have to go after corporate agriculture big time, like \$50 billion cuts in their subsidies. We are going to have to go after corporate welfare and the large, most powerful multinational corporations that do not pay a penny of taxes in this country, we are going to have to ask them to pay their fair share.

Takes a little bit of will and guts, probably cuts big into the contributions of both a lot of Democrats and Republicans. But if we do not do that, then we are going to gut programs that are important to Americans instead of going after fairness and equity and a balanced budget that meets the priorities and needs of this country.

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 THE BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Florida [Mr. SCARBOROUGH] is recognized for 60 minutes as the designee of the majority leader.

Mr. SCARBOROUGH. Mr. Speaker, I would like, as one Republican, to welcome the President of the United States finally to the great debate on how we balance this country's budget, how we make Congress and the Federal Government do what middle class Americans have had to do for over 200 years, and that is spend only as much money as they take in.

I have got to tell you, I believe that this \$4.9 trillion debt is one of the great issues of our time. It is not just what I believe, it is what Republicans and even Democrats, grudgingly, alike have to believe. Because we can talk about every single issue we want to talk about: talk about education, talk about military issues, talk about the environment, talk about the infrastructure, talk about health care, talk about crime control. All of these issues are important. But if we are spending more money on servicing the interest on our huge \$4.9 trillion debt than we are spending on any of these programs, then there obviously is a problem.

About 50 percent of every man and woman's income tax is spent on servicing the debt. In a few years we are going to be spending more money on servicing the national debt's interest than we spent today on our defense bill.

□ 1615

What does that mean? We are burning money. We are throwing away more money on interest on this national credit card than we are protecting our children and protecting our shores. Again, it is time that the President comes to the table and says "Okay, I am going to step forward with a plan to balance the budget." We certainly welcome him.

The last speaker on the floor began his speech by saying "Fiscal sanity has finally penetrated the Beltway. The President has now come to the table with a balanced budget plan." The fact of the matter is fiscal sanity penetrated not only the Beltway but this entire country on the evening of November 8, 1994, when the Republican Party was swept into power on both sides of Congress, where not a single Republican incumbent Governor, Congressman, or Senator from Alaska to Florida got voted out, and where Americans stood up and said "Enough is enough. We have been writing bad checks for 40 years. It is time for us to step forward and balance the budget." We got that message, came to Washington, tried to make a difference.

The President now claims to have also gotten that message, but I have to tell the Members, it is kind of hard to figure out where he is on this issue and other issues at times. Let us follow his policy over the past few months. He stated out by opposing the balanced budget amendment. He worked overtime to kill the constitutional amendment that would make Congress abide by the same laws, and make Congress abide by the same fiscal restraint that middle class Americans have had to abide by for over 200 years.

He said we did not need a balanced budget amendment, that we could do it on our own, we just needed a little bit of discipline. He succeeded in killing the balanced budget amendment, which over 70 percent of Americans supported. What was his next step? After he killed the bill and said we could do

it on our own, he then stepped forward and said "I changed my mind. This country really does not need a balanced budget right now. It would be too harmful."

Then we went to New Hampshire in May, and he said he would balance the budget; that he would step forward with a plan to balance the budget, that it was important. Then he came back from New Hampshire later on in May and said no, he changed his mind, he really did not need to balance the budget right now. Then he went back up to New Hampshire. When he came back again from New Hampshire this week, he changed his mind again and said "Yes, we are going to balance this budget."

I have to tell you, his budget policy is as confusing as his policy on Bosnia and other issues. In fact, the ranking member of the Committee on Appropriations, a Democrat from Wisconsin, said today in the Washington Post "If you do not like the President's position on a certain issue, just be patient, wait a few weeks, and watch. It will be sure to change." I am here today to tell the Members that I certainly hope the President does not lose his attention span on this issue, that he sticks with it long enough to sit down at the table with Congressmen and Senators and Americans alike, and figure out a way to balance our budget. We have to do it.

Mr. Speaker, I have two boys, one 7-years-old and the other 4-years-old. Both of my boys have about an \$18,000 debt on their heads already, as do all Americans, because of the \$4.9 trillion debt this country is carrying. It is time for leadership from Washington. It is time for leadership from the White House. It is time for leadership from Congress, from the House and Senate. I certainly hope the President will sit down and debate these issues in the coming months, and let us put demagoguery behind us, and let us do what is best for the American people.

That being said, I welcome him to the table, but at the same time, I have some real concerns about some of his proposals. The first concern that I have concerns senior citizens. The President of the United States several months ago got a report back from trustees that studied the issue of Medicare and Medicaid. It is a dirty little secret in Washington, DC that Medicare and Medicaid is going bankrupt. The President got a commission working on it. The trustees came back and told him "Mr. President, if we do not do something about Medicare and Medicaid, it is going to go bankrupt in the year 2002."

Think about that. "We will have no more money for Medicare and Medicaid. We will not be able to take care of our senior citizens. We will break the sacred contract between generations that we made with our senior citizens, if you do not do something to reform Medicare and Medicaid."

What did we do? Congress stepped forward and passed a budget resolution that balances the budget in 7 years, and more importantly, saves the Medicare and Medicaid systems, makes them solvent. They do not go bankrupt by the year 2002. We stood up and said to the trustees "We hear you, we understand your concerns. We cannot allow senior citizens to go unprotected. We cannot allow the poor to go unprotected. We cannot allow them to be harmed. We are going to step forward with a balanced budget amendment that makes Medicare and Medicaid solvent beyond the year 2002, and far beyond into the future." We did that.

The President of the United States attacked us, attacked us because, quite frankly, we were following the recommendations of his own trustees: "save the system." Then he came out with his budget. Did his budget follow the advice of the trustees? Did his budget make Medicare and Medicaid solvent? No. It still goes bankrupt. Think about that.

I cannot, for the life of me, imagine running a business, and let us talk about running government like we run business, I cannot for the life of me think about running a business, bringing in my top advisers and saying to them "You guys go out, you women go out and tell me about the health of our business, of our company, tell us what we need to do to make sure that we are just as strong 10 years from now as we are today," and you send them out, you give them money, you give them resources, you give them time, and they come back to you and they say "If we do not make these changes, this company is going under by the year 2002, in 7 years."

If somebody came back to me and told me that, I would sit down, take a long, hard look at it, and then I would act on it. That is something we have done as a Congress when we passed the budget resolution. Unfortunately, the President is not willing to make those same steps. For the sake of our senior citizens, for the sake of our poor who depend on these programs, I ask the President of the United States to step forward and show some real courage and show some real leadership, dare to make a difference, dare to enter into the arena that Teddy Roosevelt talked about, and allow himself to be bloodied, if that is what it takes; expend a few cents of political capital to help our senior citizens and to help our poor. He has not done it yet, but I think there is hope. He has come forward with a balanced budget proposal, so let us see what happens.

A second concern with the President's budget is the fact that he says "We can balance the budget in 10 years." Let me tell the Members something, when we talk about a dirty little secret, the dirtiest secret in Washington, D.C. is what we do in the out years when it comes to balancing the budget. Congress says "We are going to balance the budget in 10 years." Then a new

Congress gets elected a few years down the road, they get a little antsy and say "We do not want to make these cuts, so we are going to push these cuts off 5, 10 more years." After a while it does not get balanced in 10 years, it does not get balanced in 20 years, it does not get balanced in 40 years, which has happened in Washington, DC.

It is just like his 1993 plan to reduce the deficit. He had massive tax increases and marginal cuts. The tax increases, not only did they apply the very next year, he applied the tax increases retroactively, so he got you coming and he got you going.

What did he do on the spending cuts? Those spending cuts were pushed 7 years out, pushed to the end of the plan, because he knew, and cynical politicians around Washington, DC have known for a long time, that if we push the cuts far enough out in the future, that new politicians will come to Congress, and when they come to Congress, we will not have to make those tough cuts. That is the problem with saying we are going to balance the budget in 10 years. We need to do it now. We cannot go beyond 7 years. We need to balance the budget now.

I certainly hope the President will shorten his timeframe.

Third, and I think most importantly, Mr. Speaker, for our children in this country, I have great concerns about what the President of the United States said about education and education funding. As I said before, I have two boys. My 7-year-old is in the public school system in Florida. My 4-year-old will enter into the public school system next year, so I have a personal stake in the health and well-being of our Nation's schools.

In fact, if our children are going to enter the 21st Century workplace and be able to compete with Japan and with Germany and other countries that are in the G-7 that the President is speaking with today, we are going to have to do better. We are Americans. We can do better, but we are going to have to make sure and not in Washington, D.C. We are going to have to make sure that funding for your children's education is made in your home town, and not in Washington, D.C. We are going to have to make sure that funding for your grandchildren's education is made in your home town, and not behind some bureaucrat's walls in Washington, D.C.

When the President of the United States says "We have to increase spending on the Federal level," all I can do is sadly shake my head, because I know the history of our horrible experiment with the Federal Department of Education. I understand that it started out as a back room deal between Jimmy Carter and the NEA's teacher's union.

I understand that when it was set up, this education bureaucracy was set up in 1980, that we were spending \$14 billion a year on our national education

bureaucracy. Today, that number has exploded up to \$33 billion. Let us make no mistake of it, I have children. I understand the importance of education. It is at the top of my list on issues that are important in this country. However, sending \$33 billion to Washington, D.C. for an education bureaucracy that has failed over the past 15 years simply is not the answer.

Look what has happened since 1980, since we went from spending \$14 billion on this new agency to \$33 billion in 1995. Test scores for reading and writing have plummeted, while funding has shot up for this bureaucracy. Test scores for arithmetic and science have stagnated, while funding for this Federal bureaucracy has skyrocketed. We are not getting the best bang for our buck.

When the President of the United States says to us that he needs more money for education, he is actually saying he needs more money for his Washington, D.C. education bureaucracy. Do not take my word for it. I ask you to take that education bureaucracy's word for it, and read their budget.

What would you think if you knew that the Department of Education was cutting \$100 million from schools' infrastructure programs across the country, \$100 million this year? They say they do not have the money, they do not have the money to keep your children's schools safe, they do not have the money to upgrade school systems, to make sure that children can go to school in safe schools. They say "We are too financially constrained right now. We are going to have to cut \$100 million from the program to keep schools safe."

Then they turn around in that very same budget and say "We are going to increase spending by \$20 million for our own education bureaucracy, which sits a few blocks down from Capitol Hill in Washington, D.C."

□ 1630

Think about that. They are not robbing Peter to pay Paul. They are stealing from our schools in our hometown, to pour more money into their education bureaucracy building down the street.

Does that make sense? When the President says he needs more money for education and that is how education is defined in Washington DC, does that make sense? When your education dollars and my education dollars are not getting back to our children and to our teachers and to our principals and to our school boards and to our communities and to our hometowns and to our States but instead are strangled in the bureaucracy of Washington, DC, does that make sense? Is that the type of education policy we need to move into the 21st century, to help us compete in the 21st century workplace?

I do not think so. I know you do not think so. I certainly know that our Founding Fathers did not think so.

I carry with me a copy of the Constitution of the United States. If you want to know what our Founding Fathers thought about education, all you need to do is read the Constitution of the United States and specifically read the 10th amendment.

In the 10th amendment, it states all powers not specifically given to the Federal Government through the Constitution are reserved to the States and to the citizens.

What does that mean? It means if it does not say it in the Constitution, that this body, that this Congress, is not permitted to spend money on it, is not permitted to interfere in it, is not permitted to interfere in the education of citizens' children. That is why for almost 200 years we got by fine without a free-standing Department of Education bureaucracy. That is why we have gone from spending \$14 billion to \$33 billion and actually seen a decline in our educational standards, have seen drops in our test scores, have seen an increase in violence in schools, and have seen an increase in dropout rates when you start measuring those dropout rates with 8th grade students.

Mr. Speaker, we can do better, and we will. We are going to start doing better in the coming weeks as we introduce a bill to Congress that is called the Back to Basics Education Reform Act of 1995. Is that not really what it is all about, getting back to basics, moving away from the social engineering that we have been trying to accomplish and that we have failed on for the past 30 years? Would it not be great to get back to reading and writing and arithmetic and the basics?

Most importantly, would it not be great to once again allow parents and allow communities and allow hometowns to decide how to educate their children instead of having bureaucrats in Washington, DC decide without their input?

James Madison wrote over 200 years ago as he was framing the Constitution, "We have staked the entire future of the American civilization not upon the power of government but upon the capacity of each of us to govern ourselves, control ourselves and sustain ourselves according to the 10 Commandments of God."

It was Thomas Jefferson who said that the government that governs least governs best. Why did Jefferson say that? Did Jefferson say it because he was anti-government? No. Jefferson said it because he was pro-freedom, because he was pro-individual, because he was pro-States rights, because he believed, and James Madison believed, and our Founding Fathers believed, that when you allowed individuals and communities and States to experiment with education reform in the free marketplace of ideas that only the strong ideas would survive, that we did not need big brother and big sister telling us from Washington, DC, "This is the only way you can educate your children." It is time to move away from

that failed vision. We have tried it for over a generation now and we are getting nowhere with it. We need to move beyond and dare to experiment, to dare to give power back to the States and to the citizens where it belongs.

Mr. Speaker, I believe, like many Americans believe, that we can have 50 State legislatures and Governors experimenting with education reform and we will have 50 legislative laboratories where only the strong ideas survive instead of being dictated from Washington, DC by a bureaucracy that says, "This is how you do it and if you don't do it this way, we're not going to send money back to your school communities."

"Oh, I understand we ripped money out of your communities, we took away education funding from your community and brought it up to Washington, DC, but we ain't giving it back unless you do A, B and C."

Let me tell you something, there is a new way to do things, and that is to do it the old way, the way that Thomas Jefferson and James Madison and our Founding Fathers intended. With the Back to Basics Education Reform Act, we are going to start down that path.

I ask you, when the President of the United States pleads for more education dollars, remember, he is not talking about education dollars for children, he is talking about education dollars for bureaucrats. We can do better and we will, and we must if we are going to compete in the 21st century.

SALUTE TO RICHARD E. FLUGE, PRESIDENT, MONTGOMERY COUNTY BOARD OF COMMISSIONERS

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

Mr. FOX of Pennsylvania. I rise, Mr. Speaker, to salute Richard E. Fluge, president of the Abington Township, Montgomery County Board of Commissioners who died suddenly this morning. It is a great loss for our country, because local government leaders like Richard Fluge are closest to the people, they see the problems first and they solve them best.

Mr. Fluge was one of the most inspirational local government leaders in the United States. He championed for many of the items that were passed in the contract:

The unfunded mandates. As president of the Board of Commissioners in Abington Township, Montgomery County, he knew how harsh the unfunded mandates were and the fact is that through his leadership, we no longer have Federal initiatives without money being sent from Washington.

He also championed for a balanced budget. Every other government, school, township, and States have to balance their budgets and now as a result of the House's action and hopefully we will have the Senate action as

well, a balanced budget will be a reality and the fiscal integrity that Richard Fluge championed for will be achieved.

He also worked for regulatory reform, to make sure we have less of the redtape in government and more of the services to the people.

He also worked to have a line-item veto, like 43 Governors and our President will soon have, to make sure we cut out the waste in Government action, the pork-barrel projects.

He also worked in long-range planning. Many people in government plan for today and do not work for tomorrow. Dick Fluge's idea was, let's look to a 5- and 10-year plan, where this country will be, where his community will be.

He also just recently attended a special Medicare preservation task force with the citizens to protect Social Security and Medicare in nearby Blue Ball, PA. There he spoke in behalf of senior citizens and protecting these important programs.

He was a role model, a visionary leader, honest, principled, fair, a great intellect, someone who was low-key, modest, and organized.

Mr. Fluge's type of leadership, his legacy that lives on will in fact be followed by those who follow in his footsteps. They will make great contributions like he has to our country.

I conclude, Mr. Speaker, with these comments. One of his favorite quotes was, "If it's morally right, it's politically right."

He also quoted Dag Hammarskjold, former Secretary-General of the United Nations. When asked what direction this country and world were going, he said, "It's not north, not south, not east nor west but going forward."

And in reference to that, with leaders like Dick Fluge, who inspired us to do our best, we will go forward, to work together for the common good, who put service above self. The future of our country's progress is unlimited with people like Dick Fluge, who gave a great legacy of service.

#### HOUSING

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

Mr. GONZALEZ. Mr. Speaker, it is my intention, the Good Lord willing, to take an hour tomorrow in order to provide my latest report with respect to the very fundamental question of housing in our country.

But for the moment, I would like to report on a letter that I have addressed the Comptroller General of the United States, Mr. Charles Bowsheer.

As you know, the GAO has provided me and the Subcommittee on Housing information and analysis with regard to the FHA single family mortgage insurance program. I am writing to request that the GAO conduct some further work and analysis in this area.

Let me interpose and interject a little report. Because there is no general widespread discussion or reporting on housing conditions in our country, the most pertinent and disturbing fact is that we still have, in the words of Franklin Roosevelt, in fact better than one-third of our Americans ill-housed, ill-fed, and ill-clothed in what we have all taken for granted to be a time of great abundance.

Unfortunately, as we have evolved historically, we have gone a long way in which I have always feared, and, that is, the Europe-ization or the stratification of our social elements, or classes, if you want to call them that.

It was always my hope and in fact I premised my aspirations, for without that, I would not be addressing my colleagues today, on the upward, free ability of movement of our general citizenry, where we have not become so strapped and so homogenized and stratified as in some of the older portions of the world, including Europe, where that is impossible.

If you are the son or the daughter of a street sweeper or even a humble shoemaker in most countries, including England, it will be very difficult for that son or daughter to be a doctor, or a dentist, or a lawyer.

□ 1645

That is because of the stratification that has come over the course of centuries in the class structure of those countries and societies.

This is our challenge, and will continue to be, and was foreseen; that as we emerged into the 20th century, that would be America's challenge.

Now, the basic elements and necessities of life for human beings has not changed. You have got to have clothing, you have got to have food, and you have got to have shelter.

In my congressional and even in my pre-congressional service, going to my earlier years in my home city of San Antonio, I concentrated on that one element known as shelter. And, as a matter of fact, in the State Senate, was the author of the general comprehensive housing and community laws that still are on the statute books in Texas of over 35 years ago.

And so, I am quite proud of that record, and I continued that endeavor and was very fortunate, upon arrival in the House, to be assigned to the Committee on Banking, which also has the Subcommittee on Housing and now known as Housing and Community Development.

At this time the Congress and the administration are considering changes in the FHA's organizational structure and its programs and authorities. FHA, and particularly with reference to the Single Family Mortgage Insurance Program, is one of the great contributions and breakthroughs in taking our people out of the submergence of bad housing, poverty, into our level that we have become accustomed to.

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

HOUSE OF REPRESENTATIVES, COMMITTEE ON BANKING AND FINANCIAL SERVICES,

Washington, DC, June 15, 1995.

Hon. CHARLES BOWSHER,

Comptroller General of the United States, General Accounting Office, Washington, DC.

DEAR MR. BOWSHER: As you know, the GAO has provided me and the Subcommittee on Housing information and analysis with regard to the FHA single family mortgage insurance program. I am writing to request that the GAO conduct some further work and analysis in this area.

The Congress and the Administration currently are considering changes in FHA's organizational structure and its programs and authorities. In order to make the most informed decision about these proposals, we need to learn as much as possible about the current borrowers and activities of the FHA and their relationship to today's single family finance system. For this reason, I am requesting that the GAO provide me with information on differences and similarities between the FHA and private mortgage insurers. Specifically, I am interested in comparisons of the income and race of borrowers assisted by the FHA and private mortgage insurers, the income and racial characteristics of the neighborhoods in which these borrowers live, comparisons of product lines, and in any other information that might be helpful as we consider legislative proposals.

May I suggest that our respective staffs meet as soon as possible to establish a time frame for completing this work. If you have any questions concerning this request, please call me or have your staff call Nancy Libson of the Banking Committee staff at 225-7054.

I deeply appreciate the work the GAO has done for us and look forward to your insights once again on this important topic.

Sincerely yours,

HENRY B. GONZALEZ,

Ranking Member.

#### CLOSING THE BILLIONAIRE'S TAX LOOPHOLE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Connecticut [Ms. DELAURO] is recognized for 60 minutes as the designee of the minority leader.

Ms. DELAURO. Mr. Speaker, I will not take an hour's worth of time, but just a few minutes. I have asked for the time today to discuss an important development in the Committee on Ways and Means this week.

The committee took up the highly controversial expatriate loophole. This provision allows the super-rich of this Nation to dodge paying taxes by renouncing, they can actually renounce their U.S. citizenship.

And this is not something that is just a figment of my imagination. It is a loophole that has allowed billionaires such as the Campbell Soup fortune heir, John Dorrance III, and Dart Container Corp. president, Kenneth Dart, to avoid taxes by renouncing their U.S. citizenship.

Now, keep in mind that these are folks who made their fortunes in the United States on the backs of working men and women in this country. And they decide that they do not want to pay their taxes, so they renounce their citizenship and they go to live elsewhere.

Republicans had promised that they would close this loophole that allows the super-rich to profit by turning their back on America. And on Tuesday, the Committee on Ways and Means passed a bill that the U.S. Treasury Department says contains many of the same problems and would be as unworkable as the current law is.

So that, rather than close that expatriate loophole, the Republican legislation would simply open up a whole series of new loopholes for the superwealthy to be able to squeeze through.

Here we celebrated Flag Day yesterday, Republicans, and at the same time you see the Republican leadership allowing billionaires to profit by turning their back on the flag.

Democrats on the committee worked to close that loophole, but were rebuffed on a party-line vote. I might add there were several instances in the past when this, the closing of this loophole, was brought up.

January 1995, the President submitted a budget to Congress including a proposal to close that tax loophole. In February 1995, there was an amendment by Congressman JIM McDERMOTT to close the billionaire's loophole and to use the revenue to pay for health insurance deduction for those people who are self-employed and not covered employees. That was rejected by the Republicans.

On February 21, 1995, House Republicans rejected an amendment by the Ways and Means ranking Democrat SAM GIBBONS, and again Representative McDERMOTT, to close the loophole. On March 24, the full Senate passed a bill which included the Senate Committee on Finance's provision to close that loophole.

On March 28, 1995, once again, the House Republicans rejected a motion by the Ways and Means ranking Democrat, SAM GIBBONS, to instruct the Senate to close that loophole.

March 28, the Republican House-Senate conferees, they rejected the Senate's provision to close the billionaire's loophole. March 30, 1995, once again the House rejected the conference report which would have reinserted this expatriate provision.

On April 3, once again SAM GIBBONS introduced a bill to require the State Department to disclose the identity of those who renounce their U.S. citizenship. No action was taken on that.

April 6, 1995, Ways and Means Chairman ARCHER rejected Mr. GIBBONS' request for assistance in obtaining from the State Department the names of the billionaires who have expatriated and who have escaped paying taxes.

May 2, 1995, again Ways and Means' ranking Democrat SAM GIBBONS introduced legislation to close the loophole. No action was taken.

May 25, 1995, Democrats introduced a resolution that would serve as a rule to ensure the floor consideration of the Gibbons bill. June 13, the Ways and Means Republicans rejected the Gib-

bons substitute and reported out this bill which, in fact, is a fig leaf which still allows the most wealthy people in this country to be able to export their wealth, tax free, to foreign countries before they renounce their U.S. citizenship.

Leaving this escape hatch wide open truly is a shame in my view, because closing that billionaire's loophole is both the smart thing and the right thing to do. One estimate says that we could bring in over \$3.6 billion to the Treasury over 10 years without raising a single penny in taxes.

That is smart public policy in these days of such fiscal concern about what our budget is all about; what our deficit is all about in this country.

More importantly, ending this kind of a billionaire tax loophole is the right thing to do. The superwealthy who make their fortunes in this country and then renounce their citizenship to avoid paying taxes, in my view, have betrayed the United States and it is time to end special favors to these billionaire tax evaders and make the super-rich pay their fair share.

Working middle-class families pay their fair share every single year. And while they continue to come up with creative ways to protecting benefits for the super-rich, the Republican leadership are sticking it to the middle-class families on both ends.

In their budget they talk about cutting student loans. They also talk about cutting Medicare for our grandparents. So that in my view again it is an outrage that the Republicans are refusing to stand up to these billionaire Benedict Arnolds who move their wealth offshore.

And I am pleased to be able to come here this evening, this afternoon, and to make this statement. And it is my hope that we will be able to address this issue once again. And finally, in a bipartisan fashion, we will close a billionaire's loophole that does not do anything to serve the interests of the United States or the working people of the United States, but it allows those who have made a fortune in this country by the sweat of working people to take that money offshore and to use it for their own purposes; for what they want to do and not to increase the economic viability of the United States.

I would like to ask my colleague, the gentleman from Kentucky [Mr. WARD], who has joined me, to add his thoughts to this issue.

Mr. WARD. I appreciate that. And I appreciate the gentlewoman from Connecticut allowing me to participate in this with her this afternoon.

In thinking about this issue I have been struck, as I am sure you have been, by the whole notion that somebody would do something as drastic and which represents such a commitment, as to give up their citizenship, to renounce their citizenship.

And what I have tried to think about, what I have come to in my mind, and what occurs to me, can you imagine,

you go to church and you are afterward outside in front chatting with your neighbors and friends and somebody says, "Mike, I haven't seen you for a bit. Where have you been? I haven't seen you here."

And I can't imagine putting myself in the position of saying, "Well, Bob, or Mary, I moved to the Bahamas." "Moved to the Bahamas? Oh, really? Why?" "Because I wanted to avoid income taxes. I wanted to avoid U.S. taxes, so I have renounced my citizenship."

Can you imagine? And I put that question to the gentlewoman. Can you imagine saying to your friends and neighbors, for tax purposes, to save money, I have renounced my citizenship?

Ms. DELAURO. One, it is not something that I would do. I am not in a position to do that, nor would I do it. And I would be embarrassed. Really embarrassed.

I think when the gentleman talks about this, I think of the number of people. I treasure my citizenship. I think most Americans do that. And I think about the people who want to come to the United States. They want to be here. They would like to be citizens of the United States. They would like to participate in the life of this country and its cultural life and its economic life.

They would like to raise their families in this Nation. And we have people who have had all of the advantages and could truly contribute in a very fundamental way to the well-being of this country and they decide that, well, it is okay. If it deals with a tax advantage, I can blow it off. What does my U.S. citizenship mean? I can just blow it off.

Mr. WARD. If I may, sometimes we all, when we are growing up, we think: What would my mom think of this? You tell the people that you meet in your neighborhood. That is one thing. But imagine telling your mom or dad or your kids that is the reason I have made this decision.

I had the good fortune to serve overseas for the United States of America. And I saw there people who were dying to come to America. And if you look in the Caribbean, you have to look no farther than that, or the Rio Grande, to see people who are literally, literally dying in an attempt to come to America.

So what we are faced with is this curious dichotomy of people on the one hand who are risking their lives, who are doing everything within their power economically, spiritually, everything within their power to become part of this wonderful thing we call America. While at the same time, people who have had a lifetime of benefiting from being in America, people who either by fortune of their birth or fortune of their skills and hard work have been successful in a way that only Americans seem to be able to be in the world, or certainly a large part of the

reason that people are able to succeed is because they are here in America where free enterprise does reign, which I support wholeheartedly.

□ 1700

I come from a completely business background. In the 20 years since I got out of college, 16 of those years were spent in private business, in private business working trying to get ahead, trying to be part of the American dream.

To see folks who have had this benefit, who have come to a position in their lives where taxes are that big an issue, to see them jump through a loophole which has been intentionally left in the law, and we need, I guess, to speak to that for a minute so folks understand the history of this.

This is not just some quirky loophole. This is something that has been intentionally left in the law so that maybe as few as a dozen or two dozen people in a year's time will take advantage of it. Surely they do, surely they take full advantage so that on the one hand they have this wonderful country, this wonderful set of opportunities of being an American, and on the other they make a financial decision to say, "No, it is worth it to me financially to turn my back on my country."

I do not understand it.

Ms. DELAURO. I do not understand it either.

My father came to this country as an immigrant. The greatest joy in his life was to be an American citizen, gave back to his community and still instilled that love of country and love of community in me, and one works hard. I admire people who succeed, but what you do is you try to give back in some way.

As you pointed out, these are folks who are eminently able to be able to give back, and for a financial gain they would turn their back on the United States.

And you talk about a history, what I find equally outrageous is that there have been a number of times over these past several months where there has been an attempt made to shut down this loophole, to close it by well-meaning people, by people and on both sides of the aisle, in some instances.

Mr. WARD. Democrats and Republicans.

Ms. DELAURO. Who want to shut it down. It is wrong. And we have seen over and over again, month after month, that every time this comes up, those who are in the leadership, the Republican leadership in this House, have either taken no action or have rejected the opportunity to close the loophole.

Mr. WARD. Well, of course, I would remind my friend from Connecticut these are the Republican leaders who are insisting that people earning \$200,000 a year are middle income. So, obviously, they have got a little problem with their math and their understanding of the way this world works

and the way this country operates, and maybe it is that tin ear, that tin ear that just causes people not to have a full understanding, that causes that same misunderstanding on this issue, because it is America, it is what we are lucky enough to be part of that has given this opportunity to these folks who have done so well.

And remember, I think I can paraphrase it, but I cannot say it word for word from the Bible, "But to whom much is given, much is expected."

Ms. DELAURO. Much is expected, I agree. And I think about the working middle-class families who are out there who play by the rules, who do what is right, trying to educate their children, trying to pay that mortgage every month; if they have elderly parents who are on Social Security and Medicare, all of those things are in jeopardy at the moment, and we have been talking about that, and it is an issue for another time.

But those are serious issues which working families are facing today: How are they going to get their kids to school? What happens if student loans go away? What happens if their parents are in a nursing home and Medicare is cut, which it is going to be cut?

Mr. WARD. The sandwich families.

Ms. DELAURO. That is right, those people squeezed at both ends because of this Republican budget, and then you turn around and you find that this small group of folks who are billionaires are just going to take their money and run, if you will, and those folks who are struggling every day would not for 1 minute ever do that or think about doing that.

Mr. WARD. To the contrary, to the contrary, those are the folks who are being careful to pay their full share. Those are folks who, we are folks, the way I have been brought up, the way my wife and our children and I have lived our lives, we do not think about getting a receipt when we are out for a family dinner because maybe we can write it off. We do not think about those little dodges. But those pale in comparison, just pale in comparison to the notion that people who, and I wonder about this, there was a movie one time, a fellow was offered an amount of money if he could spend so much within a certain time, within 24 or 48 hours or a week, and he was told, "You can have \$1 billion if you can spend a million within a week. You cannot give it away, and you cannot invest it; you have to spend it."

Well, in thinking about that movie, I am thinking about these people. If they are billionaires—and they are, at least multi-multi-hundreds of millions is about the least this would have an impact on. What are they going to do with it? Are they going to be like these folks we just found another group of in Egypt who try to take it with them? Because we all know you cannot take it with you.

Ms. DELAURO. You cannot take it with you.

Mr. WARD. So their goal, apparently, is to take it with them to the Bahamas or some other offshore no-tax location and leave behind, leave behind the very country, the very symbol of opportunity to succeed on this globe that we call America. It is just perplexing.

Ms. DELAURO. You know, I think in so many ways in terms of the debates and the conversations we have been having in recent months that this not closing this loophole down, quite frankly, is not out of character with what we are seeing from the GINGRICH leadership here in the sense that when you are looking at the tax package and the budget, which 51 percent of the benefits go to people making over \$100,000, when the bulk of the emphasis is on the special interests, the corporate special interests and their tax breaks are being paid for by cuts in Medicare, by cuts in student loans, by cuts in the student lunch program, which we saw. So that is another piece of this philosophy.

Mr. WARD. This money does not come from nowhere, does it?

Ms. DELAURO. That is right.

Mr. WARD. The money has to come from somewhere.

Ms. DELAURO. This is not, in essence, a free ride. You have got to be able to pay for these things.

The other piece is, by eliminating the alternate minimum tax, that tax which was put in under Ronald Reagan, again for the richest corporations, that says, "You have to pay your fair share. You pay at 20 percent. You pay at 20 percent."

With elimination of that, it is a \$17 billion windfall to the richest corporations in this Nation.

But it is part of a pattern, and, again, I hold out, and I hope my colleague feels this way, that on this loophole issue that we will come to some sort of a bipartisan conclusion to eliminate it, to end it, and to put our emphasis on working families, on our veterans, on our seniors who have done so much for this country, and that we do not try to balance this budget on their backs, but take a look at where else we might start this process of a balanced budget.

Mr. WARD. It is important in that vein to point out that we have a resolution that I am proud to have been the sponsor of. In fact, it is the first bill or resolution that I have sponsored as a Member of this body, having been elected just this year.

That resolution would bring to the floor a bill that has been introduced by the ranking member of the Committee on Ways and Means, the gentleman from Florida [Mr. GIBBONS], which will close that loophole.

On that resolution, I am proud to say we have almost 100 cosponsors, almost 100 people, and I ran out of time to get more. I ran out of time to talk with folks, to visit with folks, to explain the issue before I was ready to put the bill in and move forward with it.

But where is that resolution now? It is lying; it is lying in the Clerk's in

basket, figuratively speaking, because it is not being brought to the floor for a vote.

All indications are it will not be brought to the floor for a vote, because it sets out to do what we need to do to deal with a billionaire expatriate tax loophole. We need to tell our neighbors, we need to tell our friends to talk to their Member of Congress, to ask them, Did you cosponsor MIKE WARD's resolution? Did you cosponsor a resolution which will deal with this problem, which will give the opportunity for the full Congress to debate it, and if you did not, why not? And if it comes to the floor, how will you vote?

That is what we need to make sure people ask their Member of Congress next time they see them.

Ms. DELAURO. I commend my colleague for the work that he has done on this issue, and I appreciate your taking the time and joining with you in this conversation, and I am sure there will be many more of them in the best interests of the working people of this country.

#### THE REALITY OF AMERICAN LIFE

The SPEAKER pro tempore (Mr. HAYWORTH). Under the Speaker's announced policy of May 12, 1995, the gentleman from Vermont [Mr. SANDERS] is recognized for 60 minutes.

Mr. SANDERS. Mr. Speaker, I hope in a little while to be joined by some of my colleagues.

Mr. Speaker, as the only independent in the Congress, I think what disturbs me most about much of the dialog which takes place here is, in fact, that the most important issues facing the American people, the reality of life in our country today, is simply not talked about enough. Every day there are heated debates that take place here, and charges and countercharges, all kinds of issues are raised, but sometimes I think that the reality of American life as it exists today really is not adequately addressed.

And before we get into the issue of the budget, which I want to get into, and I hope some of my colleagues will be getting into with me as well, let us talk about reality in America today, a reality that we do not see too much discussed here. We do not see it on CBS too much, or NBC or the New York Times or our hometown papers.

Mr. Speaker, I would argue that the most important issue facing the American people is that for the middle class of this country, for the average working person of this country, for those tens and tens of millions of people who constitute the vast majority of our citizenry, for those people this country is becoming a poorer and poorer country.

Since 1973, when America reached its pinnacle, its high point in terms wages and benefits for ordinary working people, since 1973, 80 percent, four-fifths of the American working people have experienced either a decline in their real

wages, in their standard of living, or stagnation. That means they have worked for over 20 years and they look back and they have gotten nowhere in a hurry. That is 80 percent of the American people.

Average weekly earnings from 1978 to 1990 declined, went down by 13½ percent.

In 1979, the average weekly wage in the United States was \$387. 10 years later, in 1989, in terms of real inflation-accounted-for dollars, that wage had dropped to \$335. People are working, but their standard of living is in decline.

What is perhaps most frightening is that for young workers, their real wages have declined even more.

There was a study done not so many months ago which indicated that for young male high school graduates going out into entry-level jobs, young men were earning 30 percent less than was the case for similar high school graduates just 15 years ago.

So, when parents look out and they are working hard and they are seeing their standard of living declining, what is even more painful for them is they look out and they are seeing their sons and their daughters going out into jobs which are paying even lower wages.

Mr. Speaker, between 1988 and 1993, worker productivity in the private sector increased by 5.9 percent. That is the good news.

The bad news is that during that same period, average hourly earnings declined by 4 percent. By 1993, the typical family had lost \$1,400 of the buying power it had in 1991.

Mr. Speaker, one of the frustrations we talk about, why the American people are angry, why the American people are frustrated, a study done by Juliet Shaw was done at Harvard University which indicated that for American workers to maintain their standard of living, they had to be working now an extra 1 month a year, either in overtime or in second jobs, and in my State of Vermont it is not uncommon to see people working three jobs.

□ 1715

Mr. Speaker, 40 percent, and this is an important fact, we talk about welfare reform, so forth and so on. Forty percent of the families in America today who live in poverty have a full-time worker. This is not unemployed people, this is not people just sleeping out on the street, and one of the reasons that our low-income workers are doing worse today than they did 20 years ago is that the minimum wage today, at a disgracefully low \$4.25 an hour, has a purchasing power which is 26 percent lower than it was 20 years ago.

Mr. Speaker, we look in the newspapers, and they tell us that unemployment is not such a serious problem. Maybe it is 5 percent, maybe 6 percent. Countries all over the world, in Europe or Scandinavia, they have higher rates of unemployment, but I would argue,

Mr. Speaker, and I think many of our leading economists would argue, that in real fact unemployment in America is actually double than what the official statistics tell.

Why is that official statistics do not include discouraged workers? That means people are living in communities where there are just no jobs. They do not go out, so therefore they are not counted as part of the unofficial employment statistic, and perhaps even more importantly part-time workers who want to work full-time are also not included as part of the official unemployment statistic.

One of the very frightening aspects of the modern American economy is that when we look at the new jobs that are being created, are they good paying, 40-hour-a-week jobs? No, they are not, not in Vermont, not in the vast majority of the States in this country. Many of the new jobs that are being created are part-time jobs. You have people who want to work 40 hours a week, but they are getting 20 hours a week without benefits. Are they counted as unemployed? No, they are not.

So I would just conclude my initial remarks, Mr. Speaker, and welcome the gentleman from Oregon [Mr. DEFAZIO] here by just simply saying, "Before we talk about the budget, before we can talk about why the American people are angry, the most important reality is America has the right to be angry. Our people are working longer hours for lower wages, for less vacation time, for fewer benefits than was the case 20 years ago."

But on the other hand there is another reality which is going on. Are all the people in America seeing a decline in their standard of living? Are we all in this boat together? The answer is probably we are not.

A recent study in the New York Times: The richest 1 percent of the population now owns 40 percent of the wealth of America. We have the most uneven distribution of wealth in the entire industrialized world. The richest 1 percent owns more wealth than the bottom 90 percent. Upper income, 4 percent, earns more income than the bottom 51 percent, and, the gap between the rich and poor grows wider, the middle class continues to shrink. That is the reality of American life today for the middle class for the working class, for low-income people.

Having said that, I am delighted to welcome, to my mind, certainly one of the outstanding fighters for working people in this Congress, the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. And I guess the follow-up point would be what caused these inequities and what can or should we do about it?

I would say in good part you can lay the blame for the extraordinary pauperization of the middle class of this country to two major areas of policy, probably three: The tax policy of this country, which has heaped more and more burden on middle-income

people and lightened the burden on those at the very top and the largest, most profitable corporations. In fact, the Republican budget, which passed the House here, would do away with the corporate alternative minimum tax. That means we go back to the days when a corporation like AT&T, as they did from 1981 to 1985, earned \$1.3 billion in profits and not only not paid taxes—we all understand about loopholes and avoidance but—actually demanded and received a \$200 million tax refund for taxes they did not pay. That is other Americans, people who work for wages, went to work every day, paid their taxes, and guess what? Part of their pay check went to give a \$200 million tax giveaway to a corporation which had made \$1.4 billion in the same years, and now we are being told that is what will take care of the problems of middle-income Americans. The Republican tax break bill repeals the corporate alternative minimum tax, and that will put Americans back to work at higher wages; give me a break.

Mr. SANDERS. Is the gentleman—let us go over that once again because people may be adjusting their TV dials there to get that straight. Is the gentleman suggesting that, if the Republican proposal here in the House goes into effect, that the largest corporations in America making billions of dollars in profit will pay less in taxes than the average working stiff making \$25,000 a year? Is that what the gentleman—

Mr. DEFAZIO. I am saying that will be true, and in fact, if we go back to the pre-alternative corporate minimum tax days, the 1980's, we could say, in fact, that those same working people will pay taxes so that tax credits can flow to those companies.

The other issue there would be, of course, the United States stands alone in the industrial world in not taxing foreign operations in the United States or multinational corporations. We have adopted such a limp section to the Code of taxation that virtually every major multinational and foreign corporation in this country pays no income taxes no matter how profitable they are because they upstream or downstream their profits to other lower tax countries. They are not paying their fair share, yet every day, every week, every American sees their taxes go up. They see the deductions out of their paychecks, but, no, Honda does not make any money in the United States of America. They just sell cars here. Toyota does not make money in the United States of America. They just sell cars here.

Mr. Speaker, if we adopted the same system of taxation that all of our major trading partners have adopted, the estimates are we could raise \$40 billion to \$60 billion next year; that is about a third of the deficit. We can raise it by just taxing the profits of multinational and foreign corporations the same way that every one of our major economic competitors does.

Mr. SANDERS. If I could interrupt the gentleman, would they not be upset? Would they then go to Republican and Democratic fund-raising dinners and contribute tens and tens of thousands of dollars? I do not understand what you are saying. If we tax them, how would they contribute huge sums of money to the Republican and Democratic Parties? Surely the gentleman must be joking.

Mr. DEFAZIO. Well, perhaps that is the bottom line here. It is, you know, how the money flows in Washington, DC, how the influence flows in Washington, DC. As my colleague knows, in the office of the special trade representative, a study I saw said that 74 to 75 percent of the people who worked in the President's Office of the special Trade Representative have become foreign agents; that is, they are now representing foreign nations against the interests of the United States in trade and economic policy. You know we have got to close these revolving doors. We have got to reform campaign finance. We have got to reform the gift rule. But somehow it did not fit into the Republican Contract on America. No gift reform, no campaign finance reform; those things got left out, to be done later, of course.

Mr. SANDERS. We are delighted to be welcoming the congressman from New York City, from Brooklyn, MAJOR OWENS.

Mr. OWENS. I want to congratulate the gentleman for holding this special order in response to the latest developments with respect to the endorsement of the balanced budget concept by the President and your present discussion of taxes, of revenue. I hope that we are going to have much more of this kind of discussion and invite the American people to take a very close look at revenue measures to produce revenues and taxes. We have an era, certainly in the Democratic Party, and maybe the gentleman from Vermont [Mr. SANDERS], as an Independent, does, too. By not talking enough about taxes, we leave that to other people, and we have a situation where, when bills were related to the revenue taxes have come to the floor of the House, it has always been from the Ways and Means Committee, and the rule always was that you could not make a single amendment. They always came, and you voted it up or you vote it down.

So the Ways and Means Committee has been in charge of tax policy for the Congress for the last 20 to 30 years, and they are responsible for something which the American people ought to take a very close look at, and that is the great swindle of the American taxpayer by reducing the amount of the tax burden borne by the corporate sector, reducing it drastically, from almost 40 percent, 39.8 percent in 1943, down to 8 percent in 1980, and then presently it is 11 percent even after President Clinton has taken steps to get it back up.

So you look at that on the one hand. They reduce the corporate income taxes, and the individual taxes have gone up from 27 percent in 1943 to the present 44 percent in 1995.

So there has been a great swindle in terms of reducing the revenue, the portion of the revenue burden borne by the corporate sector and raising the portion borne by the individual.

While we are on the subject of balanced budget, let us invite all of America to take a very hard look at the way we derive our revenues.

Mr. SANDERS. The gentleman is absolutely right. Between 1979 and 1989, when the rich were getting richer, the number of taxpayers reporting adjusted gross incomes of \$200,000 a year or more grew by 8 times. A lot more people were getting rich. Meanwhile, according to the House Ways and Means Committee, tax savings in 1992 for families in the upper 1 percent income bracket, total tax savings, totalled \$41,886, a result of the drop in the effective tax rate for those families—it is the upper 1 percent—from 35.5 percent in 1977 to 29.3 percent in 1992.

So the point that the gentleman makes is absolutely right. When we talk about why we have a \$4.7 trillion debt, how can we not talk about the huge tax breaks given to the wealthiest people in America and to the largest corporations?

Mr. DEFAZIO. If the gentleman would yield for a moment, perhaps we can bring the discussion to what we are confronted with today.

The House Republican budget starts out moving the United States toward a balanced budget by first further reducing taxes on the most wealthy, those who earn over \$100,000 a year, and on the largest, most profitable corporation by \$353 billion.

So they first start with a—here we are. We are in the hole. We are all agree we need to have fiscal responsibility and move toward a balanced budget. First thing we do is we make the hole \$353 billion deeper in order to benefit people who earn over \$100,000 a year and in order give further tax relief to the corporations, and, as the gentleman from New York pointed out, who were paying taxes at about—what is it? About a quarter, a third of the rate—

Mr. SANDERS. Let us repeat that once again. Let me just ask the gentleman this question: Every day we hear about the crisis of our national debt, every day, every day, and we all understand the importance of that. Is the gentleman suggesting that one of the major ways the Republicans are proposing to deal with our national debt is to give huge tax breaks? Is that a strategy to deal with the deficit?

Mr. DEFAZIO. We are revisiting trickle-down economics, the theory that, if we give those people who are much smarter than we are, who earn, you know, over \$200,000 a year and control these corporations more money, that they will create more jobs and the

effects will trickle down. We are right back to the failed trickle-down policies of the mid-1980's. Those policies brought us record debt, record deficits and, as the gentleman pointed out, consistently caused the decline in the standard of living of middle-income families.

Mr. SANDERS. Let us review, if I might. Let us review again who is getting those tax breaks. Obviously, one would think that, if one decided to give tax breaks, and that is a debatable issue, clearly you were giving it to the working people, the people who are in most trouble. Interestingly enough, if you look at the Republican budget, the wealthiest 1 percent, the people who need the tax breaks the least, are getting more in tax breaks than the bottom 60 percent.

□ 1730

Mr. DEFAZIO. You are talking at the top, generally the people in the top will be getting breaks that average up to \$40,000 off of their taxes, compared to \$500 for a \$40,000 a year family. This is not restoring equity to the tax system.

Mr. OWENS. What is important for the American people to understand, and you ought to listen carefully and ought to demand from your Congressman an explanation as to why this is happening, why are you giving these tax breaks to the rich? Why are you continuing the trickle-down theories of Reaganomics?

Ronald Reagan's explanation, he had an explanation, and he gave it, and it has been proven to be totally wrong, that if you will give the appropriate tax cuts and tax breaks to the rich and to the corporations, their investments will create activities which will in turn create jobs. The investment activities, will create jobs.

It is obvious, the empirical evidence showed it did not happen under Reaganomics. It will not happen now either. We have wealth being accumulated in this country at unprecedented rates. The very rich are getting rich faster. Wall Street is booming. Yet no new jobs are being created. The jobs are going the other way. You have a jobs economy over here and a Wall Street economy over here, and there is no relationship between the two, because as they invest more money they can buy more automated equipment or take their operations overseas and manipulate in many, many different ways to make additional money off their investments without creating jobs. They are downsizing the jobs, they are streamlining, they are doing all kinds of things where they have no bargaining power. We are all going to end up being suburban peasants or urban serfs, who have no choice almost, because of the tremendous power of these corporations.

The power we have as voters in this democracy is to demand that we begin to reverse this by forcing those who are making the wealth to pay more into the general funds that are needed in

order to promote the general welfare and provide for the public sector investments that are beginning to drive the economy in a different direction.

Mr. SANDERS. The gentleman makes a very important point. The theory of giving tax breaks to the rich and to large corporations is if we give them tax breaks, they are going to reinvest in our communities and create jobs. It sounds like a good theory. Unfortunately, all of the facts indicate that that theory is totally bogus, given the reality of what is happening. The gentleman from New York points out that major corporation after major corporation, the same ones that got huge tax breaks in the early eighties, the same ones the Republicans want to give huge tax breaks to now, what they have done is use those tax breaks to develop more automation. Major corporation after major corporation has laid off huge numbers of American workers. We are talking about millions of workers.

The other thing they have done after we give them tax breaks, is they invest abroad. They are investing in Mexico. Why do you want to pay an American worker ten bucks an hour, fifteen bucks an hour, when you have a Mexican working for a buck an hour? How about China? How many Americans know that American corporations are investing tens of billions of dollars in China. Do you know what the wages are in China? Twenty cents an hour. Last year American corporations invested \$750 billion abroad. Every major in America, every Governor in America, is begging on their hands and knees for corporations to reinvest in their communities, and these corporations get the tax breaks and they go abroad.

Mr. DEFAZIO. If the gentleman will yield for a moment, I would like to point out it was the esteemed Speaker of the House of Representatives who said that in fact we cannot raise the minimum wage for the American working people because of our competition with Mexico. Of course, the Speaker supported the North American Free Trade Agreement, which I bitterly opposed and have introduced legislation to repeal. Just to recap on that, we were told it would create jobs in America. We were told that it would help the United States balance of trade, it would stabilize Mexico.

Those of us who opposed it said we believe we will export jobs, we believe that we will run a trade deficit with Mexico, and we believe that it will further destabilize Mexico. We were a little bit wrong, because we could not realize that not only would it destabilize Mexico, continue the current corrupt system, that the peso would be devalued and the standard of living would fall by nearly 40 percent for every Mexican worker, but that we would be running already this year, we are headed toward a \$20 billion trade deficit with Mexico, which means we will export 400,000 jobs to Mexico this year.

We never could have predicted we would have to pay for the privilege of exporting our jobs to Mexico, which is what we are doing today with the bailout of the speculators who were so actively engaged in the Mexican economy and the few billionaires who run the Mexican economy and the corrupt political system they have.

U.S. tax dollars are going to bail these people out. We are paying for the privilege of running a trade deficit. The Speaker tells us we cannot raise the minimum wage for the American workers because they have to compete with the Mexican workers, whose salaries just went down by 35 percent. And then on another day he said, "By the way, the competition is in south China." So apparently we have already quickly moved from Mexico, because those people are earning as much as a dollar an hour, and now suddenly the American workers not only have to compete with them, the American workers are not supposed to compete with slave labor in China, or those who are paid at the rate of 20 cents an hour.

Mr. OWENS. Could the gentleman just linger for a minute on Mexico. I hope that, again, every American voter ought to be angry. There is good reason to be angry. But we ought to focus and direct our anger in ways which are more effective and at the real source of the problem.

I said before we ought to be angry at the fact that corporations have gotten away with so much over the last 30 years, and certainly they have dropped all the way down to now paying 11 percent of the tax burden while individuals and families are paying 44 percent of the tax burden. That is enough to be angry about.

But Mexico in particular, it ought to make us turn red, all of us, with anger, because we first have NAFTA, a situation which was created by a sweeping change in public policy, that created a situation which was even under the best circumstances going to hurt the American workers. It was designed to make the rich get richer, to have the corporations have every advantage in terms of export, import, exploitation of cheap labor in Mexico. All of it was designed to help those same people that the Republican tax cut is going to help.

On top of the inevitability of it hurting working people comes an additional burden of us having to bail out the Mexican economy to the tune of \$20 billion. It is enough by itself for you to be angry at the Government. When I say government, I do not mean just President Clinton, I mean also the leadership of the House and the Senate, and all of those great majority of the Members of Congress who went along with NAFTA and GATT. You ought to be angry, you ought to talk to them about the mistakes that they have made, and they have to reverse those mistakes. They have to now focus on an economy which is going to promote the general welfare of America.

The Japanese are being criticized for their protectionist trade policies, their closed society. The Japanese protects its middle class society. It almost has no poverty class as a result of the fact it takes the necessary actions to guarantee everybody is going to be able to make a living. So be it. Let the United States also. As voters we can demand a series of public policy decisions which lead to the protection of our way of life, of our standard of living, and we can make contributions to the rest of the world in terms of holding up that model.

Unfortunately, we have let the situation deteriorate to the point where we are headed rapidly to the bottom in terms of the standard of living of our workers, while Germany has the highest standard of living in the world. And I am not criticizing that. The German worker gets 6 weeks vacation, family and medical leave off with pay. They have very high wages. I am not criticizing them for that. It could happen here, if we had a different set of public policies and took control of our Government.

Every person who votes has an opportunity to have an impact on this public policy. America, we should stop sitting by as spectators while the Committee on Ways and Means and the White House and NAFTA, GATT, and all these other institutions weigh down upon us and force our standard of living down.

Mr. SANDERS. The gentleman makes two, I think, very, very important points. He explains that in America we are angry, and we have good reason to be angry. But what the Rush Limbaughs of the world and the Republican leadership are trying to do is getting us all angry at each other.

Every day it seems like there is a new group that we are supposed to hate. On Monday we are supposed to hate the gays, and on Tuesday we are supposed to hate the immigrants, and on Wednesday we hate the welfare recipients, and Thursday it is antiblack day, and Friday it is antiwoman day, and on and on it goes. And yet we are never focusing on the real group of people who hold the power in this country, and that is the very, very wealthy and the large multinational corporations who contribute huge sums of money to Members of this Congress, who control this Congress and write the agenda for this Congress.

I think what all of us are saying, in different ways, is that maybe the time is long overdue when the middle class and the working people and the low-income people and the women and everybody else began to stand together and say that there is something wrong when our standard of living is going down and when the richest people get richer.

The gentleman from New York made a good point. There are some people who still hold the illusion that we are No. 1 in the world, we are the wealthiest country in the world. Not for work-

ing people you are not. Germany, manufacturing workers in Germany now make 25 percent more than our manufacturing workers.

Do you know why corporations from Germany and Scandinavia and Europe are investing in America? Cheap labor. We now can give them cheap labor. That is what is happening. And that is a real shame.

What I would like to do now with my colleagues, if we might, we want to talk about the budget, the Gingrich budget, the Clinton budget. We are trying to give some background as to how we got to where we were. We talked about the fact that one of the reasons for the national debt is huge tax breaks for the rich and the largest corporations. There is another area that is worthy of at least some discussion, given the vote today, and that is the role of military spending.

Remember, \$4.7 trillion debt. Obviously the cold war is over. The Soviet Union does not exist. Clearly I would imagine that today, having voted on the military budget, there was a major decrease in military spending. Is that correct, Mr. DEFAZIO?

Mr. DEFAZIO. Well, the gentleman knows that in fact the second part of the major part of the plan of the new Republican majority to bring us to a balanced budget after the massive tax break for the wealthy and the large corporations is the increased military spending. It is obviously an absurd formula. You cannot spend another \$92 billion over the next 7 years on the military to build weapons that even now the Pentagon said it does not want, it does not need, and have no practical purpose.

The House voted this week, with very little exposure to the public. This bill was brought forward under a very restrictive rule and we were allowed one amendment on the B-2 bomber. At \$1.5 billion each for bombers which the Pentagon says have no purpose in the post-cold-war world, and yet the House of Representatives voted by a substantial margin, lockstep on the Republican side, followed by a number of Democrats, to build another 10 B-2 bombers at the cost of \$1.5 billion each, something the Pentagon said it does not want, does not need, and cannot use, in addition to putting more money into the star wars fantasy.

We have spent \$36 billion on star wars since Ronald Reagan first unveiled this vision in the early eighties and you know what the net result is of the money on star wars? One faked test over the Pacific Ocean, and the Pentagon admits they faked it. They could not hit the incoming missile. One missile, not a fleet. They put explosives in it, they hit a button, it blew up, and they said look, star wars works. It does not work, and it is a very expensive fantasy.

Mr. OWENS. I want to linger for a moment on the B-2 bomber, the cost of building the B-2 bombers. I think is a

\$31 billion price tag over a 5-year period.

Now, the B-2 bomber, the Air Force said we do not want it, we do not need it, it actually is counterproductive because it will mean funds will be spent for an item that we do not need and they will be taken away from many items we do need.

□ 1745

So the Air Force says that. The Joint Chiefs of Staff says that we do not need it. We do not need it. We do not want it. The Secretary of Defense: We do not need it, we do not want it. It is not in the President's budget. He does not need it and he does not want it.

I am sorry, but I think every voter out there ought to ask their Congressman, did you vote to continue the funding for the B-2 bomber? If you did vote to continue the funding for the B-2 bomber, in light of the fact that all of the experts, all of the military, everybody says we do not want it, we do not need it, it is a waste, then you have no right to talk about waste in Government ever again. You have no right.

That was a perfect example. Why would anybody vote for the B-2 bomber? It is the worst kind of pork. It is the pork from the military industrial complex, the people have been absorbing much too much of our budget over the last 20 years. It is pork, pork, pork. It will generate a profit for the people who manufacture the bomber. It will generate a profit for the stockholders who will have invested in that corporation. It will generate some jobs for some workers. But you could create three times as many jobs for \$31 billion in the civilian sector if you choose to spend the money to create jobs than you can create by building B-2 bombers.

Mr. SANDERS. I want to keep the discussion moving in this direction. All of us, the three of us, and almost everybody in the Congress recognizes that we have a very serious deficit problem, very serious national debt. But what we are talking about and wondering about is how do you move to lower the deficit when you give huge tax breaks to the rich, when you expand military spending, despite the fact we do not quite know who our enemy is, when you build planes that the Pentagon does not want.

But if you are going to move toward a balanced budget in 7 years, as Mr. GINGRICH wants, or 10 years, as the President wants, something has got to give. If you give tax breaks to the richest people in America, you are going to have to cut someplace. If you build \$31 billion of B-2 bombers that the Pentagon does not want, you are going to have to cut someplace. Let us briefly talk about some of the areas where there will be cuts. OK?

Medicare. What are they doing to Medicare in order to give tax breaks to the rich?

Mr. DEFAZIO. It is interesting, we had a lot of discussion of health care

here last year. We had considerable opposition on the Republican side of the aisle and they said there was no problem with the health care system. It did not need a Federal fix. They did not mention Medicare as being in deep trouble or being bankrupt.

They came up with a Contract on America to run for election. There is nothing in there about health care or Medicare. Earlier this year we passed emergency legislation, the rescissions legislation and the emergency spending for disasters. No mention of a disaster impeding in Medicare or a need for changes in Medicare.

It was only after legislation had been adopted to cut taxes, predominantly for people who earn over \$100,000 a year and the largest, most profitable corporations by \$350 billion that suddenly we found that we need to reduce Medicare spending by nearly \$300 billion.

A cynical person would say there was some linkage between the sudden need to reduce Medicare spending and the huge tax giveaways. Of course, that is denied. They want to reduce Medicare by \$300 billion in order to improve the program for seniors, the same seniors now who cannot afford prescription drugs, if they can afford the co-payment to go to the doctor and get the prescription. We are going to improve the system with no plan but just by reducing it by \$283 billion over the next 7 years.

Mr. SANDERS. So what are we talking about? Again, please follow the discussion: huge tax breaks for the rich, significant increase in military spending, major cutbacks in Medicare, which will undoubtedly mean that elderly people who today cannot afford the cost of health care will have to pay more out of their own pockets, major cutbacks in Medicaid to impact on the elderly and the poor, major cutbacks in veterans' programs.

I always get a kick out of whenever there is a war, everyone tells us how much they love our soldiers and the veterans. But let us be clear. In the Republican budget and in Clinton's budget, we are talking about many billions of dollars in cutbacks for our veterans, many of the people who fought in World War II, they defeated Nazism, the VA needs more help, not less money.

Also we are talking about major, major cutbacks in student loans and in education. I know that Mr. OWENS and his community are very concerned about the high cost of education. We want our people to get a college education. What does this budget do to the ability of your constituents and mine to get a college education?

Mr. OWENS. Well, New York City has a long tradition of having education available at the higher education level for great masses of students. New York City has been the place where large numbers of immigrants have come in and found opportunity. Our City University was established at the height of the Depression, so we were able to

maintain City University during the Depression, and now we are saying we cannot do it. We have to increase the tuition cost.

First of all, for years there was no tuition at all, and then we imposed tuition, and now we have to increase the tuition cost because we are getting less aid from the Federal Government and less aid from the State government. So at a time when the society is far more complex than ever before, at a time when we are stating clearly that any person who does not have a high education is at great risk in terms of being able to be employed for most of his life, and on the other hand those that do have higher education, statistics and studies have shown they cannot be employed, they put back in the economy, they give back to the government through the payment of income taxes and they are more productive citizens. All of those things are highly desirable. Yet in the Republican budget they go so far, not only do they make it more difficult for college students by adding to the burden of their college loans, they eliminated the Department of Education totally.

The elimination of the Department of Education means you have no coordinated approach to education and a situation every day where education becomes more important.

I would like to backtrack for just a minute to make a comment on Medicaid. Very little is being said about Medicaid because it is assumed that Medicaid is for the poorest people in the country. Therefore, Medicaid has no political clout. We are just going to dump them overboard. The Republicans are proposing to take away the entitlement to Medicaid. Entitlement means that everybody who gets sick, who is eligible because they do have to pass a means test and they have to be income eligible. That person is guaranteed to have assistance from the government on health care once they qualify.

To take away that entitlement means that if people get sick near the end of the budget cycle they will be told by the State that there is no more money. Medicaid is being cut more drastically than Medicare, and Medicaid is not just a program for the poorest families. Two-thirds of the Medicaid funding goes to the elderly and to the disabled.

Many people who start out as middle class citizens when they get ill and are ill over a period of time, they are forced to spend so much money until they end up in nursing homes, and those nursing homes are paid for by Medicaid. The largest percentage of Medicaid funds are going to nursing homes. So we are not, I hope that the voters in general frown on creating a second class health care system for poor families, but you are not just hitting poor families in that second class health care system. You are hitting people who will become, that they will drop out of the middle class and be-

come nursing home patients, and Medicaid will have to pay that bill.

Mr. DEFAZIO. Just on the education issue which the gentleman raised, we adopted in the last Congress an innovative idea. That is, why not have the schools make direct loans to the students, take out the banks as middle persons. The banks have been getting very high rates of interest for loans that have no risk. The idea is you get interest because of risk. The president of the University of Oregon at the time came, did calculations and he said that for the same amount of Federal money we could give another 600,000 students full entitlement to student loans if we just took the banks and the bank profits out. The Federal Government lends the money through the schools and, you know, the Federal Government knows how to collect money. They know where everybody is.

So I am not worried about defaults. But do you know what, the Republican budget wants to do away with direct student loans and put the banks back in the middle. That means take away the loans of 600,000 students so that the banks can make a guaranteed profit on a risk-free loan backed by the Federal Government.

That is just one more form of corporate welfare, and that I think segues us back into what is a better vision for a balanced budget. And I would just like to, I have to leave the floor; if I could just lay out a couple thoughts and then I will yield to the gentleman.

The idea that we have talked about earlier which is that the largest, most profitable corporations are not carrying their fair share, that foreign corporations are virtually paying no taxes in this country, that the largest gold mining operations in the United States on public lands are foreign owned and paying no taxes to the United States of America. There are estimates that there is \$150 to \$200 billion a year, credible estimates that come from the far right, the Cato Institute, to the Progressive Policy Institute that say there is about \$150 to \$200 billion a year of corporate welfare out there. And if we went after just a fraction of that, we would not have to see any of these cuts in order to get to a balanced budget. Just a fraction of those revenues linked to reductions in military spending would move us dramatically in the direction we need to go.

Mr. SANDERS. I applaud the gentleman's remarks. He is absolutely right. I know the three of us and many others have been trying to focus this Congress on the issue of corporate welfare. When most Americans think about welfare, they say, my money is going to those poor people. Wake up. More money is going to the rich and to large corporations in terms of Federal subsidies and tax breaks than are going to the poor people.

I know Mr. OWENS worked on the issue of corporate welfare. I know you have some thoughts on it. Would you share some of those?

Mr. OWENS. Again, the burden that was borne by corporations in 1943 was 39.8 percent of the total tax burden. The burden that corporations have, the portion of the tax burden that corporations bear now is only 11 percent. Individuals started in 1943 about 27 percent, and now individuals are paying 44 percent of the tax burden. That is a fact that I cannot emphasize too much.

I think Mr. DEFAZIO has said before that one way you can gain a large amount of revenue, I do not have the actual figures before me, but they were all listed in the Congressional Black Caucus budget, we listed specifically where we would find the money, which added up to almost \$600 billion over a 7-year period, \$600 billion that would have come from such items as one mentioned by Mr. DEFAZIO, if you change the way you tax foreign corporations, if you change, just make a change from a tax credit that you utilize at one point and make it a tax deduction, you gain enormous amounts of money.

If you close a lot of various loopholes that have been made over the years, the oil depletion allowance is still there, it has been there forever. There are numerous loopholes that have been developed because the corporations have literally owned the Ways and Means Committee and the Ways and Means Committee, whether Democrat or Republican, has had the same approach of being the servant of corporations. So down, down, down has gone their portion of the tax burden, while the individual's portion has gone up.

Mr. SANDERS. Let me just pick up and give you a few more examples.

We talk about Federal aid to housing. The leadership here in the Congress says, we cannot afford affordable housing anymore. In fact, one of the lovely proposals was to cut back on Federal aid to homeless people with AIDS. We just cannot afford to provide any money to keep those people alive.

Let us talk about another interesting Federal housing program. That is the mortgage interest deduction up to mortgages of \$1 million. Now, most of the people that I know in the State of Vermont, they do not have million dollar homes. Maybe it is \$100,000 a house; maybe it is a \$200,000 house. That is true throughout America. But interestingly, if you got a million dollar mortgage, the house can be worth more than a million dollars, you can deduct the interest on a million dollars of your mortgage.

Who gets that benefit? Think it is low income people? Middle income people? No. Obviously, upper income people who own the large houses are the major beneficiaries of that program. That is called welfare. But that is a different type of welfare, because you are helping the wealthiest people in America.

□ 1800

Another program that I have paid a little bit of attention to is called OPIC, the Overseas Private Investment Cor-

poration. The gentleman from New York [Mr. OWENS] and I were talking about the decline in our economy for working people. We are seeing corporations investing \$750 billion abroad while they are throwing American workers out on the street.

The American taxpayers would be delighted to know that they subsidize this Federal agency, OPIC, \$50 million a year, and what does this agency do? Its main job is to help American corporations invest in politically unstable countries abroad.

We have AT&T, DuPont, GTE, Ford, the largest corporations in America, while they are busy throwing American workers out on the street, they are getting taxpayer help in order to invest in politically unstable countries. If there is revolution or civil war in those countries, we have provided insurance for them, and in fact have a \$6.3 billion insurance liability, and on and on it goes.

The point that the gentleman from Oregon [Mr. DEFAZIO], the gentleman from New York [Mr. OWENS], and I are trying to make is that we can move toward a balanced budget, but we can do it in a fair way. We do not have to savage Medicare, Medicaid, Head Start, WIC, student loans, food stamps, and many, many other programs that tens of millions of Americans depend upon.

One of the programs that the Republican leadership has proposed to eliminate is the LIHEAP program, which provides fuel assistance for low-income people; 40 percent of the recipients are senior citizens.

In my State of Vermont it gets pretty cold in the winter, 20 below zero, 30 below zero. We have a lot of low-income senior citizens who cannot afford the money for oil and gas to heat their homes. That will be eliminated. However, we can continue to provide an enormous amount of money for corporate welfare.

Mr. OWENS. Mr. Speaker, I just want to go back to the corporations' swindle in terms of their reduction of their share of the tax burden over the years, and mention that if you change the way you tax investments, income from investments, and the way you tax capital gains, which they are always trying to change, of course the Republicans want to lessen the rate on these items.

The Bible says man shall earn his living by the sweat of his brow. Those people who really sweat to earn their living, they are charged the highest rate. They are taxed at a higher rate than people who never sweat.

They make investments, they sell and buy items, and they make enormous profits, and that income is taxed at a much lower rate than the income earned by the guy out there in the plant who goes to work every day. Why? What is the justification?

There is no justification, except that the people who make the investments and who have the greatest gains from capital gains, they have the power. They have the power, and public policy

allows them to be taxed at a rate which is much smaller than the rate of the person who works hour by hour for wages.

The wage earner has seen his taxes go up tremendously over the last 12 years. They do not call it taxes, as in the payroll taxes, the Medicare. There are various ways in which the take-home pay of the wage earners has been drastically reduced, at the same time we have had all these various programs to subsidize and to help increase the income of people who earn their income from investments and from sales or capital gains. Enormous amounts of money can be realized by changing the way we tax the capital gains.

Mr. SANDERS. The gentleman is absolutely right. What we have here is the Robin Hood proposal in reverse. We take from the middle-class and working people, and we give to the very, very wealthy.

I think the main point that we wanted to make this evening is that we also are concerned about a \$4.7 trillion national debt and the very high deficit that we have, but we think that it is extraordinarily unfair to move toward a balanced budget on the backs of the middle class, the working people, and the low-income people, when at the same time we are giving huge tax breaks to the wealthiest people in this country, expanding military spending at a time when we do not need to do so.

Mr. Speaker, our hope is that the American people begin to focus on this issue and demand a little bit of justice in this Congress, so we can deal with the budget and with our deficit in a fair and reasonable way.

Mr. OWENS. Mr. Speaker, I would like to close on an upbeat note. America has a great future. The civilization of the Western world has a great future. Science and technology now drive wealth in the world. The more educated people we have, the more we build on the base of science and technology, the faster the wealth will increase.

The great injustice is that only a few people share in the benefits of this science and technology. It was created by people whose names we never know, by people whose names we do know, but they never derive any direct wealth from it, and we have built on it.

A lot of science and technology has been created by the American taxpayers. Many of the investments that are being made so profitably now on Wall Street related to the telecommunications industry, the computer industries, those were built upon research and development done by the military using the money of the American taxpayers.

All of us have a stake in this wealth that is being created by science and technology. The future of the world lies in this direction. If we focus on education and increase the number of educated people in the country, we can generate enough wealth to be able to meet all of the needs of all Americans.

If we use new revenue techniques, more creative techniques for getting revenue, so we derive the revenue from the areas where the greatest increases in wealth are taking place, then we can always meet all of the needs of all Americans without pain and suffering.

I think we can look forward to the future and not see a doomsday scenario of inevitable, ongoing deficits forever and ever, or suffering by the American people as a result of trying to reduce the deficit.

Mr. SANDERS. I thank the gentleman from New York for his thoughts, and I thank the gentleman from Oregon. What we are fighting for is an America which will provide well for all of our people, and not an America in which the rich get richer, and most of the people see a decline in their standard of living. I thank the gentleman.

#### THE REPUBLICAN TAX PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. STEARNS] is recognized for 10 minutes.

Mr. STEARNS. Mr. Speaker, I am delighted to come down here to talk about the Republican budget, and specifically, the Republican plan to reduce taxes. I saw, Mr. Speaker, that the President came out with his own budget. As many of you know in the House, we have included tax cuts that amounted to \$350 billion. It included a \$500 tax credit for every child in America, plus it reduced capital gains.

The Senate does not have these specific cuts, but they cut \$170 billion if we balance the budget. However, I notice in the President's budget he included a middle-class tax cut. It includes 96 billion dollars' worth of cuts, including a \$500 credit per child, and \$10,000 college tuition credit for families earning less than \$100,000.

I think, Mr. Speaker, when we talk about reducing taxes, it looks like the President of the United States has come on board, too. I would like to just briefly, in this 10 minutes, set the record straight. We have heard for too long now the Republican budget contains a tax cut that hurts the poor and benefits the rich. How can I say this, Mr. Speaker. There is no truth to this claim.

The Democrats argue that the Republican tax cut would benefit only the rich, when the fact is that the major component of our tax package, as I mentioned, is a \$500 per child tax credit for families. Of the \$189 billion in tax cuts we proposed over 5 years, \$94 billion, or fully half, goes directly to families in the form of the \$500 per child tax credit.

Families receive other tax benefits, including expanded IRA's, repeal of the marriage penalty, and incentives for long-term care insurance. All told, families would receive \$114 billion worth of tax relief under our plan.

Democrats have argued and tried to argue that because of the \$500 per child

tax credit, it applies to families earning up to \$200,000. It looks like the President here has \$100,000. They go on to say this is somehow a tax cut for the rich, as though the children of high-income Americans are less deserving of tax relief than others. But even this argument is false, since according to the Joint Economic Committee, fully three-fourths of the \$500 per child tax credit would go to families earning less than \$75,000.

For low-income Americans, the tax credit is even a better deal. Nearly 5 million Americans at the lowest income levels would no longer pay any taxes at all. So I am tired, and I think the American people should be tired, of the same old class warfare rhetoric that the Democrats continue to haul out every time we talk about tax cuts.

The Democrats seem to believe the rich are the only people who have children, who got married, and that earning \$75,000 makes you rich. The truth is the Republican tax package benefits all Americans. It is particularly beneficial to all families, but it also benefits groups, such as seniors.

For starters, our package calls for the repeal of the 35-percent Social Security tax hike President Clinton rammed through in 1993. The Republican plan brings the rates on singles earning more than \$34,000 and couples earning more than \$44,000 back to 50 percent. We would also raise the earning limit on Social Security benefits. Instead of \$11,280, seniors can earn up to \$30,000 before Social Security taxes kick in. The total savings for our American seniors is \$30 billion. That is important to make that point.

Furthermore, the Republican tax package gives all Americans a 50-percent capital gains tax. According to a study released by the Joint Economic Committee, nearly 70 percent of those Americans who claim capital gains have incomes of less than \$50,000.

Republicans will ease the burden on overtaxed businesses, too. Our plan would save American businesses \$21 billion over the next 5 years, money that will be reinvested and returned again and again to the consumer in lower prices and in higher working wages. Mr. Speaker, the Republican package will save Americans \$189 billion over the next 5 years. That is \$189 billion that all Americans would be able to share and spend and reinvest in America. The best thing about it is it is all paid for in the budget. We put a down payment on the savings when we passed the rescission bill. It is unfortunate the President vetoed it. We paid for the rest last week when we approved the Republican budget with the spending reductions.

Of course, the Democrats will argue these spending reductions will affect only low-income Americans. Again, they are wrong. Our budget represents across the board spending reductions, reductions that would affect all Americans. It is just that those with their hands out, those who receive most for

doing the least, will be affected more. This, Mr. Speaker, is simply a fact of life.

It should be pointed out, though, that most of our savings were achieved through flexible freezes and not the elimination or reduction of very many programs. However, it is amazing. The Democrats portray the flexible freeze as a cut, despite the fact that spending actually continues to increase. It simply does not increase at the same budget-busting rates as have been proposed here for 40 years.

The best example of this paradox is the Medicare debate. Clearly and emphatically, the Republican tax cuts have nothing to do with slowing Medicare spending increase. Medicare is funded by a payroll tax that goes into a separate trust fund. That trust fund will go bankrupt in the year 2002. That is what the trustees of the Medicare trust fund who have told us. The fact of the matter is, the Democrats know this, but insist on misrepresenting the tax cuts to hide the fact that they do not have a balanced budget here in the House. Now the President of the United States has come out with a balanced budget.

I see in several of the papers today that some of the Democrat leaders in the House here are upset that the President put forth a balanced budget program, even though it is over 10 years.

Frankly, Mr. Speaker, what the Republicans have done is then infused the economy with \$189 million, cut needless and duplicative programs, eliminated wasteful spending, and salvaged America's future.

Now the only strategy left for the Democrats is to misrepresent what we have done. However, Mr. Speaker, for 40 years they have had the opportunity to run this country, so I ask everybody to ask this question: Are we better off now, or are we better off when they took power?

Forty years ago there was no national debt to speak of, and Americans paid only 3 percent of their income to the Federal Government. Today we have a \$5 trillion national debt and the average American family pays a full 25 percent of its income to the Federal Government. Taxes at all levels of Government now consume 40 percent of the average family's income, more than they spend on food, clothing, and shelter combined.

Mr. Speaker, we have suffered through 40 years of tax increases and 40 years of big government. Finally, Republicans have reversed a trend and set our country back on track. We have found a way to ensure a future for our children, we have found a way to let American taxpayers keep more of their own money, and we have found a way to remove the burden of bureaucratic spending from our government.

Mr. Speaker, it is time for the loyal opposition to face the facts. They have left it up to the Republicans to balance the budget, to tackle the impending

Medicare insolvency, which is fine, because that is precisely what we intend to do for the sake of our children, our seniors, and the future of this great Nation.

□ 1815

#### TRIBUTE TO THE CHAMPION HOUSTON ROCKETS

The SPEAKER pro tempore (Mr. HAYWORTH). Under the Speaker's announced policy of May 12, 1995, the gentleman from Texas [Mr. DELAY] is recognized for 10 minutes as the designee of the majority leader.

Mr. DELAY. Mr. Speaker, the Houston Rockets have done it again. How fitting that on Flag Day, the Rockets captured their second championship banner. Who would have thought just 7 short weeks ago that the Rockets would be the World Champions? Who could have thought that a team ranked No. 6 going into the Western Conference playoffs, could win it all? Who dared to dream that the combination of Hakeem "The Dream" Olajuwon and Clyde "the Glide" Drexler would accomplish something that eluded them in their years together at my alma-mater, the University of Houston? Well, the answer to these questions should be obvious—nobody. Nobody believed the Houston Rockets could win a second world championship; nobody but the Houston Rockets. And in the end, that's all that really mattered. Last night the Rockets used their magic brooms to sweep the Orlando Magic back to the land of Disney.

When Rudy Tomjonavich took the helm of this Houston ballclub 2 years ago, he inherited a team that many thought talented, but few thought capable of winning a championship. However, through their hard work and dedication, the Rockets proved their critics wrong.

This season, the Rockets had a sub-par regular season. They struggled at times and the trade for Clyde Drexler was viewed by many as being a mistake. Nonetheless, the Phi Slamma Jamma duo proved to be an unstoppable winning combination.

The Houston Rockets are a positive role model for our county. They are the underdogs who have overcome great odds to achieve a goal. And doesn't this country just love an underdog. The Rockets have taught us all a valuable lesson about believing in yourself and performing to the best of your abilities. With the heartbeat of a champion, they have captured their second crown with an unprecedented combination of humility and hunger. Sure, the Rockets have the greatest player on the planet in Hakeem Olajuwon. But this victory was not an individual one by any stretch. It was a team victory. That is the beauty of the Houston Rockets.

Last night, Hakeem was awarded the Most Valuable Player in the finals. As reporters bombarded him with ques-

tions about what winning the award meant, it seemed that all Hakeem could do was unselfishly pay tribute to his teammates. "We played team basketball," he said. "I'm just so happy for Clyde."

Last year, when the Rockets won, they were all seen as a mediocre team who happened to win it all during a year when no great team emerged. This year, having won it again, the Rockets have finally proven to the world what they and "Clutch City" have known all along. This team is a legitimate champion. They are the first NBA team to ever repeat with a sweep. And now, having won another world championship, the Rockets have shown themselves to be the greatest basketball team in the world.

I send out a heartfelt congratulations to owner Les Alexander, Coach Rudy Tomjonavich and the Houston Rockets basketball team. On behalf of a grateful city I thank them for giving us yet another ring to be proud of. So before I leave today, let me leave you with a poem, chronicling the play-off drive of the world champion Houston Rockets.

The play-offs started against the Utah Jazz; The Rockets beat 'em, but nobody spazzed; Next came the Suns and Charles Barkley; Their talent, I'm afraid, proved a bunch of malarkey;

The Spurs were on fire, the highly praised number one seed;

But the Rockets cut 'em down to size, like an overgrown garden weed;

Finally at last, the Magic fell to defeat; The Rockets left standing, shouting "Repeat!"

Yes, Shaq be nimble

Yeah, Shaq be quick

But Shaq came to Houston

And got his tail kicked.

How sweet it is!!!

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KLECZKA (at the request of Mr. GEPHARDT), for the week of June 13, on account of medical reasons.

Mr. DICKEY (at the request of Mr. ARMEY), for today, on account of official business.

Mr. McNULTY (at the request of Mr. GEPHARDT), for today after 2 p.m., on account of personal reasons.

Mr. YATES (at the request of Mr. GEPHARDT), for today, on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. LIPINSKI, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. FALEOMAVEGA, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. POSHARD, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

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

Mr. SMITH of Michigan, for 5 minutes, today and on June 21.

Mr. DELAY, for 5 minutes, today.

Mr. EHLERS, for 5 minutes, today and on June 16.

Mr. FOX of Pennsylvania, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. STEARNS, for 10 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

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

Mr. HASTINGS of Florida.

Mr. LANTOS.

Mr. MONTGOMERY.

Mr. SKELTON.

Mr. MFUME.

Mr. MENENDEZ in two instances.

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

Mr. KING in two instances.

Mr. SPENCE.

Mr. GILCHREST.

Mrs. KELLY.

Mr. WALSH.

Mr. FRANKS of New Jersey.

Mr. WOLF.

Mr. SOLOMON.

Mr. DAVIS.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Friday, June 16, 1995, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

1037. A letter from the Under Secretary of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred at the Maryland Army National Guard, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1038. A letter from the Assistant Secretary (Special Operations/Low-Intensity Conflict),

Department of Defense, transmitting DOD's humanitarian assistance activities report, pursuant to 10 U.S.C. 401 note; to the Committee on National Security.

1039. A letter from the Director, Administration & Management, Department of Defense, transmitting notification that the Office of the Secretary of Defense, Washington Headquarters Services, Real Estate and Facilities Directorate [RE&F], is initiating a study, to include a cost comparison that will encompass cleaning services performed at the Pentagon by Government employees, pursuant to 10 U.S.C. 2304 note; to the Committee on National Security.

1040. A letter from the Assistant Secretary (Force Management Policy), Department of Defense, transmitting the Department's report on the Civilian Separation Pay Program, pursuant to 5 U.S.C. 5597 note; to the Committee on National Security.

1041. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend section 404 of title 37, United States Code, to eliminate the requirement that travel mileage tables be prepared under the direction of the Secretary of Defense; to the Committee on National Security.

1042. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend chapter 38 of title 10, United States Code, as added by the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433; 100 Stat. 992), with respect to joint officer management policies for the Army, Navy, Air Force, and Marine Corps; to the Committee on National Security.

1043. A letter from the Office of Civilian Radioactive Waste Management, transmitting the 11th annual report on the activities and expenditures of the Office of Civilian Radioactive Waste Management, pursuant to 42 U.S.C. 10224(c); to the Committee on Commerce.

1044. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the report of the nondisclosure of safeguards information for the quarter ending March 31, 1995, pursuant to 42 U.S.C. 2167(d); to the Committee on Commerce.

1045. A letter from the U.S. Court of Appeals, District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals (93-1652—American Scholastic TV Programming Foundation versus FCC); to the Committee on Commerce.

1046. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to the United Kingdom (Transmittal No. DTC-35-95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1047. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to the United Kingdom (Transmittal No. DTC-37-95), pursuant to 22 U.S.C. 2779(c); to the Committee on International Relations.

1048. A letter from the Secretary of Labor, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

1049. A letter from the Secretary, Smithsonian Institution, transmitting the semi-annual report on activities of the inspector general for the period October 1, 1994, through March 31, 1995, and the management report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

1050. A letter from the Chairman, U.S. Equal Employment Opportunity Commission, transmitting the semiannual report on activities of the inspector general for the period October 1, 1994, through March 31, 1995, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

1051. A letter from the Clerk, U.S. House of Representatives, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 1995, through March 31, 1995, pursuant to 2 U.S.C. 104a (H. Doc. No. 104-85); to the Committee on House Oversight and ordered to be printed.

1052. A letter from the U.S. Court of Appeals, District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals (90-3041—United States versus Anderson); to the Committee on the Judiciary.

1053. A letter from the U.S. Court of Appeals, District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals (93-1621—Cheney Railroad Co. versus Railroad Retirement Board); to the Committee on Transportation and Infrastructure.

1054. A letter from the Chief Judge, U.S. Court of Veterans Appeals, transmitting the annual estimate of the expenditures and appropriations necessary for the maintenance and operation of the Court of Veterans Appeals Retirement Fund, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Veterans' Affairs.

1055. A letter from the Secretary of Defense, transmitting the second fiscal year 1995 DOD report on proposed obligations for facilitating weapons destruction and non-proliferation in the former Soviet Union, pursuant to 22 U.S.C. 5955; jointly, to the Committee on National Security and International Relations.

1056. A letter from the Secretary of Defense, transmitting the Department's report entitled, "National Space Transportation Policy: Coordinated Technology Plan," pursuant to Public Law 103-337, section 211(f) (108 Stat. 2691); jointly, to the Committee on National Security and Science.

1057. A letter from the U.S. Court of Appeals, District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals (93-1488—AFGE Local 3295 versus FLRA); jointly, to the Committees on Banking and Financial Services and Economic and Educational Opportunities.

1058. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that the President has made a certification pursuant to section 577 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1994, pursuant to Public Law 103-87, section 577(b) (107 Stat. 973); jointly, to the Committees on International Relations and Appropriations.

1059. A letter from the General Counsel of the Navy, transmitting a draft of proposed legislation entitled, the "Uniform National Discharge Standards for Armed Forces Vessels Act of 1995"; jointly, to the Committees on Transportation and Infrastructure and National Security.

1060. A letter from the Secretary of Transportation, transmitting a report on alternative transportation modes for use in the National Park System, pursuant to Public Law 102-240, section 1050(a) (105 Stat. 2000); jointly, to the Committees on Transportation and Infrastructure and Resources.

1061. A letter from the U.S. Court of Appeals, District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals (94-3105—United States versus Durenberger); jointly, to the Committees on Rules and the Judiciary.

1062. A letter from the Fiscal Assistant Secretary, Department of the Treasury,

transmitting the Department's March 1995 "Treasury Bulletin"; jointly, to the Committees on Ways and Means, Resources, Economic and Educational Opportunities, Commerce, Transportation and Infrastructure, and Agriculture.

#### 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. YOUNG of Alaska: Committee on Resources. H.R. 70. A bill to permit exports of certain domestically produced crude oil, and for other purposes; with an amendment (Rept. 104-139, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. QUILLEN: Committee on Rules. House Resolution 167. Resolution Providing for consideration of the bill (H.R. 1817) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104-140). Referred to the House Calendar.

Mr. PACKARD: Committee on Appropriations. H.R. 1854. A bill making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104-141). Referred to the Committee of the Whole House on the State of the Union.

Mr. LIVINGSTON: Committee on Appropriations. Report on the subdivision of budget totals for fiscal year 1996 (Rept. 104-142). Referred to the Committee of the Whole House on the State of the Union.

Mr. CALLAHAN: Committee on Appropriations. H.R. 1868. A bill making appropriations for the foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104-143). Referred to the Committee of the Whole House on the State of the Union.

#### DISCHARGE OF COMMITTEE

Under clause 5 of rule X, the following action was taken by the Speaker:

H.R. 70. The Committee on International Relations discharged. Referred to the Committee of the Whole House on the State of the Union.

#### TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 70. Referral to the Committee on International Relations extended for a period ending not later than June 15, 1995.

#### 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. SCHIFF (for himself, Mr. PETE GEREN of Texas, and Mr. BOEHLERT):

H.R. 1851. A bill to authorize appropriations for carrying out the Federal Fire Prevention and Control Act of 1974 for fiscal years 1996 and 1997; to the Committee on Science.

By Mr. SCHIFF (for himself and Mr. PETE GEREN of Texas):

H.R. 1852. A bill to authorize appropriations for the National Science Foundations, and for other purposes; to the Committee on Science.

By Mr. MEEHAN (for himself and Mr. HANSEN):

H.R. 1853. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the reduction and eventual elimination of nicotine in tobacco products; to the Committee on Science.

By Mr. PACKARD:

H.R. 1854. A bill making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes; committed to the Committee of the Whole House on the State of the Union.

By Mr. DAVIS (for himself, Mrs. MORELLA, and Mr. WOLF):

H.R. 1855. A bill to amend title 11, District of Columbia Code, to restrict the authority of the Superior Court of the District of Columbia over certain pending cases involving child custody and visitation rights; to the Committee on Government Reform and Oversight.

By Mr. EMERSON (for himself, Mr. MINETA, Mr. EWING, Mr. BOEHLERT, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANDREWS, Mr. BAESLER, Mr. BLILEY, Mr. BORSKI, Mr. BROWN of Ohio, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CANADY, Mr. CLYBURN, Mr. COLLINS of Georgia, Miss COLLINS of Michigan, Mr. CONDIT, Mr. COSTELLO, Mr. CRAMER, Mr. CRANE, Ms. DANNER, Mr. DEFAZIO, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DICKS, Mr. DICKEY, Mr. DINGELL, Mr. DIXON, Mr. DOOLITTLE, Mr. DORNAN, Mr. DREIER, Mr. DURBIN, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FAZIO of California, Mr. FIELDS of Texas, Mr. FILNER, Mr. FORD, Mrs. FOWLER, Ms. FURSE, Mr. GALLEGLY, Mr. GILLMOR, Mr. GORDON, Mr. GENE GREEN of Texas, Mr. HALL of Texas, Mr. HASTERT, Mr. HAYES, Mr. HERGER, Mr. HOBSON, Mr. HORN, Mr. HUTCHINSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSTON of Florida, Mr. KIM, Mr. KNOLLENBERG, Mr. LAHOOD, Mrs. LINCOLN, Mr. LATOURETTE, Mr. LAUGHLIN, Mr. LEWIS of California, Mr. LIPINSKI, Mr. LIVINGSTON, Mr. MATSUI, Mr. MANZULLO, Mr. MCCOLLUM, Mr. MCDERMOTT, Mr. MCKEON, Mrs. MEEK of Florida, Mr. MINGE, Mr. MOORHEAD, Mr. MYERS of Indiana, Mr. NEAL of Massachusetts, Mr. NEY, Mr. NUSSLE, Mr. OBERSTAR, Mr. PALLONE, Mr. PASTOR, Mr. PAXON, Mr. PETERSON of Florida, Mr. POMEROY, Mr. PORTER, Mr. POSHARD, Mr. QUILLEN, Mr. QUINN, Mr. RAHALL, Mr. RIGGS, Mr. ROMERO-BARCELO, Mr. SCHIFF, Mr. SHAW, Mr. SKELTON, Mr. SOLOMON, Mr. SPENCE, Mr. STEARNS, Mr. TALENT, Mr. THORNTON, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAFICANT, Mr. TUCKER, Mr. UNDERWOOD, Mr. VOLKMER, Mr. WELDON of Pennsylvania, Mr. WHITFIELD, and Mr. WISE):

H.R. 1856. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for an expanded Federal program of hazard mitigation, relief, and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Commerce, Banking and Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall with-

in the jurisdiction of the committee concerned.

By Mr. FRANKS of New Jersey:

H.R. 1857. A bill to amend the Internal Revenue Code of 1986 to allow an individual who has attained age 55 a deduction for amounts paid for insurance to be used to pay real property taxes on the principal residence of the individual after the individual has attained age 65; to the Committee on Ways and Means.

By Mr. LEACH:

H.R. 1858. A bill to reduce paperwork and additional regulatory burdens for depository institutions; to the Committee on Banking and Financial Services.

By Mr. MILLER of California:

H.R. 1859. A bill to require employers to post, and to provide to employees individually, information relating to sexual harassment that violates title VII of the Civil Rights Act of 1964; and for other purposes; to the Committee on Economic and Educational Opportunities.

H.R. 1860. A bill to authorize the Secretary of Transportation to convey the vessel S.S. *Red Oak Victory* to Richmond Museum Association, Inc., located in Richmond, CA, for use as a monument to the wartime accomplishments of the city of Richmond; to the Committee on National Security.

By Mr. MOORHEAD:

H.R. 1861. A bill to make technical corrections in the Satellite Home Viewer Act of 1994 and other provisions of title 17, United States Code; to the Committee on the Judiciary.

By Ms. NORTON (for herself (by request) and Mr. DAVIS):

H.R. 1862. A bill to permit certain revenues of the District of Columbia to be expended for activities relating to the operation of the Washington Convention Center and the construction of a new convention center in the District of Columbia; to the Committee on Government Reform and Oversight.

By Mr. STUDDS (for himself, Mr. FRANK of Massachusetts, Mrs. MORELLA, Mr. TORKILDSEN, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BOEHLERT, Mr. FLANAGAN, Mr. BALDACCI, Mr. BARRETT of Wisconsin, Mr. GILMAN, Mr. GUNDERSON, Mr. BECERRA, Mr. BEILENSON, Mr. HORN, Mrs. JOHNSON of Connecticut, Mr. BERMAN, Mr. BONIER, Mrs. KELLY, Mr. SHAYS, Mr. BROWN of California, Mr. CARDIN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. COLEMAN, Miss COLLINS of Michigan, Mr. CONYERS, Mr. COYNE, Mr. DEFAZIO, Ms. DELAURO, Mr. DELLUMS, Mr. DEUTSCH, Mr. DICKS, Mr. DIXON, Mr. DURBIN, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FAZIO of California, Mr. FILNER, Mr. FLAKE, Mr. FOGLIETTA, Ms. FURSE, Mr. GEJDENSON, Mr. GONZALEZ, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HOYER, Ms. JACKSON-LEE, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSTON of Florida, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of Rhode Island, Mrs. KENNELLY, Mr. KILDEE, Mr. LANTOS, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. LOFGREEN, Ms. LOWEY, Mrs. MALONEY, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Ms. MCCARTHY, Mr. MCDERMOTT, Ms. MCKINNEY, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MENENDEZ, Mr. MFUME, Mr. MILLER of California, Mr. MINETA, Mrs. MINK of Hawaii, Mr. MORAN, Mr. MOAKLEY, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PASTOR,

Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. RANGEL, Mr. REED, Mr. REYNOLDS, Mr. RICHARDSON, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Mr. SANDERS, Mr. SAWYER, Mrs. SCHROEDER, Mr. SCHUMER, Mr. SERRANO, Ms. SLAUGHTER, Mr. STARK, Mr. THOMPSON, Mr. TORRES, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAFICANT, Mr. UNDERWOOD, Ms. VELÁZQUEZ, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, Ms. WOOLSEY, Mr. WYDEN, Mr. WYNN, and Mr. YATES):

H.R. 1863. A bill to prohibit employment discrimination on the basis of sexual orientation; to the Committee on Economic and Educational Opportunities, and in addition to the Committees on House Oversight, Government Reform and Oversight, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE (for himself and Mr. NEUMANN):

H.R. 1864. A bill making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD:

H.R. 1865. A bill to amend the Federal Election Campaign Act of 1971 to provide that the same limitation on contributions to candidates shall apply to multicandidate political committees and other persons; to the Committee on House Oversight.

By Mr. WOLF (for himself, Mr. BAKER of Louisiana, Mr. BLUTE, Mr. DAVIS, Mr. FROST, Mr. HANSEN, Mr. MCDERMOTT, Mrs. MORELLA, and Mr. REYNOLDS):

H.R. 1866. A bill to promote the implementation of programs to improve the traffic safety performance of high risk drivers; to the Committee on Transportation and Infrastructure.

By Mr. CALLAHAN:

H.R. 1868. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

By Mr. LIPINSKI:

H. Con. Res. 77. Concurrent resolution concerning the Fourth World Conference on Women in Beijing; to the Committee on International Relations.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

112. By the SPEAKER: Memorial of the House of Representatives of the State of Colorado, relative to the reauthorization of the Conservation Program Improvements Act; to the Committee on Agriculture.

113. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to maintaining the status quo at Tobyhanna Army Depot, PA; to the Committee on National Security.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DUNCAN introduced a bill (H.R. 1867) for the relief of Gregory E. Walters; which was referred to the Committee on the Judiciary.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 46: Mr. SENSENBRENNER, Mr. SCHIFF, Mr. CONDIT, Mr. COBLE, and Mr. HAYES.  
 H.R. 94: Mr. SHAW and Mr. PICKETT.  
 H.R. 426: Mr. EHLERS.  
 H.R. 427: Mr. SALMON, Mr. COBLE, Mr. LUCAS, Mr. COX, and Mr. POMEROY.  
 H.R. 580: Mr. LAHOOD, Mr. BEREUTER, Mrs. SMITH of Washington, Mr. SKELTON, and Mrs. SCHROEDER.  
 H.R. 783: Mr. FOLEY and Mr. REYNOLDS.  
 H.R. 803: Mr. OLVER.  
 H.R. 911: Mr. BLUTE, Mr. PETE GEREN of Texas, Mr. GILCHREST, Mr. HERGER, and Mr. HUNTER.  
 H.R. 922: Mr. ENGLISH of Pennsylvania, Mrs. JOHNSON of Connecticut, and Mr. GORDON.  
 H.R. 927: Mrs. THURMAN and Mr. FRELINGHUYSEN.  
 H.R. 957: Ms. MCCARTHY, Mr. GOSS, and Mr. MILLER of Florida.  
 H.R. 1003: Mr. FRANK of Massachusetts, Mr. PAYNE of Virginia, Mr. LEWIS of Georgia, and Mrs. LINCOLN.  
 H.R. 1010: Mr. DEFAZIO, Mr. JOHNSON of South Dakota, and Ms. FURSE.  
 H.R. 1020: Mr. MFUME, Mr. BONIOR, Mr. KILDEE, Mr. LOBIONDO, Mr. MICA, and Mr. FATTAH.  
 H.R. 1046: Mr. GENE GREEN of Texas, Mrs. JOHNSON of Connecticut, Mr. FROST, Mr. FALEOMAVAEGA, Mr. SCOTT, and Mr. GEJDENSON.  
 H.R. 1047: Mr. HASTERT, Mr. GALLEGLY, and Mr. SMITH of Texas.  
 H.R. 1061: Mr. HEFLEY, Mr. BENTSEN, and Mr. SAM JOHNSON.  
 H.R. 1073: Miss COLLINS of Michigan, Mr. BONIOR, Mr. HINCHEY, Mr. FOX, and Mr. PASTOR.  
 H.R. 1074: Miss COLLINS of Michigan, Mr. BONIOR, Mr. HINCHEY, and Mr. PASTOR.  
 H.R. 1078: Mr. SMITH of New Jersey, Mr. FROST, Mr. WILLIAMS, and Mrs. JOHNSON of Connecticut.  
 H.R. 1100: Mr. FRANKS of New Jersey.  
 H.R. 1118: Mr. GUTKNECHT.  
 H.R. 1119: Mr. ACKERMAN.  
 H.R. 1138: Mr. REYNOLDS.  
 H.R. 1147: Mr. NADLER and Ms. ROYBAL-AL-LARD.  
 H.R. 1176: Mr. RIGGS, Mr. DOOLITTLE, Mr. HEFLEY, Mr. BARTLETT of Maryland, Mr. GILCHREST, Mr. COBLE, Mr. BARTON of Texas, Mr. MILLER of Florida, Mr. MCCOLLUM, Mrs. VUCANOVICH, Mr. BAKER of Louisiana, Mr. BURTON of Indiana, and Mr. BONILLA.  
 H.R. 1242: Mr. LUCAS.  
 H.R. 1317: Ms. LOFGREN.  
 H.R. 1381: Mr. SERRANO, Ms. JACKSON-LEE, Mr. FROST, and Mr. JACOBS.

H.R. 1384: Mr. STUMP, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Mr. STEARNS, Mr. BARR, Mr. COOLEY, Mr. EVANS, Mr. FILNER, Ms. BROWN of Florida, Mr. DOYLE, and Mr. MASCARA.  
 H.R. 1397: Mr. HOKE.  
 H.R. 1442: Ms. FURSE and Mr. ENGLISH of Pennsylvania.  
 H.R. 1523: Mr. FALEOMAVAEGA.  
 H.R. 1536: Mr. STUMP, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Mr. STEARNS, Mr. BARR, Mr. COOLEY, Mr. EVANS, Mr. FILNER, Ms. BROWN of Florida, Mr. DOYLE, and Mr. MASCARA.  
 H.R. 1547: Mr. MINETA and Mr. REYNOLDS.  
 H.R. 1565: Mr. SMITH of New Jersey, Mr. BILIRAKIS, Mr. STEARNS, Mr. BARR, Mr. COOLEY, Mr. EVANS, Mr. FILNER, Ms. BROWN of Florida, Mr. DOYLE, Mr. MASCARA, and Mr. NEY.  
 H.R. 1588: Mr. LAUGHLIN.  
 H.R. 1604: Mr. ENGLISH of Pennsylvania.  
 H.R. 1610: Mr. PORTMAN.  
 H.R. 1617: Mr. HANCOCK.  
 H.R. 1650: Mr. DIAZ-BALART.  
 H.R. 1765: Mr. ROHRABACHER, Mr. HANCOCK, and Mr. DOOLITTLE.  
 H.R. 1776: Mr. SMITH of Texas.  
 H.R. 1781: Mr. FAZIO of California.  
 H.R. 1810: Mr. ENGLISH of Pennsylvania, Mr. SMITH of Texas, Mr. ROYCE, and Mr. PORTMAN.  
 H.R. 1818: Mr. SENSENBRENNER, Mr. CUNNINGHAM, Mr. DEUTSCH, Mr. HASTERT, Mr. GREENWOOD, Mr. STOCKMAN, Mr. LINDER, Mrs. CHENOWETH, Mr. FIELDS of Texas, Mr. BARTON of Texas, Mr. LAUGHLIN, and Mr. FOX.  
 H.R. 1821: Mr. DELLUMS and Mr. BATEMAN.  
 H.J. Res. 79: Mr. MILLER of Florida.  
 H.J. Res. 91: Mr. PAXON.  
 H. Con. Res. 70: Mr. RIGGS.  
 H. Res. 30: Mr. ENSIGN.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 774: Mr. CALVERT.  
 H.R. 1289: Mr. FATTAH.

#### PETITIONS, ETC.

Under clause 1 of rule XXII,  
 24. The SPEAKER presented a petition of Board of Commissioners of Wayne County, NC, relative to opposing further regulations of tobacco by the Food and Drug Administration; which was referred to the Committee on Commerce.

#### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1817

OFFERED BY: MR. FRANK OF MASSACHUSETTS  
 AMENDMENT No. 2: Page 19, after line 12, insert the following new section:

SEC. 126. The amounts otherwise provided in this Act for the following accounts are hereby reduced by 5 percent:

- (1) "Military Construction, Army".
- (2) "Military Construction, Navy".
- (3) "Military Construction, Air Force".
- (4) "Military Construction, Defense-wide".
- (5) "Military Construction, Army National Guard".
- (6) "Military Construction, Air National Guard".
- (7) "Military Construction, Army Reserve".
- (8) "Military Construction, Naval Reserve".
- (9) "Military Construction, Air Force Reserve".
- (10) "North Atlantic Treaty Organization—Security Investment Program".

H.R. 1817

OFFERED BY: MR. HERGER

AMENDMENT No. 3: Page 2, line 12, strike "\$625,608,000" and insert "\$611,608,000".

H.R. 1817

OFFERED BY: MR. MINGE

AMENDMENT No. 4: Page 3, line 3, strike "\$588,243,000" and insert "\$571,843,000".

H.R. 1817

OFFERED BY: MR. NEUMANN

AMENDMENT No. 5: On page 8, line 2, strike \$1,157,716,000 and insert \$1,150,730,000.

H.R. 1817

OFFERED BY: MR. OBEY

AMENDMENT No. 6: On page 2, line 12, delete "\$625,608,000", and insert "\$611,108,000".

On page 3, line 3, delete "\$588,243,000" and insert "\$578,743,000".

On page 5, line 4, delete "\$72,537,000" and insert "\$59,337,000".

On page 5, line 12, delete "\$118,267,000" and insert "\$107,267,000".

On page 6, line 9, delete "\$1,502,000" and insert "\$29,702,000".

H.R. 1817

OFFERED BY: MR. OBEY

AMENDMENT No. 7: Page 19, after line 12, insert the following new section:

SEC. 126. The amounts otherwise provided in this Act for the following accounts are hereby reduced by the following amounts:

- (1) "Military Construction, Army", aggregate amount, \$14,500,000.
- (2) "Military Construction, Navy", aggregate amount, \$9,500,000.
- (3) "Military Construction, Army National Guard", \$13,200,000.
- (4) "Military Construction, Air National Guard", \$11,000,000.
- (5) "Military Construction, Air Force Reserve", \$1,800,000.

H.R. 1817

OFFERED BY: MR. ROYCE

AMENDMENT No. 8: Page 3, line 3, strike "\$588,243,000" and insert "\$571,843,000".